

Application Number: 10/04475/FUL

Address:

Sainsburys Supermarkets Limited
Green Park Station
Green Park Road
Bath BA1 2DR

Proposal:

Erection of extension to foodstore to provide additional retail floorspace and warehouse floorspace. Alterations to car park layout.

Comment:

Bath Heritage Watchdog **objects** to the application.

There are three main concerns over loss of trees and visually important space, lack of identification for flood compensation and the design and materials for the proposed extension itself. There are also two points of concern stated below.

Point 1 Documentation

Given we are now operating on an electronic only method of studying applications the system must be user friendly. Once again as in a number of previous applications file sizes for some of the documents is excessive some are in the region of 50MB!. To compound this a number of the files appeared to have been corrupted and would not download correctly. This was not helped by the intermittent but ongoing problems with the public access facility. The outcome was that it took a number of days to obtain the complete set of documents in order to properly assess the application. The current facilities on offer in the Guildhall are inadequate and fall far short of the standard that is expected.

Point 2 Consultation

Whilst we note the applicants did provide a consultation it appeared insufficient for the purpose. If the local newspaper failed to run with the story the applicants should have endeavored to make this more high profile. We were not made aware or invited to participate there appears to have been nothing apart from a small display inside the store entrance, given the space in the foyer at the station and the busy concourse more could have been done. It is therefore not surprising the feedback was limited.

Flooding

Although the Flood Risk Assessment provided with the planning application claims to have been prepared in accordance with PPS25, the author has been selective about which parts of PPS25 are quoted.

PPS25 makes some allowances for minor developments, which it defines as: *Minor non-residential extensions: Industrial/Commercial/Leisure etc. extensions with a footprint less than 250m²*. The proposed development is stated to be approximately 750m² so PPS25 must be applied as though this is a major development. The principles which PPS25 promotes are “*safeguarding land from development that is required for current and future flood management e.g. conveyance and storage of flood water, and flood defences*”; and “*making the most of the benefits of green infrastructure*”.

The loss of the trees (and thus the benefits they provide in taking in water through the root and evaporating it through the air) are covered elsewhere in these comments. The fact that the land is required for flood management is recognised, because the application admits: “*the volume of flood storage which would be lost as a result of the proposals has been estimated as 520m³*”. PPS25 therefore requires that this land should be safeguarded from development, or as a minimum the application must include full details of offsetting compensation. It is not acceptable to claim that details will be provided prior to determination: this is a Full application not an Outline so it must contain all the information necessary to make a decision. It has to be borne in mind that PPS25 requires “*reducing the adverse consequences of flooding on the “receptors” (i.e. people, property, infrastructure, habitats and statutory sites) by avoiding inappropriate development in areas at risk of flooding*” and any increase in flood risk would have an impact on the next most vulnerable location downstream and that is the Grade I listed Norfolk Crescent. Without the detailed compensation proposals, the only option left by PPS25 is to refuse permission.

The flood risk assessment submitted as part of the application says that there is no record of flooding in this location, but there is evidence of flooding in Green Park Mews. Now this plot and Green Park Mews are almost on the same contour line, so if Green Park Mews flooded then this site did as well. The difference is that until Sainsbury's occupied the site it was waste land so it wasn't worth recording whether it flooded or not. It is certainly unsafe to suggest that because there are no records, it didn't happen. Comparing the location of the extension with the B&NES SFRA maps, it can be seen that very nearly all the extension is in flood zone 3a (the application underplays this), and all of it is in the area shown as at risk from flooding from surface water run-off (the application fails to mention this), and nearly all of it is in the 100-year flood level zone. The application makes reference to the floor levels of the existing store and seeks to match them, but PPS25 was not in force when that was built, and if it had been the existing store would not have met its criteria. The existing store cannot therefore be used to justify the extension.

PPS25 requires the planning process to assess the flood risk. It should “*consider the risk of flooding arising from the development in addition to the risk of flooding to the development*”. The application does not address the additional risk elsewhere. It should “*consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures*”, yet the assessment fails to address water run-off risks nor makes firm proposals for compensation measures. It should “*consider how the ability of water to soak into the ground may change with development*”, yet the benefits of flood absorption provided by the existing trees, grass and gravel are not recognised.

Finally, the exception test must demonstrate *“that the development provides wider sustainability benefits to the community that outweigh flood risk”*. Whilst the business benefits of the extension are obvious, no attention seems to have been paid to the benefits of the community. The exception test requires that *“the development should be on developable previously-developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously-developed land”*. The land chosen has not previously been developed, and reasonable alternatives like extending the shop floor on stilts so that the flood plain is not occupied, or using the existing large roof space for additional storage appear not to have been considered. The exception test requires a Flood Risk Assessment which *“must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall”* yet the documentation supplied shows the opposite; that 520m³ of flood storage would be lost.

Despite the claims in the Flood Risk Assessment provided with the planning application that it has been prepared in accordance with PPS25, the quotations from PPS25 given above prove that the only decision possible from examining the guidance is that planning permission should be refused.

Design

This location is in a Conservation Area in the World Heritage Site and would impact on a number of both listed and locally important heritage assets. High quality design and materials appropriate for the location must be paramount. Whilst an extension in (principle) is not ruled out, it would need to be reduced in area and impact and offer a higher quality of design and materials.

Materials

If metal cladding panels were proposed for the hotel on the Green Park site just yards around the corner quite correctly they would be deemed inappropriate. The existing store is very much a child of its time decided in a different climate under different policies. It does not compliment or fit in with its historic setting apart from the vague attempt at a Bath stone colour for the panels. It is somewhat akin to a giant marquee it is purely functional in an industrial rather than an aesthetic sense. People have just grown used to it. So although we can see some reasoning behind continuing the existing theme those materials are not part of the local characteristics. Local character and distinctiveness should be promoted possibly by a mix of local materials.

The Design Itself

This seem more of a case of take the existing form and bring it out to meet the street and utilise all the space available. This is at the cost of loss of several trees and other planting and the creation of an ‘iron curtain’ along Midland Bridge road. The crowding created by pushing the walls out as far as possible makes the extension appear over-bearing and dominant this combined with the loss of the softening trees will adversely impact on the Conservation Area. The whole of the frontage is non active. The whole needs some relief, this could be achieved by a greater set-back and better articulation.

The loss of the important tree cover particularly in the area adjacent to the bridge we feel will give a greater exposure to the rather utilitarian approach being proposed particularly when approaching from the south, it is felt this could negatively impact on the road the setting of the bridge and the listed terrace of Green Park. It would be preferable to see all of the trees retained and this whole area rethought possibly with a reduced floor area and greatly set back. There appears to be an awful lot of empty space in the proposals so better management of layout should be considered. It is unacceptable to consider losing living trees for shop window display space and this whole area of the proposals appears to conflict with the ethical aims promoted in the design & access statement.

The windows though bringing some relief do appear somewhat pointless as this is not a shopping street in any sense so the display windows would serve little purpose. The run of narrow windows again add to the utilitarian feel. If windows are to be included the spacing should be better and the proportions better scaled. It would also appear large areas of flat roof are proposed that have the potential to provide more nesting space for birds in close proximity of the river.

It is possible that the size of the proposed extension could be greatly reduced if the non food related items and floor space were located elsewhere such as on the Homebase site.

Impact on Heritage Assets

There is little wrong with the heritage assessment but it does concentrate primarily on the main listed structures and not on what are now deemed by PPS as locally important heritage assets it also downplays the impact on the Conservation Area by claiming the loss of trees are compensated by the high quality of the proposed design, a design based on an old rather bland and tired looking building made of materials not of the local palette and not conforming to local characteristics. It is felt the proposals will have little impact on Green Park Station but a greater impact on the setting and residential amenity of Green Park where trees, shrubs and landscape are to be replaced with solid steel panels and possible light still from window displays and signage. (the heritage statement does not mention the impact from the loss of trees on the terrace)

The Midland Bridge itself though not listed is of local importance. It replaced the old Midland Bridge (now the Destructor Bridge) in 1912 when it was found that structure was possibly not capable of taking the weight of the new electric trams. It was built by the noted firm of Handyside of Derby who also built the canopy of the station. It is not without merit and charm although looking rather drab. Again it is felt that these proposals by the loss of trees in the area of the bridge and the rather sharp apex proposed adversely impact on this structure. The heritage statement **5.5 Non Designated Assets** fails to mention this asset, therefore the conclusions of impact have not been properly assessed.

Signage

The montages clearly show new signage along the Midland Bridge Road. It would appear to be the same as existing elsewhere on the store however it is considered to be not appropriate in terms of materials and style for its location there is also the possibility it will be illuminated. We would ask that a separate Advertising Consent application is raised for this.

Loss of Landscape

'Trees make a vital contribution to the character and appearance of a Conservation Area'
(BANES Local Plan C3.48).

Yet the documentation states '*Loss of trees within the Sainsbury's site is an unfortunate consequence of meeting the retail need...*'. Apart from there actually being no proven retail need for the additional extension, it is a very sad day when anyone considers that it is deemed acceptable for this to take precedence over valuable landscaping. 5.2.4. Clearly says the loss of trees is a negative design aspect

The group of trees to be felled provides an important cushion between the road and the somewhat brutalist supermarket building. Removing the trees and bringing the building to the boundary line is creating an aggressive frontage which is uncharacteristic of the locality. In the surrounding area, most importantly Green Park, none have frontages on the boundary.

The species of trees in the group, whilst not necessarily valuable in individual terms, provide interest. From *Fraxinus excelsior* which has compound leaves and smooth grey bark with fissures, *Robinia pseudoacacia* with deeply furrowed black bark and fragrant white flowers, *Pinus sylvestris* which is evergreen to *Acer Platanoides* which provides autumn colour. Replacing the greenery with a wall of metal cladding and glazing has to be seen to be severely detrimental to the Conservation Area.

What is described by the applicants as 'open space' and of 'no practical value' is of value (visual importance) to the Conservation Area and to maintaining the green ribbon of the north bank of the river. It currently acts as a softener screening the rather dull expanse of the current store from the road, river and the terrace of Green Park. It provides relief in one of the cities most monotonous roads. It therefore clearly has a positive impact on the character of the Conservation Area therefore the presumption must be to maintain it. The proposals here sweep this all away for what to all intents and purposes is a stop gap measure to increase floor space No compensation for this loss is provided by the extension in terms of design and materials. Justification appears to be based on the fact that the current store lacks adequate space mostly for non-food goods (the trees to be felled would certainly outlive the life of the current store) The trees are also claimed to be mainly small. The Ariel photo that heads a number of the documents shows this is not the case. The fact the area attracts litter and anti social behaviour does not compensate for the losses proposed.

Conclusion.

This appears to be a short term measure aimed to give the current store the retail edge over other proposals pending consideration and while the design continues the theme of the existing store it is not well thought out. It would leave the street with a bland and stark run of cladding panels along a considerable length. It is far to close to the street line. Design and materials are also not complimentary to the Conservation Area or to the listed and locally important heritage assets. The proposal sees the loss of several trees and an area that is a buffer in providing relief from the monotony of the current store. None of the proposed planting compensates for this significant loss. The proposals will see the loss of some flood storage and again this is not adequately compensated for and thus in its current form does not meet the requirements of PPS25

For the reasons stated above this application contravenes Policies BH1, BH2, BH5, BH6, BH15, BH19, NE1, D2 and D4 of the Local Plan and with the guidance and policies of PPS5 and PPS25 and should therefore be refused.