

**Bath & North East
Somerset Council**

Improving People's Lives

Local Plan
Publication Stage Representation
Form

Ref:

**(For
official
use only)**

**Name of the Local Plan to which
this representation relates:**

Bath & North East Somerset Council

**Please return to Bath and North East Somerset Council
BY 23:59 on the 8th October 2021**

Please note that while anyone can comment on consultations on local Planning Policy documents, we cannot accept confidential or anonymous comments and your name (but not any other details) may be published alongside the comments. For more information on what Planning does with personal information please see the [Council's privacy policy](#) and the [Planning specific privacy policy](#).

Please send completed forms by post to: Planning Policy Team, Lewis House, Manvers Street, Bath BA1 1JG

This form can also be [completed online](#):

<https://consultation.westofengland-ca.gov.uk/bath-north-east-somerset/lppu-draft/>

Users who complete the form online will receive a receipt and a link to a PDF copy of their response upon submission. There is also a 'save and return' feature, which allows respondents to come back to their incomplete survey response at a later date without losing the information they've already entered.

Please note that you must have cookies enabled in your web browser to use this feature, and the feature is not available for responses that have already been completed and submitted.

If you are having difficulty in submitting representations, please contact planning_policy@bathnes.gov.uk or call 01225 39 40 41 (Option 6)

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes on the left, but complete the full contact details of the agent in the boxes on the right.*

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Chris"/>
Last Name	<input type="text"/>	<input type="text" value="Beaver"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="Toplocation 4 Ltd /
Longacre Bath LLP"/>	<input type="text" value="PlanningSphere Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="Spaces Northgate House"/>
Line 2	<input type="text"/>	<input type="text" value="Upper Borough Walls"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="BA1 1NG"/>
Telephone Number	<input type="text"/>	<input type="text" value="07827944638"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="chris@planningsphere.co.uk"/>

Part B – Please use a separate sheet for each representation

Name or Organisation: PlanningSphere Ltd representing Westmark Bath Ltd

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	H2a SCR6 SCR8 NE3 NE3a	Policies Map	<input type="text"/>
-----------	----------------------	--------	------------------------------------	--------------	----------------------

4. Do you consider the Local Plan:

4 (1) is legally compliant

Yes

No

4 (2) is sound

Yes

No

4 (3) complies with the
Duty to co-operate

Yes

No

Please indicate as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant, or is unsound, or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

n/a

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Refer to Section 4.0 of our representation document for comments and compliance recommendations under each policy reference. The document needs to read as a whole for the full context of our representation to be understood.

(Continue on a separate sheet /expand box if necessary)

Please note

In your representation, you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.

To summarise the evidence that we have submitted pursuant to Policy H2A and to partake in round table discussion led by the Inspector.

(Continue on a separate sheet /expand box if necessary)

Please note

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representation Statement

B&NES Local Plan Partial Update (Regulation 19) - October 2021

Landowner: Toplocation 4
Ltd/Longacre Bath LLP

Date: February 2021

Site: Former Hollis Building, Lower
Bristol Road, Bath BA2 9ES

BANES HEELA Ref: TWT09



Contents

Sections

- 1.0 Introduction
- 2.0 Relevant background information
- 3.0 Suitability of the Former Hollis Site for Mixed-use Allocation
- 4.0 Response to the Consultation
- 5.0 Conclusions

Appendices

- A Site Location Plan – AWW
- B Decision Notice (LPA Ref: 20/01794/FUL)
- C Appeal Decision Letter (LPA Ref: 18/05047/FUL & PINS Ref: 3244862)
- D Student Need Report updated September 2021 (Knight Frank)
- E Building Condition Report (CSquared)

1.0 Introduction

- 1.1 PlanningSphere have been instructed to make representations to the Bath and North East Somerset (B&NES) Partial Local Plan Review on behalf of the owners of the subject site, Toplocation 4 Ltd / Longacre. The subject site is outlined on the Site Location Plan shown at Appendix A.
- 1.2 The enclosed representation follows the representations that were submitted in response to the Regulation 18 iteration of the PLPR, which were submitted in January 2021 (Regulation 18), and December 2018 in relation to the withdrawn Local Plan Review.
- 1.3 The enclosed representation makes reference to the recent determination of our client's planning application (LPA ref: 20/01794/FUL) – see decision notice at Appendix B. A subsequent revised planning application (LPA Ref: 21/02354/FUL) is currently under consideration by the Council. This application is considered by officers to have addressed the heritage/design and green infrastructure refusal reasons associated with previously refused scheme. At the time of writing officers are assessing additional evidence the applicant has submitted in respect of the only outstanding planning matter relating to the application of the flood risk sequential and exception tests.
- 1.4 This 'omission' representation contends that the plan is unsound without greater provision for PBSA to be identified which should include the allocation of the subject site in the Partial Local Plan Update for a mixed-use redevelopment of the site for PBSA / Employment (Class B8). The representation is supported by evidence of PBSA need as set out in a report updated in September 2021 by Knight Frank (see Appendix D). We have also included a condition survey report prepared by CSquared on the existing building at Appendix E, which shows that it is well beyond the point of economic repair.

2.0 Relevant Background Information

(i) Site Description and Context

- 2.1 The site extends to 0.16ha and is located between the River Avon and Lower Bristol Road, towards the western side of Bath – site photographs are shown at Appendix A. Details of the site location and non-car accessibility (foot, cycle, bus and rail) are set out in the accompanying Transport Statement. The Transport Statement also provides details of the excellent public transport connections to both Bath Spa University and the University of Bath.

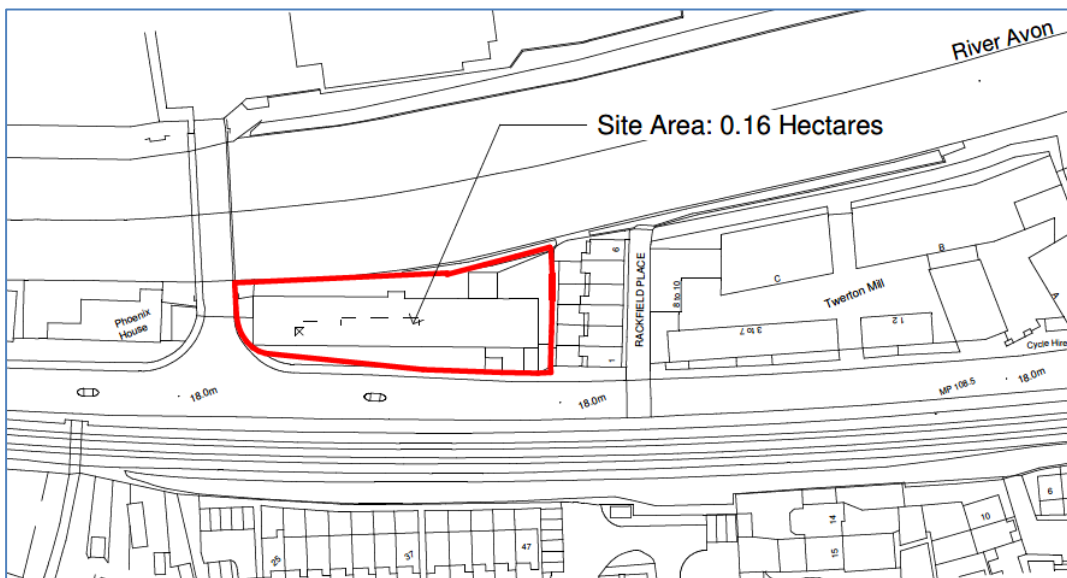


Fig 1. Extract from Site Location Plan – a full extract is shown at Appendix A.

- 2.2 The majority of the site accommodates the footprint of the former Hollis Building. The limited external space comprises the two site accesses, informal parking spaces to the front and the northeast corner, and an unmanaged area of riverside bank. Both the building and its context actively detract from the townscape in this area.

(ii) Existing Lawful Use and Planning history

- 2.3 The application site has an established existing lawful use as storage and distribution (Class B8). Planning history recorded on the Council’s public access system includes the following decisions.

Reference	Description	Decision
21/02354/FUL	Demolition of existing building; mixed-use redevelopment of site for storage and distribution (Class B8) and 120 units of purpose-built student accommodation (sui generis); and associated access and landscaping works (re-submission)	Under consideration
20/01794/FUL	Mixed-use redevelopment of site for storage and distribution (Class B8) and erection of 121 units of purpose-built student accommodation (sui generis)	Refused 17.12.2020

	following demolition of existing building and associated access and landscaping works.	
17/05536/FUL	Demolition of existing building. Re-development of site for the erection of a 3-5 storey building to provide student accommodation (Sui Generis), comprising 137 bedspaces and communal facilities. External works, including hard and soft landscaping and felling/works to existing trees. Proposed vehicular access to Lower Bristol Road and provision of 1 no. parking space and covered cycle parking.	Refused 12.02.2018
17/02914/FUL	Demolition of the existing building and the erection of a 3-5 storey building to provide student accommodation (Sui Generis), comprising 136 bedspaces and associated development	Withdrawn 10.10.2017
17/01369/SCREEN	Request for EIA screening opinion, sought for a proposal of up to 160 student rooms	No screening required 06.04.2017
00/02278/FUL	Alterations and change of use of the existing building (Avalon Building) to provide Class B1 Offices	Withdrawn July 2004

2.4 The decision notice relating to application 20/01794/FUL is shown at Appendix B. Extracts from the proposed revised scheme (21/02354/FUL) are shown in Figures 2-4 below:



Fig 2. Aerial view showing the roof plan and green infrastructure (21/02354/FUL)



Figs. 3 and 4: GGIs showing the roadside frontage to Lower Bristol Road (21/02354/FUL)

2.5 We enclose a recent appeal decision letter at Appendix C, which relates to the following decision:

Reference	Description	Decision
18/05047/FUL PINS Ref: 3244862	Demolition of the former Plumb Center and Genesis Lifestyle Centre and the erection of a 3 storey (plus mezzanine) mixed use building for 1,354 m ² of B1c Light Industrial, 364 m ² of D2 Assembly and Leisure, 52 student studios and 28 student en suite rooms in cluster flats.	Appeal Allowed 30.12.2020

2.6 The relevance of this recent appeal decision is the commentary relating to the substantial unmet demonstrable need for additional PBSA provision in Bath, which cannot be accommodated on campus. The relevant commentary is set out under Paragraphs 34-37 of the appeal decision letter at Appendix C.

3.0 Suitability of the Site for Mixed-Use Redevelopment

- 3.1 The subject site lies within the Twerton and Newbridge Riverside as shown in Diagram 14 of the adopted Placemaking Plan, which is an area that has been explicitly identified for regeneration under PMP Policy B3. Policy B3 states that the area is ‘...suitable for a broad range of uses and there is scope to redevelop the area to provide new business premises and housing’.



Fig 5. Extract from the adopted Placemaking Plan. The subject site is included in this allocation as annotated with the yellow star.

- 3.2 PMP Policy ED2A states *inter alia* that B class proposals (of the former Use Classes Order), including Class B8 uses, are acceptable in principle in the Newbridge Riverside. The policy also sets out a requirement under criterion 3 that: ‘applicants will also need to demonstrate that non-industrial uses would not have an adverse impact on the sustainability of the provision of services from industrial premises that remained around the site or would not act against the development of undeveloped areas for industrial uses.’
- 3.3 The subject building has now reached the end of its economic life, as confirmed in the report prepared by CSquared at Appendix E dated February 2021. The building currently let at a low rent to charity (Mercy in Action) and is of no architectural or historic interest. The report at Appendix E states:

“The building is in a very poor state of repair, is wholly thermally inefficient and the envelope is not wind/water tight. The roof is overgrown and all rainwater goods defective such that water damage has occurred to the elevations. The curtain walling system is defective and there are areas of structural movement and failure in the outer skin of masonry to the front and rear elevations. Building services are rudimentary, dated and without a clear structure of supply and distribution. The internal environment is cold and inappropriate for occupational use in its current format. Our estimated cost of envelope repair is circa £1.2m with a further allowance of £505,000 made for interior fit out. Costs include professional fees but exclude VAT”.

- 3.4 It can be concluded that it would be unviable to re-use or convert the existing building because the value of the refurbished building would be the less than the cost of the

refurbishment. Therefore, for the site to remain in beneficial use it will need to be comprehensively redeveloped.



Fig 6. Photograph of the subject building – constructed in 1970. A recent inspection undertaken by CSquared has confirmed that the building has reached the end of its economic life and that for the site to remain in beneficial use the site will need to be comprehensively redeveloped.

- 3.5 Detailed negotiations with the Environment Agency, and the BANES LLFA, as part of the assessment of planning application 18/05047/FUL, has confirmed that the subject site is capable of being redeveloped with a new building to an agreed finish floor level with an acceptable surface water disposal drainage strategy. This has demonstrated that it is technically feasible to formulate a redevelopment scheme that will not pose any flood risk for future occupiers of the site, or other adjacent areas in the catchment for both the existing and the proposed use.
- 3.6 Given the narrow depth of the site, and the requirement to provide green infrastructure, there is only limited opportunity for accommodating off-street car parking on site.
- 3.7 As noted in Section 2.0 above, the subject site has been nonetheless the subject of two refused redevelopment proposals.
- 3.8 Application 17/05536/FUL sought permission for a 100% scheme of purpose-built student accommodation. This application was rejected by the Council for 8 reasons including an in-principle objection along with a range of technical refusal reasons.
- 3.9 The current owners, who were not involved in the 2017 scheme, purchased the site in 2018, and considered three alternative redevelopment options:
 - **Option 1:** Demolition and new build scheme of offices (Class B1) – following consultation with local commercial agents this option was ruled out on the basis that it would not be commercially unrealistic. This is because it would not be possible to secure a pre-let agreement that would be necessary to secure development funding. Furthermore, consultation with transport consultants advised that in this location any scheme of offices would require off-street parking provision of 1 space 100 sqm GIA.

A maximum of 31 spaces could be provided as an undercroft within the building, which would restrict the overall quantum of employment to c. 3,000sqm GIA. A further disbenefit of a speculative employment redevelopment proposal is that it could not accommodate the retention of the existing occupier, Mercy in Action, who would have no alternative but to relocate out of Bath. The viability of a new building scheme of offices has been further diminished from market uncertainty arising from the covid-19 pandemic – with a significant increase in working from home now likely to be a permanent structural change in the market.

- **Option 2:** Demolition and new build scheme of general market residential apartments – the provision of a scheme of mixed tenure open market and affordable apartments would require 2 No. stair / lift cores, and the provision of off-street car parking to meet the PMP parking standards, which even allowing for an accessibility discount, would only allow for circa 2-3 floors of residential accommodation. This would not fully utilise the potential of the site. Residential agents have advised that location of the site is sub optimal for permanent residential accommodation due to amenity considerations relating to the proximity of the busy Lower Bristol Road and the elevated railway (with associated noise), and a restricted north facing aspect overlooking the Council’s bus depot with limited opportunity for external amenity space. The covid-19 pandemic has also created additional uncertainty in the residential market with less demand for flatted accommodation. A further disbenefit of a speculative 100% residential redevelopment proposal is that it could not accommodate the retention of the existing occupier, Mercy in Action.
- **Option 3:** Demolition and new build scheme delivering ground floor employment space and PBSA on upper floors. The site owners concluded that is option was the only viable way to secure the regeneration of the site. A subject to planning deal with Mercy in Action (the existing tenants) was agreed in respect of providing a bespoke purpose-built new ground floor unit along with an element of staff parking and delivery access. The new unit would also be provided at a subsidised rent approximately equivalent of 45% of the estimated open market rent. This agreement remains extant and has been re-proposed under

3.10 As noted in Section 2.0 above, application 20/01794/FUL was refused for three reasons. The officer assessment did however accept the principle of the proposed mixed-use scheme. The current application (21/02354/FUL) proposal has addressed the heritage and design issues, and at the time of writing is being assessed by officers in respect of the flood risk sequential and exception tests.

3.11 In conclusion, it is clear from the process that the led to the resubmission of application 21/02354/FUL, and noting the particular topographical and technical constraints pertaining to the subject site, that a mixed-use scheme that retains the existing Class B8 with the redevelopment funded by provision PBSA, for which there is demonstrable need in Bath, represents the only mix of uses that could fund the redevelopment of the site. On this basis, we consider that the Council should have responded to our Regulation 18 representations and taken a proactive approach by allocating the subject site for mixed-use redevelopment of approximately 120 No. units of PBSA and 850 sqm GIA of flexible Class B8 floorspace.

4.0 Response to the Draft BANES LPPU (Reg 19)

(i) Omission site proposal

- 4.1 The subject site is being put forward for consideration as an 'omission' site as part of the Regulation 19 B&NES Partial Local Plan Update process.
- 4.2 We conclude that the allocation of the subject site would render the plan sound by contributing to meeting the objectives of the Partial Local Plan Update by ensuring a supply of off-campus purpose-built student accommodation (PBSA), and replacement modern employment floor space. Subject to the grant of planning permission the proposal is viable and could be delivered within the remaining Core Strategy plan period.

(ii) National Policy Context

- 4.3 Paragraph 16 of the NPPF (as updated in July 2021) requires that plans should be '*...(a) prepared with the objective of **contributing towards sustainable development***'; and '*...(b) be prepared positively, in a way that is **aspirational but deliverable***'.
- 4.4 In respect of non-strategic policies, Paragraph 28 of the NPPF states that LPAs should allocations to promote sustainable development, and Paragraph 29 states that '*...policies should be underpinned by relevant and up to date evidence*' and '*...take into account relevant market signals*'.
- 4.5 Paragraph 60 requires that as part of the Government's objective of significantly boosting the supply of new homes, '*...it is important at sufficient amount and **variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed...***'
- 4.6 Paragraph 61 states that the '*...size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies...including.... **students...***'

(Our emphasis in **bold**)

(iii) Response to Policies SCR6 and SCR8: Sustainable Construction

- 4.7 We note that the government is reviewing its approach to sustainable construction as part of its review of the planning system and also Building Regulations, in response to the climate emergency.
- 4.8 Locally, the development industry has adapted to the requirements of the existing Sustainable Construction SPD, which has now been in force since November 2018. While we accept that the construction industry will need to continue to innovate to respond to the climate emergency, we are concerned that proposed replacement of Policy CP2 by SCR6 and SCR8, in respect of residential and non-residential development, is going too far and too quickly. We also question whether the Council has sufficient internal expertise to assess the technical requirements. We are concerned that the rigid application of these policies could render redevelopment schemes unviable and may will prevent development coming forward that is otherwise acceptable and meets

the social and community aspects of sustainable development. We would therefore support a more phased and transitional approach toward carbon neutrality in construction that is more aligned to the national direction of travel and achieved through Building Regulations as opposed to local planning policy.

(iv) Response to Policy NE3: Sites, Species and Habitats

- 4.9 Whilst the broad direction of the policy is supported in terms of seeking to maximise the conservation of habitats and associated ecology, the wording is restrictive to such an extent in certain areas, that it will prove difficult to address during the planning process, potentially jeopardising otherwise demonstrably sustainable and deliverable sites.
- 4.10 Criterion 1 of the Policy identifies that: *‘Development that would adversely affect, directly or indirectly, irreplaceable habitats, will not be permitted’*. This policy is both overly restrictive and sufficiently vague to be problematic in its implementation. There is no identification within the policy as to what is considered an ‘irreplaceable habitat’ leaving it open to significant interpretation. Further, there is no degree of possible impact applied in the policy, meaning that the wording is so restrictive that proposals with even a negligible impact on ‘irreplaceable habitat’ could prevent sustainable development from coming forward. As drafted, the wording places undue restrictions on otherwise suitable sites which could contribute towards meeting development need and would adversely affect planning balance assessments of detailed planning application proposals.
- 4.11 We recommend an approach akin to the other facets of Policy NE3, in seeking to apply a balancing exercise considering the need, benefits, mitigation and overall sustainability of the scheme, when considering development proposals which affect an accurately defined ‘irreplaceable habitat’.

(v) Response to Policy NE3a – Biodiversity Net Gain

- 4.12 The principle objective of introducing a new policy to secure biodiversity net gain is supported and will help the Council meet the objectives of the 2020 Environment Bill, which is expected to be enacted later this year. We are however concerned around the cost and practicality for long term monitoring under criterion c, which will place a significant long term financial burden onto management companies, and residents. The introduction of this policy should also be accompanied with the ability for applicants to address BNG off site, where not possible on site, through either a clear and transparent s.106 tariff or hypothecated CIL payments.

(vi) Response to Policy H2A – PBSA provision

- 4.13 In accordance with Paragraph 61 of the NPPF the Partial Local Plan Review should be make provision for needs of groups with specific housing requirements, such as students (including postgraduates) and younger childless people. The suggestion in the PBSA topic paper that the need for additional PBSA can be met on-campus is not considered to be well founded or credible, based on the work to date on the emerging revised masterplan for the Claverton Campus and evidence that we have included at Appendix D that has been prepared by Knight Frank in September 2021. The partial Local Plan Review has not included sufficient PBSA off-campus/in-city allocations to meet demonstrable need as evidenced in the Knight Frank report.

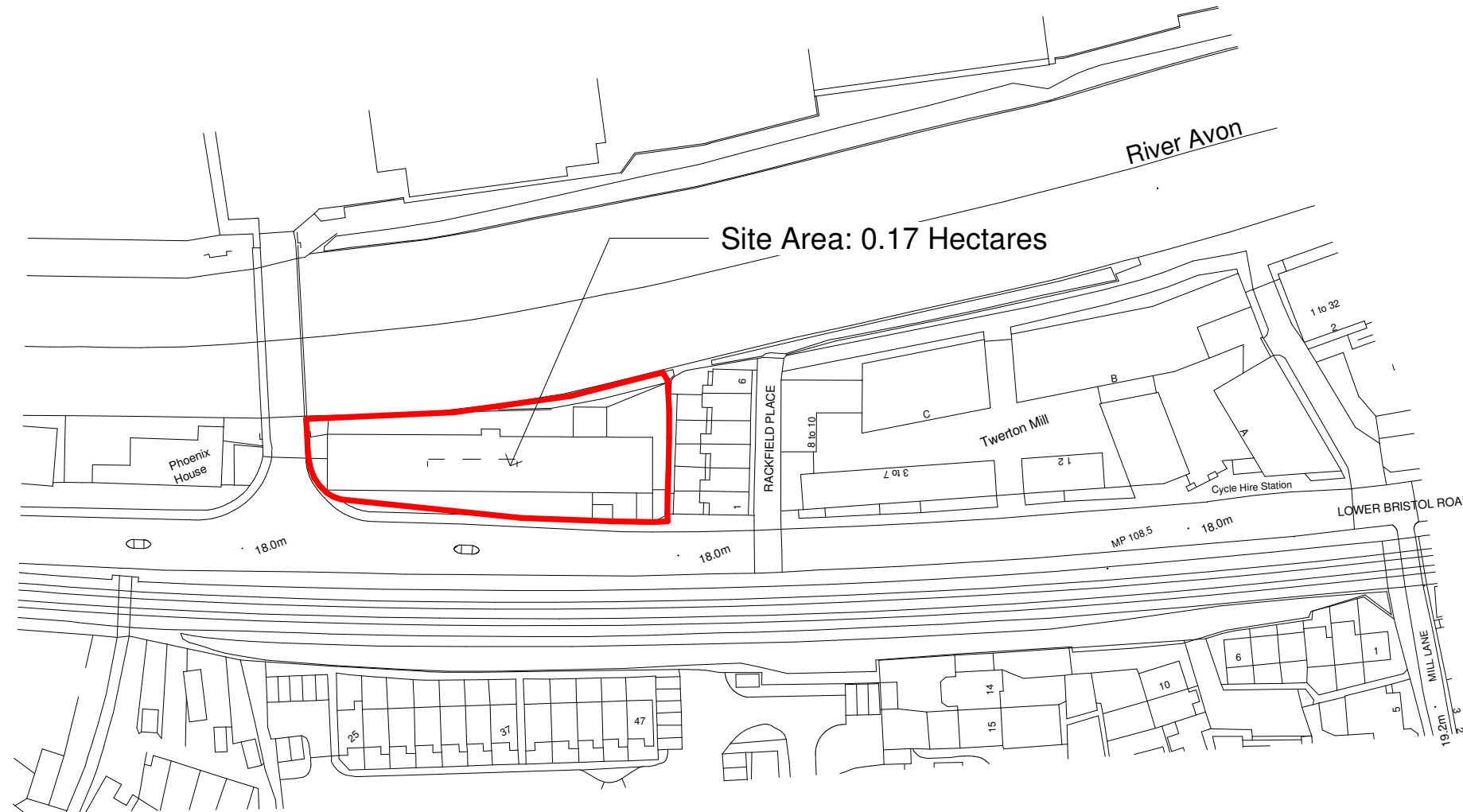
- 4.14 We further note that the unmet need for PBSA provision in Bath was a decisive factor in the inspector's decision to allow the Plumb Centre appeal – refer to Appendix C for the decision letter. This confirms that based on the data considered at the appeal that there is a demonstrable need for PBSA in Bath over the Core Strategy plan period that cannot be met on campus at Claverton Down.
- 4.15 Policy H2A is far too prescriptive and will inhibit the delivery of PBSA in the city for which there is demonstrable need. In order to meet the test of soundness we recommend that Criterion a) is amended to include both allocated sites and other previously developed sites in Bath that are situated in accessible locations.

5.0 Conclusions

- 5.1 The Partial Local Plan Update seeks to impose unduly restrictive policies relating to the PBSA provision in Bath and the redevelopment of redundant industrial sites. The justification for these significant changes to policy is not backed up by evidence in the PBSA topic paper. On this basis we consider that plan is unsound.
- 5.2 The Regulation 19 Plan has failed to comprehensively address housing supply in terms of not accurately quantifying the demonstrable need for PBSA provision in Bath. Sole reliance on the Claverton Down campus will not meet the need for PBSA over the plan period as has been demonstrated in the Knight Frank September 2021 student demand evidence that is included at Appendix D of this statement.
- 5.3 Given we have demonstrated that our client's site at Lower Bristol Road is suitable, technically deliverable, and fully funded, we request the Inspector considers a Main Modification to the Regulation 19 plan with a recommendation to proactively plan to meet demonstrable PBSA demand in Bath and allocate site **TWT09** for approximately **120 No. units of PBSA and 850 sqm GIA of flexible Class B8 floorspace.**

Notes

This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes. Always refer to figured dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to this office for clarification before proceeding. All drawings are to be read in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.



A 06.05.20 RG Planning Issue PB

Rev Date Init Notes Chkd



10 0 10 20 30 40 50
SCALE 1:1250 m

Client

Drawing Originator

AWW inspired environments

London - 106 Weston Street London SE1 3QB 020 7160 6000
Bristol - Rivergate House, Bristol, BS1 6LS 0117 923 2535
Plymouth - East Quay House, Plymouth, PL4 0HX 01752 261 282

RIBA Chartered Practice

www.aww-uk.com

Project Title

Hollis Building
Lower Bristol Road
Bath

Drawing Title

Site Location Plan

Scale Sheet Drawn Checked Date
1 : 1250 A3 RG PB 17.09.19

Status	Project No.	
PLANNING	4112	
Drawing Reference	Drawing No.	Revision
	0100	A

Town and Country Planning Act 1990**NOTIFICATION OF DECISION**

Application Type: **Full Application** Application No: **20/01794/FUL**

Address to which the proposal relates: **Jubilee Centre Lower Bristol Road Twerton
Bath**

Description of Proposal: **Mixed-use redevelopment of site for storage and distribution (Class B8) and erection of 121 units of purpose-built student accommodation (sui generis) following demolition of existing building and associated access and landscaping works.**

Application submitted by: **Toplocation 4 Ltd & Longacre**

The above development is **REFUSED** in accordance with the application, plans and drawings submitted by you for the reason(s) set out below:

1 The proposed development includes 'more vulnerable' use, which would be located within Flood Risk Zone 2. The area of search criteria has not been agreed, and it has not been satisfactorily demonstrated that there are no sequentially preferable sites which are reasonably available for the proposed development in areas with a lower probability of flooding. The proposed development therefore fails the Sequential Test and is contrary to policy CP5 of Bath and North East Somerset Council Core Strategy and Placemaking Plan (July 2017) and Paragraph 158 of the NPPF (2019)

2 The proposed scheme by reason of its bulk, height and design would lead to harm being caused to local character, the setting of the listed building and the wider character of the conservation area, and World Heritage Site. This would materially conflict with the Bath and North East Somerset Placemaking Plan policies D6, HE1 and H3 and the NPPF (2019)

3 The proposed scheme fails to demonstrate that opportunities have been maximised to design Green Infrastructure (GI) into the proposed development, or that the scheme makes a positive contribution to the GI network through the creation, enhancement and management of new, and existing GI assets. The proposal also fails to provide space available for planting or practical tree retention. As such, the application is in conflict with Policies NE1 and NE6 of the Bath and North East Somerset Placemaking Plan (July 2017).

FOOTNOTE:**Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Bath & North East Somerset Council
(RFFULZ)

Please read the notes that accompany this decision notice.

Date of Decision: 17th December 2020

Simon de Beer

Head of Planning

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- There is a reduced time limit to submit your appeal should your application relate an Enforcement Notice or it is for minor commercial development.
- For a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. For more information of the types of applications classed as minor commercial development please refer to Annex C of the [Procedural Guide Planning Appeals](#) available on the <https://www.gov.uk/> website.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

PURCHASE NOTICES

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the First Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



Appeal Decision

Hearing held on 15-17 September and 4 November 2020

Site visit made on 23 September 2020

by John Woolcock BNatRes(Hons) MURP DipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2020

Appeal Ref: APP/F0114/W/20/3244862

Plumb Center, Locksbrook Road, Newbridge, Bath BA1 3EU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Summix LRB Developments Ltd against the decision of Bath & North East Somerset Council (B&NES).
 - The application No.18/05047/FUL, dated 6 November 2018, was refused by notice dated 14 August 2019.
 - The development proposed is the demolition of the former Plumb Center and Genesis Lifestyle Centre and the erection of a 3 storey (plus mezzanine) mixed use building for 1,354 m² of B1c Light Industrial, 364 m² of D2 Assembly and Leisure, 52 student studios and 28 student en suite rooms in cluster flats.
-

Decision

1. The appeal is allowed and planning permission granted for the demolition of the former Plumb Center and Genesis Lifestyle Centre and the erection of a 3 storey (plus mezzanine) mixed use building for 1,354 m² of B1c Light Industrial, 364 m² of D2 Assembly and Leisure, 52 student studios and 28 student en suite rooms in cluster flats at the Plumb Center, Locksbrook Road, Newbridge, Bath BA1 3EU, in accordance with the terms of the application No.18/05047/FUL, dated 6 November 2018, as amended, subject to the conditions set out in the Schedule of Conditions attached to this decision.

Preliminary matters

2. The development description on the application form is; "The demolition of the former Plumb Center and Genesis Lifestyle Centre and the erection of a 4 storey (plus mezzanine) mixed use building for 1354 m² of B1c Light Industrial, 364 m² of D2 Assembly and Leisure, 61 student studios and 42 student en suite rooms in cluster flats". In February 2019 B&NES agreed to amend the description and, following consultation, considered a revised scheme from that originally submitted with the application. The revised scheme reduced the height of the proposed building and the number of student studios and en suite rooms in cluster flats. The agreed revised description is set out in the above bullet points.
3. Further amendments were submitted at the appeal stage. These propose revision of the quantity and location of cycle parking. The plans as determined by B&NES showed a total of 90 cycle parking spaces located along the northern side of the building. New plans were submitted with a total of 76 cycle parking spaces split between the north, east and southern sides of the building, along

with associated changes to the proposed landscaping. The plans as determined by B&NES included a total of 23 car parking spaces. The proposed revised scheme would reduce car parking to 18 spaces. Hard landscaping along the southern building frontage was proposed in the scheme as determined by B&NES. The scheme now proposed includes several ivy plants within 500 mm raised planters positioned along the south façade of the building. The plans as determined by B&NES indicated that the eastern first floor roof terrace would be entirely accessible. The scheme submitted for the appeal proposes a reduction in the size of the accessible area so that it would no longer run directly adjacent to the windows of studio rooms 13 and 14, with this area proposed for landscape planting.

4. I consider these to be minor changes that would not substantially alter the proposal. Those attending the Hearing had the opportunity to comment on the request to deal with the appeal on the basis of the further revisions to the scheme. No objections were raised. Objectors at the application and appeal stages raised concerns about the adequacy of car parking. This is, therefore, already an issue to be dealt with in determining the appeal and the proposed further reduction of five spaces would be unlikely to be prejudicial to the interests of those opposing the scheme by reason of parking provision. B&NES took a pragmatic approach to the appellant's multiple amendments to the proposed development during the appeal process and has no objection to these alterations. Determining the appeal on the basis of these further amendments to the scheme would not be prejudicial to the interests of any other party. I have, therefore, determined the appeal on the basis of the amended scheme as shown on the plans and drawings listed in the Schedule of Plans attached to this decision.
5. A unilateral planning obligation, dated 17 September 2020, provides for financial contributions towards a traffic regulation order, a residents' parking scheme and green space.¹ It also includes targeted recruitment provisions.
6. During the discussion about biodiversity on the second day of the Hearing, the appellant volunteered to submit information to enable an Appropriate Assessment (AA) to be undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended). The Hearing was adjourned to enable this to take place and for Natural England (NE) to be consulted.² This matter was discussed at the resumption of the Hearing on 4 November 2020. A unilateral undertaking of the same date provides for payment of an off-site ecological contribution (£5,000) before commencement of development.³ B&NES submitted a revised Community Infrastructure Levy Compliance Statement at the Hearing.⁴

Planning policy

7. The development plan for the area includes the Bath and North East Somerset Core Strategy and Placemaking Plan adopted in July 2017. All the Policy references in this decision are to this Plan.
8. Policy B1 provides that the Bath Spatial Strategy for Higher Education is to enable provision of additional on-campus student bed spaces and new off-campus student accommodation subject to Policy B5, thereby facilitating

¹ HD18.

² HD16, HD20, HD21, HD22, HD23 and HD27.

³ HD24.

⁴ HD25.

growth in the overall number of students whilst avoiding growth of the student lettings market.

9. Policy B5 provides, among other things, that proposals for off-campus student accommodation will be refused within the Enterprise Zone where this would adversely affect the realisation of other aspects of the vision and spatial strategy for the City in relation to delivering housing, and economic development (in respect of office, industrial, retail and hotel space). Other Policies are cited in this decision where relevant.
10. I have also taken account of the *National Planning Policy Framework* (hereinafter the *Framework*) and the *Planning Practice Guidance* (hereinafter the *Guidance*).

Main issues

11. The main issues in this appeal are:

- (a) The effects of the proposed development on employment provision.
- (b) The effects on the living conditions of future occupiers of the proposed development by reason of privacy, outlook and light.
- (c) The effects of the proposal on biodiversity.
- (d) Whether parking provision would be adequate.
- (e) The effects of the proposed development on heritage assets.
- (f) The need for student accommodation.
- (g) Whether there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding and the application of the sequential test.
- (h) The effects of the proposed development on the vision and spatial strategy for the City.

Reasons

The site and surroundings

12. The 0.2245 ha appeal site lies within an industrial estate in the Newbridge area of Bath. The building currently on the appeal site comprises two units; a trade counter (1,085 m²), which is a B8 use with ancillary A1, and a gymnasium (285 m²), which is a D2 use, along with associated parking. It is immediately opposite the grade II listed Herman Miller industrial building, which was designed by Sir Nicholas Grimshaw and constructed in 1976/77. The listed building is now the Locksbrook Campus for the Bath School of Art and Design, Bath Spa University. Beyond the appeal site's northern boundary is a disused railway embankment with mature trees. To the east of the site is a B&NES Transport Services depot, and to the west there is a veterinary surgery and a welding business, along with residential properties on the other side of this part of Station Road. The appeal site lies within Bath Conservation Area, Bath World Heritage Site, Bath's defined Enterprise Zone and the Newbridge Riverside Strategic Industrial Estate.

Employment provision

13. The current B8 with ancillary A1 use (1,085 m²) provides for five full time equivalent jobs. The appellant estimates that the proposed light industrial use (1,354 m²) would provide for up to 28 full time equivalent employees. Policy B3 states that Newbridge Riverside will function as Bath's primary location for industrial enterprise, providing for a range of activities including advanced manufacturing. There is a presumption in favour of retaining land and premises in the B1, B2 and B8 use classes. This policy identifies the risk of an excessive loss of industrial space harming Bath's mixed economic profile, and highlights conflict between industrial activity and residential areas – particularly with regard to movement of heavy goods vehicles (HGV).
14. The proposal for light industrial use is, in accordance with Policy ED2A, acceptable in principle within Newbridge Riverside. The replacement gymnasium and purpose-built student accommodation (PBSA) would be 'other uses', which the policy states would be inappropriate because of the economic significance of Newbridge Riverside. Policy ED2A sets out the evidence that would be necessary to show that there is no reasonable prospect of land or premises being used for the allocated purpose. But that does not apply to the circumstances here, where the scheme would provide a net increase in business space, as advocated by the Development Requirement for Newbridge Riverside in Policy B3.3.1. However, Policy ED2A.3 is relevant and requires demonstration that non-industrial uses would not have an adverse impact on the sustainability of the provision of services from industrial premises that remained around the site.
15. The existing gymnasium (285 m²) has been in operation since 1997 without any apparent adverse impact on nearby industrial uses. Its replacement within larger premises (364 m²) would not be likely to materially alter this situation. The proposed PBSA would complement the university use of the converted Herman Miller building on the opposite side of Locksbrook Road. To the east, beyond a proposed covered cycle storage area, the PBSA would face towards the rear of a transport depot building. Activity and any related noise and disturbance would be more likely to arise at the front of this depot building and near to its access onto the road. This access would be separated from the PBSA by the large depot building. Given this relationship, the proximity of student accommodation would not be likely to impair the sustainability of the existing depot use.
16. Similar considerations apply to the specialist manufacturing business operated by Horstman from a large industrial building located to the east of the transport depot building and on the opposite side of the road. Vehicular access from Locksbrook Road to this property is at the western end of the Horstman site, but at a sufficient distance from the proposed PBSA so that any noise from activities such as loading/unloading would not be likely to result in any significant conflict between the uses. The proposed PBSA would add to pedestrian/cycle movements along and across Locksbrook Road, but the Highway Authority raises no issues regarding highway safety. The proposal would not materially exacerbate any existing conflict between industrial activity and residential development due to HGV movements in Newbridge Riverside. The proposed PBSA would not unduly constrain the use or redevelopment of the existing uses to the west of the appeal site any more so than currently exists due to the proximity of residential dwellings in Station Road.

17. The proposal would result in an increase in business floorspace of 260 m². It would provide modern flexible premises suitable for high tech or advanced manufacturing with the potential to provide for significantly more jobs than the existing use. Subject to reasonable planning conditions with respect to hours of operation/deliveries and noise emissions, the proximity of the PBSA would not unduly constrain a light industrial use at ground and mezzanine level. I find no conflict with Policies B3.1 or ED2A. The proposed development would have a positive effect on employment provision and gains support from Policy B1.2 because it would contribute to an increase in jobs in the business services sector. This is a consideration that weighs in favour of the proposal.

Living conditions

18. The windows in the north facing elevation of the proposed PBSA would face towards the belt of trees on the adjoining land. These rooms would have a single aspect from one north facing window. Students might, at times, need to spend long periods of the day in these rooms, but I consider that the outlook would not impair the residential amenity of the accommodation. The proposed building would be set back from the embankment and line of trees. New planting and landscaping within the appeal site could be designed and managed to maintain an appropriate outlook. The view in summer would be towards attractive vegetation. The deciduous trees in winter would enable adequate light to these windows. Measures would be necessary to limit the emission of artificial light from north facing windows for biodiversity reasons, but that need not be at the expense of these rooms receiving adequate natural daylight.
19. The revisions to the scheme shown on drawing number AP 0 35A, along with the appellant's suggestion that the approved windows to studios 13 and 14 should be one-way glazing, would reasonably address B&NES's concerns about the use of the roof terraces potentially compromising privacy.
20. Potential noise and disturbance from a light industrial use on the ground and mezzanine floors impacting upon the student accommodation could be addressed by the imposition of conditions dealing with the level and character of noise emissions. The suggested conditions provide for an approved Sound Insulation Plan to include monitoring to ensure that the agreed internal ambient noise level performance for the proposed PBSA was not breached by any future occupation of the employment part of the building.
21. Subject to the imposition of appropriate planning conditions, the scheme would not result in unacceptable living conditions for the occupiers of the student accommodation. The scheme would comply with Policy D6 with respect to appropriate levels of privacy, outlook and natural light.

Biodiversity

22. There is reasonable evidence to assume that the belt of trees to the north of the appeal site forms part of a network of habitat features used by horseshoe bats in the River Avon corridor. These trees are about 3 km from the nearest part of the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC). Tree pruning necessary to facilitate the appeal scheme would not be likely to have a significant effect on bats, which are a European protected species. However, in the absence of appropriate mitigation, artificial lighting would have the potential to result in the degradation of supporting habitat for bats. Future development of the site to the north of the appeal site could also potentially affect the trees within this corridor. It cannot be excluded on the

basis of objective information that the proposal, alone or in combination with other plans and projects, would have a significant effect on the conservation objectives of the SAC.

23. Evidence was submitted at the Hearing to enable me to undertake an AA and NE was consulted. With the imposition of a planning condition to control artificial lighting NE concluded, beyond reasonable scientific doubt, that the proposed development would not adversely affect the integrity of the SAC. The suggested condition would, among other things, require an assessment to demonstrate levels of light spill onto the tree line no greater than 0.37 lux. With appropriate planning conditions the scheme would retain a dark corridor for bats to the north of the appeal site, which is a matter included in the Placemaking Principles for Newbridge Riverside in Policy B3. I have considered the conservation objectives for the SAC and I am satisfied that with the avoidance and mitigation measures proposed the appeal scheme would not adversely affect the integrity of the SAC.
24. Other nature conservation interests could be safeguarded by the imposition of appropriate conditions. There are no reasons to find against the proposal on the grounds of an adverse impact on biodiversity. I find no conflict with Policies NE3 and NE5 concerning protected species/habitats and ecological networks. Subject to appropriate conditions lighting would not have a detrimental impact on local ecology and so the proposal would comply with Policy D8. The scheme would not result in the fragmentation of existing habitats (Policy CP6.4), and would not be at odds with Policies NE1 and CP7 regarding green infrastructure.

Parking provision

25. Local residents object to the proposed development because of inadequate car parking provision, but this is not a matter raised by B&NES. The appeal site lies within a reasonably accessible location within the City, where 18 car parking spaces would be appropriate for the proposed industrial and gymnasium uses. There is no policy requirement for car parking provision to serve the proposed PBSA. This is of particular concern to the local community, where there is considerable demand for on-street parking in an area that contains residential and industrial development, along with a university campus.
26. However, the suggested condition for an approved student management plan includes parking restrictions and enforcement measures, which the appellant stated would be included within the students' tenancy agreements. This condition would be necessary and reasonable in the circumstances. The imposition of this condition would enable B&NES to approve appropriate mechanisms to manage student car parking, without the need to impose a residents' parking scheme. I am satisfied that this would be a sensible and effective approach to addressing local concerns about on-street parking congestion. The provision of 76 cycle parking spaces would be enough to encourage occupiers of the proposed development to use a sustainable travel mode.
27. In the circumstances that apply here both the proposed car parking and cycle storage provision would be adequate. There are no grounds to find against the proposal because of its likely effect on parking congestion in the local area.

Design and heritage assets

28. Submissions at the application and appeal stages included criticism of the modern building design and its effect on heritage assets, but these are not matters included in B&NES's reasons for refusing the application. The proposed building's exposed structure and modern materials, with dark metal panelling, are of particular concern to some objectors. However, the listed Herman Miller factory building was an innovative 'high tech' style for the 1970s, with its exterior comprising an aluminium cladding frame holding moulded glass reinforced GRP panels. The appeal scheme would continue this trend of high-quality and innovative industrial architecture.
29. In terms of bulk, the proposed building would be slightly higher than the listed building, but its mass would be broken up by the roof terraces above the mezzanine level. In addition, the listed building has a much longer street frontage than the proposed building. The proportions of the proposed building would not be out of scale in this context. Its innovative design takes appropriate clues from the industrial heritage of the area. The overall design and materials would result in a high-quality contemporary building for this part of the Enterprise Zone. The design approach responds appropriately to the Key Development Opportunities in Policy B3, which acknowledge that the varied context provides for a range of building typologies and scope for architectural freedom in Newbridge Riverside.
30. In accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of Bath Conservation Area. The site lies within the Brassmill Lane, Locksbrook and Western Riverside character area of Bath Conservation Area. In the 2015 appraisal for this area, the Plumb Center building was identified as a "negative building and townscape feature". Key characteristics of the area include a long history of industrial and commercial use associated with the river, with mixed commercial and light industry with urban/suburban residential buildings and post-industrial redevelopment transforming parts of the character area. Given this local context, I consider that the proposed development would preserve the character and appearance of the Conservation Area.
31. I am required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of a listed building. The grade II listed former Herman Miller building has a long frontage to Locksbrook Road, which is part of its setting. However, little of its heritage significance derives from its relationship with its setting. Its architectural importance is more significant, and this would not be diminished by the appeal scheme. The replacement of the existing Plumb Center building with a contemporary 'high tech' structure would enhance the setting of Sir Nicholas Grimshaw's listed industrial building.
32. The Outstanding Universal Value of Bath World Heritage Site concerns its Roman and Georgian architecture, the hot springs, along with the green setting of the City. It is only the latter that could potentially be affected by the appeal scheme. However, the limited tree pruning proposed would not impact on Bath's green setting. The proposal would not harm the authenticity, integrity or cultural value of the World Heritage Site, and so would not conflict with Policy B4.

33. The siting and design of the building would accord with Policy NE6 concerning trees. I find that the proposed development would be of high-quality design consistent with Policy CP6.1.a. It would preserve the character and appearance of Bath Conservation Area and would enhance the setting of the listed building. The appeal scheme complies with Policies CP6.2 and HE1. There are no reasons to find against the proposal on design or heritage grounds.

Need for student accommodation

34. B&NES acknowledges the benefits that PBSA can bring but gives this minor weight. The appellant considers that the proposal could “free-up” in excess of twenty dwellings for the local private rented sector. B&NES argues that there is no evidence that previous PBSA schemes have had this effect and that the proposed accommodation would be unlikely to be a comparable alternative to shared accommodation in Houses in Multiple Occupation (HMO), because it would be more expensive. However, it seems to me that this ‘freeing-up’ effect may not have been apparent in the past because of the increasing numbers of students needing accommodation, along with the dominant role of the private rented sector in Bath.
35. There is evidence that between 2014/15 and 2018/19 combined student numbers at Bath and Bath Spa Universities increased by 908 per annum, and that currently it is estimated that 60% of the total full-time student population of 23,142 students lives in HMOs. The universities currently provide accommodation for about 5,811 students. The 13 existing private PBSA schemes have 1,713 bed spaces, with some 879 bed spaces under construction or in the pipeline. An estimated 1,630 students live at home with parents. It is difficult to be precise about the number of PBSA bed spaces that are likely to be needed, but I prefer the appellant’s more up to date analysis, which points to only 0.36 purpose-built bed spaces per student. Even if student numbers in Bath remain at the present level there is evidence of a substantial shortfall in available purpose-built student bed spaces and a heavy reliance on the private rented sector.
36. It is difficult to predict what effect the COVID-19 pandemic might have on the number of international students attending the universities in Bath in the future, and on the overall need for PBSA. However, it is a reasonable assumption that in the lifetime of the appeal scheme, there will be strong demand for student accommodation. There are some advantages to both the students and to the local community in meeting this demand in dedicated student accommodation, rather than it being met by the private rented sector. There is some support for this in the *Guidance*, which states that all student accommodation can, in principle, count towards an authority’s housing land supply, and can allow existing properties to return to general residential use or to remain in such use rather than being converted to student accommodation.⁵ This is a concern reflected in Policy B5, which provides for monitoring of conversions from C3 dwellings to C4 HMOs, and for compensatory provision if achieving Bath and North East Somerset Core Strategy and Placemaking Plan’s housing requirement is at risk.
37. It seems to me that making significant inroads into reducing the dominance of the private rented sector in meeting the demand for student accommodation in Bath would be likely to result in a substantial future demand for PBSA. The

⁵ *Guidance* paragraph 034 Ref ID:68-034-20190722.

likely demand for dedicated student accommodation is a consideration that weighs heavily in favour of the appeal scheme. I consider that the proposal would gain support from Policy B1 by facilitating growth in the overall number of students whilst avoiding growth of the student lettings market, but only if it complies with Policy B5, a matter I consider later in this decision.

Flood policy

38. *Framework* paragraph 158 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. It adds that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Policy CP5, concerning flood risk management, follows the sequential approach set out in the *Framework*. The *Guidance* advises that when applying the sequential test, a pragmatic approach on the availability of alternatives should be taken.⁶
39. Most of the appeal site lies within Flood Zone 2, with sections along its northern boundary located within Zone 1. There is a medium probability of flooding in Zone 2, which the appellant acknowledges only concerns the proposed PBSA, and not the light industrial or gymnasium elements of the appeal scheme. The proposed employment use would be located within a site allocated for that purpose in the development plan through the sequential test. Therefore, the test for this use does not need to be applied again.⁷ The increase in the floorspace of the gymnasium from 285 m² to 364 m² would be a minor development that should not be subject to the sequential test.⁸
40. In my Pre-Hearing Note, the parties were invited to indicate whether the 'proposed development' and associated catchment for a sequential test assessment should comprise a mixed use building for B1c, D2 and student accommodation, or a disaggregation of these as separate buildings that could occur on different sites. I have taken the submissions from the parties into account in applying national policy to the particular circumstances that apply here.
41. I was not referred to any specific policy or guidance about disaggregating schemes for the purposes of applying the sequential test. It is not ruled out by policy/guidance. On the contrary, the reference in the *Guidance* to defining the catchment area to apply to the sequential test is to the "type of development" and not specifically to the actual scheme that is proposed.⁹ The parties agree that it is a matter of planning judgement as to whether or not a scheme should be disaggregated. It seems to me that this turns on the strength of any nexus between the constituent parts of a composite scheme.
42. The appellant argues that the nexus here is a cross-funding link between the PBSA and the re-provision and improvement of the employment space and gymnasium. However, no convincing evidence was submitted about the significance of any cross-funding in this regard. The proposal is described as a "mixed use building", but there are no physical connections between the proposed uses. Furthermore, there are no functional or operational reasons why there should be. I was not referred to any other commercial, legal or management mechanisms linking the different uses. Any common use of the

⁶ *Guidance* paragraph 033 Ref ID:7-033-20140306.

⁷ *Framework* paragraph 162.

⁸ *Framework* paragraph 164 and *Guidance* paragraph 033 Ref ID:7-033-20140306.

⁹ *Guidance* paragraph 033 Ref ID:7-033-20140306.

- access, parking and landscaping would fall far short of amounting to a nexus that results in a meaningful bond between the proposed uses. The appellant has advanced no sound reasons why the PBSA and the employment/gymnasium uses could not be in separate buildings on separate sites within appropriate catchment areas for the respective uses.
43. The *Guidance* distinguishes between the uses for the purposes of applying flood risk policy, with PBSA included as 'more vulnerable', and the replacement employment and gymnasium as 'less vulnerable'.¹⁰ My judgement here is that the proposed PBSA and the employment/gymnasium uses should be disaggregated for the purposes of applying the sequential test. The 'type of development' for defining the appropriate catchment area and applying the sequential test comprises 52 student studios and 28 student en suite rooms in cluster flats. The appellant disputes the appropriateness and availability of the four sites in Flood Zone 1 identified by B&NES as being sequentially preferable to the appeal site. These sites are located at Claverton campus, Burlington, Jews Lane and Shaftesbury Road.
44. The strategy in Policy B5 seeks development of about 2,000 study bedrooms at the Claverton campus, but the Hearing was advised that only 1,000 have been provided so far. An area within the University of Bath at Claverton is allocated by Policy SB19 for additional student residential accommodation. However, this is an area of pre-existing development where redevelopment or new development for student accommodation would be supported in principle. The University's emerging Development Framework indicated a potential capacity of up to 930 beds of student accommodation on the campus. But the evidence adduced at the Hearing is that a new masterplan remains to be developed, with no current opportunities to expand the campus. Moreover, it is not clear to what extent areas identified in the emerging masterplan are currently required for car parking or playing fields. The Hearing was advised that the University is considering replacement parking and artificial pitches, but there is no indication of progress or likely timing. Claverton campus is likely to provide additional student accommodation in the longer term, but the evidence does not demonstrate that it is currently a reasonably available site for the student accommodation proposed in the appeal scheme.
45. With disaggregation of the proposed development and flexibility in the design of 52 student studios and 28 student en suite rooms in cluster flats, the 0.13 ha Burlington site would not be inappropriate by reason of its size. Policy SB16 includes residential development, which can include student accommodation, in the Development Requirements and Design Principles for this site. With disaggregation of the appeal scheme there is no evidence to show that the Burlington site is not reasonably available for PBSA.
46. Similar considerations apply to the 0.18 ha Old Bakery site in Jews Lane. This site has planning permission for a student accommodation building with 63 bedrooms and a flexible employment building (Class B1). The appellant argues that the site has not been marketed, but that need not rule out the possibility that it could be reasonably available to provide PBSA. No other convincing reasons have been advanced to demonstrate that this site is not reasonably available for the development of 52 student studios and 28 student en suite rooms in cluster flats.

¹⁰ *Guidance* Table 2 paragraph 066 Ref ID:7-066-20140306.

47. The 0.445 ha Scala site on Shaftesbury Road is the subject of a planning application for a mixed development that includes the erection of student accommodation, including 96 student bedrooms and associated ancillary space. B&NES recognises the potential of this site for development, although it is not allocated or included in housing land availability assessments. At the time of the Hearing, the application had not been determined and there were objections to the proposal. Nevertheless, for the purposes of applying national flood policy, and taking a pragmatic approach, it seems to me that this is a site that can be considered reasonably available for the PBSA element of the appeal scheme. Again, any absence of active marketing is not determinative of availability.
48. The appellant's case is that even if another site in Flood Zone 1 was appropriate and reasonably available, that would not warrant refusal of the appeal scheme as all material considerations have to be weighed in the planning balance. It is argued that this would be particularly so if it was necessary, in order to meet the need, for all the currently appropriate and available sites to be developed. Prior to the masterplan for the Claverton campus bringing forward sites for student accommodation there are only three sites in Flood Zone 1 that can reasonably be considered available for PBSA. It is unlikely, in my view, that these three sites, even if all were developed, would make much of an inroad into meeting the likely future demand for student accommodation identified above. This is particularly so if B&NES's aims are to be achieved with respect to facilitating growth in the overall number of students whilst avoiding growth of the student lettings market and not adding to concentrations of HMOs (Policies B1 and B5).
49. The *Framework* states that the sequential test aims to steer new development to areas with the lowest risk of flooding. But it seems to me that this policy acknowledges that it might not be possible to do so in all circumstances. The wording of the policy, which aims to 'steer' development, and indicates that development 'should' not be permitted if there are reasonably available sites appropriate for the development, admits of some discretion rather than requiring a mandatory refusal. Meeting the current need for PBSA is likely to require more than the totality of the three sites I have found to be appropriate and available. In the particular circumstances that apply in this case, regarding the need for PBSA and the limited availability of appropriate sites in Flood Zone 1, I consider that the sequential test is met. If I am wrong about that and applying the sequential test indicates that the development should not be permitted, then the proposal would be at odds with flood risk policy in the *Framework* and would also conflict with Policy CP5. I deal with this in the planning balance section of this decision.
50. Leaving aside matters concerning the sequential test, the proposed habitable accommodation would be on the upper floors of the building where electrical infrastructure could be designed to be above flood levels. A safe escape route could be provided to higher ground. The proposed development would minimise its contribution to flood risks elsewhere and, subject to the imposition of appropriate planning conditions, could be made safe throughout its lifetime by incorporating mitigation measures. In this regard the appeal scheme would comply with the requirements of Policy CP5.

Vision and spatial strategy for the City

51. B&NES is concerned about the proposed PBSA adding to an overconcentration of student accommodation in this part of the City. The site lies within an area with a recorded HMO concentration of 10%-14%. There are two PBSA developments nearby, on the opposite side of the river to the appeal site that are within the Policy B3 boundary. Others are promoted further to both the east and west of the appeal site, outside, but adjoining, the Policy B3 boundary. B&NES's views about an overconcentration of student accommodation are not convincing. It seems to me that the acknowledged demand for student accommodation would either be met in PBSA or in HMOs. In the absence of the appeal scheme, the likelihood would be that more of the private rented sector housing would be occupied by students, thereby adding to any overconcentration of HMOs. If, as some submissions suggest, students are associated with anti-social behaviour and parking congestion, it would be preferable to accommodate them in a limited number of sites rather than in HMOs dispersed throughout residential areas. This would provide better opportunities to manage occupation of the accommodation and car parking. On the appellant's evidence, the appeal scheme could potentially free-up more than 20 HMOs, whereas dismissing the appeal could lead to more than 20 dwellings being converted to student accommodation.
52. The proposal would not be at odds with the vision set out in the Bath and North East Somerset Core Strategy and Placemaking Plan, which seeks to conserve and enhance Bath's unique sense of place of international significance to maintain its key competitive advantage as a high-quality environment. The vision adds that the realisation of a range of development opportunities within the Enterprise Zone would greatly improve the City aesthetically and as a business-friendly place. The appeal scheme is consistent with these aims. The proposed development would also accord with the vision in delivering new housing and enabling regeneration in a more energy and resource efficient manner.
53. In terms of the spatial strategy for the District, the proposal would accord with five of the matters included in Policy DW1, by which the overarching strategy to promote sustainable development would be achieved. These are: 1. Focussing new housing, jobs and community facilities in Bath; 2. Making provision to accommodate a net increase in jobs and the supply of housing; 3. Prioritising the use of brownfield opportunities for new development; 5. Designing development in a way that is resilient to the impacts of climate change; and 7. Protecting the biodiversity resource.
54. Policy B1 sets out Bath's spatial strategy for the City. The appeal scheme would contribute to a net increase in jobs, and would assist in countering B&NES's concern about too rapid a rate in the contraction of industrial floorspace.¹¹ The proposal would not conflict with the spatial strategy's aim to sustain a mixed economy to support Bath's multi-skilled workforce and multi-faceted economic base by retaining a presumption in favour of industrial land in the Newbridge Riverside area. It would regenerate a part of the Enterprise Zone to create a new area of attractive and productive townscape in accordance with Policy B1.5.a. The proposed rooftop solar panels would accord with Policy B1.11.a by enabling renewable energy generation. The 52 student

¹¹ The strategy for Bath in Policy B1.2.e includes planning "for a contraction in the demand of industrial floor space from about 167,000 m² in 2011 to about 127,000 m² in 2029".

studios and 28 student en suite rooms in cluster flats would contribute to the choice in tenure and housing type in Bath. I find no conflict with Policy CP10 concerning housing mix.

55. The appeal site lies within the Enterprise Zone. However, the proposed development would not adversely affect the realisation of other aspects of the vision and spatial strategy for the City in relation to housing and economic development. I find no conflict with Policy B5, and so the proposal would accord with Policy B1.7.a.

Planning balance and policy

56. The starting point for the determination of this appeal is the development plan. I am required to make my determination in accordance with it, unless material considerations indicate otherwise. The proposed development gains support from Policy B1, since it would contribute to an increase in jobs in the business services sector, regenerate a part of the Enterprise Zone and provide off-campus student accommodation in accordance with Policy B5, so assisting to avoid growth of the student lettings market. Even if I had concluded differently about applying the sequential test, such that conflict with Policy CP5 is a policy consideration that pulls in the opposite direction, my judgement is that this conflict would be outweighed by the support the scheme gains from Policy B1, and so, overall, the proposal would accord with the development plan as a whole.
57. If the proposed development were to be at odds with the *Framework's* sequential test, it would, nevertheless, contribute towards meeting the needs of a group with specific housing requirements. Allowing the appeal would also gain some support from the *Guidance* insofar as the dedicated student accommodation would assist in taking pressure off the private rented sector.¹² Thus, even if I am wrong about the sequential test, my judgement is that, taken overall, and having regard to the specific circumstances that apply in this case, the proposal would reasonably comply with national policy and guidance.
58. Nevertheless, if the proposal fails to meet the sequential test that would bring it into conflict with a key element of national and local flood risk policy. This would weigh heavily against the proposal. However, in my judgement, the contribution the proposed development would make to meeting the current need in Bath for PBSA, along with the provision of improved employment space, outweighs any harm resulting from conflict with national and local flood risk policy. I find that the planning balance falls in favour of the proposal.

Other matters

59. I have taken into account all the other matters raised in the evidence, including the objection from the occupier of the Plumb Center drawing attention to the fact that the existing premises are currently being used productively as a builders' merchants in accordance with relevant policy for the industrial estate. Neither this, nor any of the other matters raised, are sufficient to outweigh my conclusions on the main issues, which have led to my decision on this appeal.

¹² *Guidance* paragraph 004 Ref ID:67-004-20190722.

Conditions and obligations

60. The parties have suggested conditions that would be acceptable if the appeal were to be allowed, including pre-commencement conditions. I have considered the need for these and their wording in the light of the advice contained in the *Guidance*. Where necessary minor changes to the suggested wording would be required so that conditions would be precise and enforceable.
61. The standard commencement period would be appropriate (Condition 1). Otherwise than as set out in this decision and conditions, it would be necessary that the development be carried out in accordance with the approved plans discussed at the Hearing, to provide certainty for all parties (Condition 2). An approved Construction Management Plan would be required to safeguard the amenity of the area in accordance with Policies D6 and ST7 (Condition 3). External materials would need to be approved in the interests of the appearance of the area and to comply with Policy CP6 (Condition 4). To accord with Policy PCS5 measures to deal with any land contamination would be necessary given the past use of the site (Conditions 5-8).
62. Flood management measures would need to be approved and implemented before the first occupation of the development given that part of the site lies within Flood Zone 2 (Condition 9). Measures to protect trees would be necessary for townscape and biodiversity reasons in accordance with Policy NE6 (Condition 10). More details about landscaping would be required for similar reasons (Condition 11). To comply with Policies CP6 and NE3 potential light pollution would need to be controlled to safeguard the bat corridor (Condition 12). Construction of the revised vehicular access would be required, and the existing access closed, for highway safety reasons in accordance with Policy ST7 (Conditions 13 and 17). The amenity of the area would need to be safeguarded by an approved student management plan (Condition 14).
63. An approved Travel Plan compliant with Policy ST1 would assist in maximizing the sustainable transport advantages of the development (Condition 15). To comply with Policy ST7 spaces for the parking of vehicles would need to be kept available for that purpose, and cycle storage provided (Conditions 16 and 22). An approved detailed drainage strategy would be required for amenity reasons in accordance with Policy CP5 (Condition 18). A Sound Insulation Plan would need to be approved, implemented and verified to limit noise between the light industrial use and the PBSA (Conditions 19 and 20). Measures would be necessary to comply with Policy SCR1 and B&NES's Sustainable Construction Supplementary Planning Document (Condition 21).
64. Hours of operation for the permitted uses would be required to safeguard the amenity of the occupiers of the PBSA (Conditions 23 and 24). Rights under the Use Classes Order and permitted development rights for the industrial and gymnasium uses would need to be restricted to maintain the strategic objectives of the industrial estate and to safeguard the amenity of the occupiers of the PBSA (Conditions 25 and 26). A Wildlife Protection and Enhancement Scheme would need to be approved and implemented in the interests of biodiversity (Condition 27). Approval of proposed ground levels would be necessary for flood risk reasons and in the interests of the amenity of the area (Condition 28). Insufficient details are available about the proposed rooftop solar panels and so approval (Condition 29) would be necessary prior to implementation, and retention thereafter, in accordance with Policy SCR1.

65. The targeted recruitment and financial contributions towards a traffic regulation order and green space provided for in the unilateral planning obligation dated 17 September 2020 would be necessary to enable the development to proceed for the reasons set out in HD25. However, the contribution towards a residents' parking scheme would not be reasonable given that the student management plan required by Condition 14 would include provisions for student parking restrictions that would be enforced by means of tenancy agreements. I am satisfied that the development would be acceptable without the need for a contribution towards a residents' parking scheme. The respective obligation is therefore unnecessary, and I have not taken it into account in determining this appeal.
66. The off-site ecological contribution of £5,000 included in the 4 November 2020 unilateral undertaking would be necessary and reasonable to allow enhancement and management of trees and vegetation to the north of the appeal site given that the proposed development would require some canopy and crown reduction of trees that overhang the boundary.

Conclusions

67. The planning balance falls in favour of the proposed development. While relevant policies may pull in different directions, overall, the appeal scheme would comply with the development plan. It would also reasonably accord with national policy and guidance when taken as a whole. There are no material considerations here to indicate that the appeal should be determined other than in accordance with the development plan. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

John Woolcock
Inspector

SCHEDULE OF PLANS

SITE LOCATION PLAN AP 0 01B
EXISTING PLAN SITE AP 0 02B
EXISTING PLAN GROUND AP 0 04B
EXISTING ELEVATIONS AP 0 05B
EXISTING ELEVATIONS SECTION A AP 0 06B
PROPOSED PLAN SITE AP 0 10L
PROPOSED PLAN GROUND AP 0 11T
PROPOSED PLAN MEZZANINE AP 0 12M
PROPOSED PLAN FIRST AP 0 13J
PROPOSED PLAN SECOND AP 0 14J
PROPOSED PLAN ROOF AP 0 16H
PROPOSED ELEVATION SOUTH EAST AP 0 20H
PROPOSED ELEVATION NORTH WEST AL 0 21J
PROPOSED ELEVATIONS COURTYARDS/TERRACES AP 0 22E
PROPOSED SOUTH INNER AL 0 23B
PROPOSED ELEVATIONS BAY AP 0 27D
PROPOSED SECTION AA AP 0 30G/J
PROPOSED VISUAL ONE AP 0 32C
PROPOSED VISUAL TWO AP 0 33C
PROPOSED AERIAL VIEW AP 0 34C
ROOF TERRACE AMENITY AREAS AP 0 35A
PROPOSED PLAN GROUND ZONES AP 0 51H
PROPOSED PLAN MEZZANINE ZONES AP 0 52F
PROPOSED PLAN FIRST ZONES AP 0 53D
PROPOSED PLAN SECOND ZONES AP 0 54D
LANDSCAPE PLAN – GROUND LEVEL AGM-LOC-LS-001E
LANDSCAPE PLAN – ROOF AND TERRACES AGM-LOC-LS-002B

SCHEDULE OF CONDITIONS (1-29)

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - SITE LOCATION PLAN AP 0 01B
 - EXISTING PLAN SITE AP 0 02B
 - EXISTING PLAN GROUND AP 0 04B
 - EXISTING ELEVATIONS AP 0 05B
 - EXISTING ELEVATIONS SECTION A AP 0 06B
 - PROPOSED PLAN SITE AP 0 10L
 - PROPOSED PLAN GROUND AP 0 11T
 - PROPOSED PLAN MEZZANINE AP 0 12M
 - PROPOSED PLAN FIRST AP 0 13J
 - PROPOSED PLAN SECOND AP 0 14J
 - PROPOSED PLAN ROOF AP 0 16H
 - PROPOSED ELEVATION SOUTH EAST AP 0 20H
 - PROPOSED ELEVATION NORTH WEST AL 0 21J
 - PROPOSED ELEVATIONS COURTYARDS/TERRACES AP 0 22E
 - PROPOSED SOUTH INNER AL 0 23B
 - PROPOSED ELEVATIONS BAY AP 0 27D
 - PROPOSED SECTION AA AP 0 30G/J
 - PROPOSED VISUAL ONE AP 0 32C
 - PROPOSED VISUAL TWO AP 0 33C
 - PROPOSED AERIAL VIEW AP 0 34C
 - ROOF TERRACE AMENITY AREAS AP 0 35A
 - PROPOSED PLAN GROUND ZONES AP 0 51H
 - PROPOSED PLAN MEZZANINE ZONES AP 0 52F
 - PROPOSED PLAN FIRST ZONES AP 0 53D
 - PROPOSED PLAN SECOND ZONES AP 0 54D
 - LANDSCAPE PLAN – GROUND LEVEL AGM-LOC-LS-001E
 - LANDSCAPE PLAN – ROOF AND TERRACES AGM-LOC-LS-002B
- 3) No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following: 1. Deliveries (including storage arrangements and timings); 2. Contractor parking; 3. Traffic management; 4. Working hours; 5. Site opening times; 6. Wheel wash facilities; 7. Site compound arrangements; and 8. Measures for the control of dust. The construction of the development shall thereafter be undertaken in accordance with the approved details.
- 4) No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including windows and roofs, have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include: 1. Detailed specification of the proposed materials (including type, size, colour, brand and quarry location); 2. Photographs of all of the proposed materials; 3. An annotated drawing showing the parts of the development using each material. The approved windows to studios 13 and 14 shall have one-

way glazing to prevent visibility into these units from the roof terrace. The development shall thereafter be carried out only in accordance with the approved details.

- 5) No development shall commence, except for ground investigations and demolition, required to undertake such investigations, until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's *Model Procedures for the Management of Land Contamination, CLR 11* and shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; and (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- 6) No development shall commence, except for ground investigations and demolition required to undertake such investigations, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include; (i) all works to be undertaken; (ii) proposed remediation objectives and remediation criteria; (iii) timetable of works and site management procedures; and (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out. The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.
- 7) No occupation shall commence until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.
- 8) In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation

- scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.
- 9) No development shall commence, except ground investigations, until details of the proposed flood management measures (as outlined in Flood Risk Assessment, Premier Water Solutions Ltd, May 2018, and Flood Risk Addendum by SLR dated December 2019, but also specifying details about a safe egress evacuation route) are submitted to and approved in writing by the Local Planning Authority. The approved flood management measures shall be implemented before the first occupation of the development hereby permitted and shall thereafter be retained.
 - 10) The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan (Furse Landscape Architects, dated 31 October 2018). No occupation of the development hereby permitted shall commence until a signed certificate of compliance by the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority.
 - 11) No occupation of the development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing details of the following: 1. All trees, hedgerows and other planting to be retained; 2. A planting specification to include numbers, size, species and positions of all new trees and shrubs; 3. Details of existing and proposed walls, fences, other boundary treatment and surface treatments of the open parts of the site; 4. Details and specification of the green roof; 5. Details of wildlife measures and ecological enhancements; 6. A programme of implementation for the landscaping scheme. All hard and soft landscape works shall be carried out in accordance with the approved details and programme of implementation. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.
 - 12) The development shall be constructed in accordance with the details and recommendations within the submitted Lighting Impact Assessment (Hydrock, dated 1 July 2020). No occupation of the development shall occur until the mitigation measures outlined in paragraph 6.4 of the Lighting Impact Assessment have been implemented and an 'as built' lighting assessment (by a suitably qualified person) demonstrating that the light spill is no greater than the predicted light levels within appendices C, E and G of the Lighting Impact Assessment (Hydrock, dated 1 July 2020) has been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be maintained in accordance with the approved lighting design and at the approved levels of light spill onto the tree line.
 - 13) No occupation of the development shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

- 14) The student accommodation hereby permitted shall not be occupied until a student management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following: 1. The arrangements for student drop off / pick up at the start and end of each university semester; 2. Details of refuse storage, management and collection; 3. Details of site security and access arrangements; 4. Contact information for site management including information for third parties wishing to make complaints; 5. Details of student parking restrictions and enforcement measures; 6. Details of a scheme for monitoring the effectiveness of the parking restrictions and enforcement measures under point 5 including any necessary remedial measures; 7. Details of the management of the first floor outdoor amenity areas (as shown on drawing number AP 0 35A), including hours of use and arrangements to prevent access outside of these hours. The student accommodation use shall thereafter operate only in accordance with the approved student management plan.
- 15) No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.
- 16) The areas allocated for parking and turning on the Proposed Site Plan (drawing number AP 0 10L) shall include the provision of two disabled parking spaces and shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.
- 17) The new accesses hereby permitted shall not be brought into use until the existing vehicular access has been permanently closed and a footway crossing constructed, including the raising of dropped kerbs, in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
- 18) No development shall commence, except ground investigations and remediation, until a detailed drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include plans, calculations (demonstrating performance at the critical 1:1, 1:30 & 1:100+40% events), confirmation that the discharge is acceptable to Wessex water (rate and location) together with an operation and maintenance document detailing how the system will be maintained for the life of the development. The development hereby permitted shall thereafter be completed and operated in accordance with the approved drainage strategy.
- 19) No development shall commence until a scheme of sound insulation measures (the Sound Insulation Plan) between the purpose-built student accommodation (PBSA) and the light industrial B1(c) use has been submitted to and approved in writing by the Local Planning Authority. The Sound Insulation Plan shall include the following: 1. A desktop design assessment demonstrating, by calculation, the airborne sound insulation performance of the "as built" separating floor between the employment use, hereby permitted, and habitable rooms of the PBSA at 1st floor level, can achieve a sound insulation performance of at least 75 dB DnT,w ≈ circa 95 dB Rw, using an appropriate calculation methodology, which

shall include BS EN ISO 12354-1:2017 *Building acoustics — Estimation of acoustic performance of buildings from the performance of elements — Part 1: Airborne sound insulation between rooms*. 2. A technical demonstration that the resultant noise levels within those habitable rooms within the PBSA as a result of the adjacent commercial tenant in isolation shall conform to a Noise Rating curve of NR15 and NR20 (Based on the associated L_{eq} and $L_{Max, Fast}$ spectral characteristics). 3 The Sound Insulation Plan shall include details of ongoing monitoring and review processes to ensure that the agreed internal ambient noise level performance, as provided in (2) above is not breached by any future occupation of the employment use hereby permitted. In the event of any breach remediation measures shall be immediately taken with the guidance of a suitably qualified acoustician to ensure compliance with the performance criteria in (2) above. The development shall thereafter be undertaken in accordance with the approved Sound Insulation Plan.

- 20) Prior to the first occupation of the development hereby permitted, a summary review from a competent person of the "as built" drawings and specifications to confirm that the recommendations produced by Hydrock, within Supplementary Noise Planning Report (dated 16 December 2019) have been adhered to, inclusive of design measures in Section 10 (BS8233:2014) and Section 12 (BS4142:2014+A1:2019), shall be submitted to and approved in writing by the Local Planning Authority.
- 21) Prior to first occupation of the development hereby permitted the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the development and submitted to and approved in writing by the Local Planning Authority together with the further documentation listed below: 1. Table 2.1 Energy Strategy (including detail of renewables); 2. Table 2.2 Proposals with more than one building type (if relevant); 3. Table 2.3 (Calculations); 4. Building Regulations Part L post-completion documents for renewables; 5. Building Regulations Part L post-completion documents for energy efficiency; 6. Microgeneration Certification Scheme (MCS) Certificate/s (if renewables have been used).
- 22) No occupation of the development shall commence until secure, covered cycle storage for 76 bikes has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be retained permanently thereafter.
- 23) The gymnasium use hereby permitted shall not be carried on and no customer shall be served or remain on the premises outside the hours of 0700 - 2100 hours Monday to Fridays; 0800 - 1600 hours Saturdays and 0900 - 1300 hours Sunday.
- 24) No machinery shall be operated, no process shall be carried out and no deliveries shall arrive, be received or despatched from the light industrial use hereby permitted outside the hours 0700 - 2130 hours Monday to Fridays; 0900 - 1700 hours Saturdays and 1000 - 1400 hours Sunday.
- 25) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking

and re-enacting those Orders with or without modification), the employment spaces shown on the Proposed Ground Floor (AP 0 11T) and Proposed Mezzanine Floor (AP 0 12M) shall be used for light industrial use only.

- 26) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting those Orders with or without modification), the gymnasium use hereby permitted shall only be used as a gymnasium.
- 27) No development shall take place until full details of a Wildlife Protection and Enhancement Scheme, that shall be in accordance with the recommendations of Section 3.2 of the approved Ecological Report by Seasons Ecology dated November 2019 have been submitted to and approved in writing by the Local Planning Authority. These details shall include: 1. Method statement for pre-construction and construction phases to provide full details of all necessary protection and mitigation measures, including, where applicable, proposed pre-commencement checks and update surveys, for the avoidance of harm to bats, reptiles, nesting birds and other wildlife, and proposed reporting of findings to the Local Planning Authority prior to commencement of works; 2. Badger Protection and Mitigation Strategy to include updated pre-commencement checks of badger activity. All works within the scheme shall be carried out in accordance with the approved details and completed in accordance with specified timescales and prior to the occupation of the development.
- 28) No development shall commence until details of the existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include: 1. A topographical plan of the site including spot levels; 2. The approved site plan including spot levels ;3. Site sections showing existing and proposed ground/finished floor levels in relation to the land adjoining the site. The development shall thereafter be undertaken in accordance with the approved details.
- 29) Prior to the installation of the solar panels (PV array shown on drawing number AP 0 16H) details of the proposed solar panels shall be submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed in accordance with the approved details prior to the occupation of the building and thereafter retained.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY (B&NES):

Christopher Griggs-Trevarthen MSc MRTPI	Senior Planning Officer
Kaoru Jacques MSc MRTPI	Principal Planning Policy Officer
Byron Hammond MSc MRICS	Associate Director Lambert Smith Hampton
Colm O'Kelly BSc(Hons) MPhil CMLI MBA PGDip	Tree and Landscape Officer
Lucy Corner BSc PGDip	Ecologist

FOR THE APPELLANT:

Paul G Tucker QC	Kings Chambers
Philip Robson Junior Counsel	Kings Chambers
Patrick Marks	Senior Planner AGM Ltd
Stuart Black	Summix LRB Developments Ltd
Matthew Bowen FRSA	Partner Knight Frank
Colin Scragg FRICS	Partner Carter Jonas
Trevor Furse CMLI MCI Hort ISA	Director Furse Landscape Architects Ltd
John Blanchard	Director Hydrock
Joanna Freyther	Associate Planner SLR Consulting
Jacob Hepworth-Bell BSc(Hons)	Associate Director Ecology Solutions Ltd
Alex Robinson	Director Pegasus Group
Vince Taylor	Senior Acoustic Consultant Hydrock

INTERESTED PERSONS:

Patricia Spencer-Barclay	Local resident
Thomas Mills	On behalf of the site occupier

DOCUMENTS SUBMITTED AT THE HEARING

HD1	Bath and North East Somerset Annual Monitoring Report March 2019 – Industrial Floorspace
HD2	Statement of Case Carter Jonas August 2020
HD3	Bath Demand Study Locksbrook Road Knight Frank
HD4	Planning permission for Horstman site at Locksbrook Road for the erection of engineering workshop dated 1 June 1954
HD5	Email dated 15 September 2020 from B&NES providing operational times of Horstman site
HD6.1	Suggested planning conditions 15 September 2020
HD6.2	Suggested planning conditions 17 September 2020
HD6.3	Suggested planning conditions 25 September 2020
HD7	Revised Community Infrastructure Levy Compliance Statement
HD8	St Austell appeal Ref:APP/D0840/W/16/3158466
HD9	Sandtoft appeal Ref:APP/Y2003/A/08/2081677
HD10	Extracts from Local Plan 2016-36 Options Consultation Winter 2018
HD11	Badgers and Development Interim Guidance Document Natural England
HD12	Interpretation of 'Disturbance' in relation to badgers occupying a sett Natural England
HD13	Supplementary lighting note Hydrock 17 September 2020
HD14	Site visit itinerary
HD15	Points from appeal Hearing by Patricia Spencer-Barclay
HD16	Information to enable a Habitats Regulations Assessment (HRA) September 2020 Ecology Solutions
HD17	Council's Closing Statement
HD18	Certified copy of unilateral undertaking dated 17 September 2020
HD19	Closing submissions on behalf of the appellant
HD20	Email dated 12 October 2020 from Natural England providing comments on HD16
HD21	Email from appellant dated 15 October 2020 in response to HD20
HD22	B&NES comments on appellant's shadow HRA received on 23 October 2020
HD23	Appellant's Addendum Information dated October 2020 re Habitats Regulations Assessment
HD24	Certified copy of unilateral undertaking dated 4 November 2020 for Offsite Ecological Contribution
HD25	Community Infrastructure Levy Compliance Statement
HD26	Email from B&NES dated 2 November 2020 setting out the Council's position in respect of £5,000 contribution towards Ecological Enhancement
HD27	Email from Natural England dated 3 November 2020



Toplocation 5 Ltd /Longacre
Third Floor,
Harmony Hall,
10 Bridge Street,
Bath
BA2 4AS

09th September 2021

Dear Sir or Madam,

Student enrolment – the 2021/2022 & future academic cycles

I have been asked to provide a summary of the current available information from UCAS on student enrolments for the current academic cycle and to provide a view on demand for higher education in future cycles.

Restrictions on face-to-face teaching in English universities ended on July 19 as England moved to Step 4 of the Government's COVID 'roadmap'. The system of "bubbles" in operation in schools, colleges and universities will come to an end, with the NHS Test and Trace service taking responsibility for contact tracing. Latest guidance, published on July 19 indicates that there are no longer restrictions on the approach to teaching and learning in higher education (HE) providers and no requirement for social distancing or other measures within in person teaching. Providers are therefore able to shape their courses without restrictions to face-to-face provision. University unions and membership groups, however, have urged universities to be cautious. These same groups have also been active in promoting vaccination among students with a joint letter to students encouraging them to engage in the vaccination programme ahead of the start of the 2021/22 academic year.

International learners are increasingly confident about starting their course as planned, according to a global survey of 4,000 applicants conducted by IDP Connect. Nine out of 10 international students planning to enrol this autumn say that they are willing to quarantine on arrival. The survey found that 88% of respondents were willing to quarantine on arrival in their destination under coronavirus regulations, while 12 per cent said that they would rather defer entry until this was not a requirement.

The data, based on respondents from more than 20 countries and published on 28 July, emerges amid continuing concerns about quarantine capacity in the UK for students due to arrive this autumn from countries on the COVID red list. Allowing universities to use their own accommodation for quarantine is one possible solution being discussed in the sector.

A level results day

Students received their A level exam results on the 10th August and for the first time, students from England, Northern Ireland, Scotland, and Wales all receiving their grades at the same time on a single results day.

A record 395,770 students, up 8% from 365,500 in 2020, have a confirmed place on their first choice of full-time undergraduate course in the UK. This represents 91% of everyone with a confirmed place, an increase from 88% last year. In total, a record 435,430 students have a place, up 5% on results day 2020.

In England, 326,180 students (up 10%) have been accepted. Of those, 210,850 are 18 year olds (up 18%). In Northern Ireland, 12,690 students (up 2%) have been accepted, with 8,690 aged 18 (up 8%). In Scotland, 32,580 students (up 12% on last year's Scottish results day) have a place through UCAS, with 15,470 aged 18 (up 22%). In Wales, 16,790 students (up 6%) have been accepted, with 10,330 aged 18 (up 16%). The overall UK 18 year old entry rate is 34.1%, up from 30.2% in 2020.

Knight Frank, Global Research
55 Baker Street, London, W1U 8AN
+44 20 7629 8171

[knightfrank.co.uk](https://www.knightfrank.co.uk)

Your partners in property for 125 years

Knight Frank is the trading name of Knight Frank LLP. Knight Frank LLP is a limited liability partnership registered in England and Wales with registered number OC305934. Our registered office is at 55 Baker Street, London W1U 8AN where you may look at a list of members' names. If we use the term 'partner' when referring to one of our representatives, that person will either be a member, employee, worker or consultant of Knight Frank LLP and not a partner in a partnership.

A record 20.7% of all UK 18 year olds from the most disadvantaged backgrounds (POLAR4 quintile 1) in the UK have an undergraduate place, 26,640 accepted students). However, as yet there has been no progress in closing the gap to students from the most advantaged areas (with 48.4% accepted).

A new high of 37,390 (+9%) students from outside the EU have been accepted, with markets including Malaysia (up 33% to 2,230 placed applicants), USA (up 33% to 2,160) and Nigeria (up 40% to 840) showing substantial increases. 9,820 EU students have been accepted to study in the UK, a fall of 56%.

Placed students for the 2021/2022 academic year

The spike in students being placed on their preferred course has meant that the number of 18-year-olds placed via clearing dropped by a third – 34 per cent – this year compared with 2020. Overall, 36,430 applicants were placed via clearing this year which is the lowest levels for more than a decade. This is likely due to be a combination of students holding on to their better A’ Level results and waiting until next year when risks relating to COVID are hopefully lower, alongside the stronger universities largely filling their quotas on A’ Level results day. If you are a student that has received better results than expected this year and you have been unable to upgrade your course/university in clearing then you are likely going to hold on to and wait to capitalise on your better grades in next year’s cycle. The upside of this is that next year’s enrolment could be higher as a result.

Higher tariff institutions increased their numbers by 3 per cent, and lower tariff institutions decrease theirs by 4 per cent. The number of placed students from the EU is down 56% to 12,920, whilst non-EU international students were up by 5 per cent to 46,610. Overall, placed international students are down 19.5% driven entirely by lower numbers of placed students from the EU. Placed students from the UK are up slightly – 1.4% on 2020 numbers at the equivalent point.

Overall the number of placed students is down 1.6%. This is the first time we have seen a drop in placed students at this point for three cycles. This is explained by the significant drop off in EU students and not a lack of demand for higher education from both UK students and students from outside of the EU – both the intake of students in these groups have increased for the forthcoming cycle.

Demand & Supply in Bath

According to HESA, full time student numbers studying at HEPs across Bath (24,124) have increased by 15.4% overall between 2015/16 and 2019/20, representing a net increase of approximately 805 students per annum.

Full time UK domicile undergraduates have increased by 15.5% over the last four years and are higher than they were in 2011/12 levels (pre the introduction of higher tuition fees in 2012). Across this period year on year growth averages a net gain of approximately 617 students per annum. Following the introduction of higher tuition fees in 2012, numbers had presented a relatively steady growth and have then increased more substantially each year to 2019/20.

Non-UK students represent 23.6% of full time students (5,702) across the combined Bath area and their numbers have increased by 15.2% between 2015/16 and 2019/20.

In terms of the number of students requiring accommodation we have calculated as follows:

University	FT students (19/20)	% living at home with parents (19/20)	Net of those living at home with parents
University of Bath	16,605	4.6%	15,849
Bath Spa University	7,519	15.7%	6,337
Total	24,124	8.0%	22,186

Source: HESA

We understand from Bath City Council’s Topic Paper on Student Accommodation that the proportions of students assumed to not require accommodation is higher than those outlined above – 22% in the case of University of Bath and 44% in the case of Bath Spa University. However, the latest data from the Higher Educations Statistics Authority indicates that only 8.0% of the combined full time student population across Bath live at home with parents. The remainder require some form of accommodation.

Furthermore, evidence suggests that student preferences are also changing. Levels of satisfaction with PBSA remained high through the COVID pandemic, and student sentiment regarding value for money is more positive than alternative

options for students in the wider rental market. The level of first to second year retention is increasing with the proportions of second years living in PBSA recommending their accommodation to first year students moving up a year also increasing – over 70% of respondents in Knight Frank's last Student Accommodation Survey undertaken with UCAS.

The universities across Bath provides accommodation for approximately 6,045 students, which represent 25% of the total full time student population across the city (23,252 students). There are currently a further 14 additional private purpose built student accommodation (PBSA) schemes across the city providing approximately 1,765 bed spaces on a direct let basis (including the newly opened CRM Aquila Court scheme). In total, there are 7,810 PBSA bed spaces across Bath. This represents 32% of total full time students studying in Bath.

According to HESA, 1,938 full time students live at home with parents (8.0%) which would indicate the remaining 60% live in HMO stock of varying quality.

As of August 2021, four schemes have been granted detailed permission representing 454 bed spaces. An additional three schemes have been submitted for planning representing 280 beds (a potential pipeline totalling 734 beds).

There are currently 3.1 students per available purpose built bed space (0.32 students per bed) in Bath. Full time student numbers across Bath based on historic trends are projected to rise by 27% (1,259 students per annum) to 2023/24, whilst the development pipeline of student accommodation over the same period would struggle meet this increase in demand (based on all 454 bed spaces with detailed planning consent).

If the development pipeline of consented schemes across Bath of 454 bed spaces is included within supply alongside the projected five-year increase in full time student numbers, net of current estimated students living at home with parents, the future student to bed space ratio becomes 3.3 students per bed space (0.30 bed spaces per student). The current supply/demand imbalance is therefore expected to continue.

It is also understood that a further 875 bed spaces have been allocated for the University of Bath's Claverton Campus through Policy SB19. However, the timing of the delivery of any new student bed spaces is unclear and is likely to form part of new delivery in the period after 2025. This allocation has not been included as part of the current development pipeline for that reason.

Future growth

The UK government's commitment to increasing international student numbers and income generated from international education is reiterated in its 2021 update of its 2019 International Education Strategy. The 2021 update builds on the aim to increase international student numbers to 600,000 by 2030, and generate £35 billion through education exports (predominantly international tuition fees).

The update also addresses the UK's departure from the EU and presents the Government's new Turing Scheme student exchange programme, which will start in September 2021. The scheme will provide funding for around 35,000 students in universities, colleges and schools to go on placements overseas. Also included is the introduction of a new points-based immigration route which is designed to streamline the immigration and application process for international students. International graduates have also been granted a period of 2 years (3 years if studying at PhD level) to stay in the UK to work, or look for work, after they have completed their degree in the UK. This positions the UK in line with the US and other key destinations for international students, the impact of which is evident in the uptick in demand from both Chinese and Indian students who in the past have been sensitive to the postgraduate opportunities available to them.

Student property has been a key performer in previous recessions because demand for it has proved to be counter cyclical both from an investment perspective, and from an occupier perspective. In periods when the employment market struggles, students and young professional tend to stay in education for longer and 'up-skill' prior to starting employment. Whilst the previous 2020/21 academic cycle was a challenge for operators with most students unable to return to campus to start the spring term. Knight Frank's Student Accommodation Survey 2021, undertaken in partnership with UCAS, suggests that operators of purpose built student accommodation (PBSA) have dealt better with the challenges that the pandemic has created than landlords in the wider rental market. Some 69% of students living in purpose-built student accommodation (PBSA), either privately operated or university operated, were pleased with their provider's approach and handling of the pandemic. By comparison, just 25% of students living within house-shares rented from landlords in the wider private rented sector said the same.

In summary:

- Student applications and acceptances performed above expectations during the Covid-19 pandemic;
- There are strong positive indicators for enrolments from UK domiciled students and for students domiciled outside of the EU in the forthcoming academic year;
- Strong growth in student numbers is predicted longer-term and this is underpinned by the demographic cycle;
- Operators of PBSA have responded to the Covid-19 pandemic in a more positive way than landlords operating in the private rented sector 'house share' market.
- The benefits of high-quality professionally managed accommodation have come to the fore across the pandemic and this will further help to underpin demand for purpose built student accommodation as student numbers increase.
- In Bath, the latest HESA data indicates that full time student numbers have increased further and that current purpose built supply represents just 32% of full time students. The pipeline of consented schemes is unlikely to keep pace with student number growth in the city and therefore the supply/demand imbalance is likely to increase.

Yours sincerely



Matthew Bowen
Partner
Head of Student Property Research
matthew.bowen@knightfrank.com

Condition Report

Jubilee Centre (Former Hollis Building)

Bath, BA2 9ES

9 February 2021



CSquared

Contents

1. Executive Summary
2. Condition Report
3. Budget Costings
4. Selected Photographs

Produced by Mark Evitts FRICS following inspection on 2 February 2021.

1. Executive Summary

The purpose of this report is to provide an assessment of the current condition of the Jubilee Centre building on Lower Bristol Road in Bath, also referred to as the former Hollis Building.

The surrounding area was historically associated with mills but this building plot remained largely undeveloped beyond the demise of that industry. The current industrial building occupies a long, narrow, rectangular footprint, approximately 68m in length, 12m wide and with a 10m eaves height. It is bounded by the river to the north and the Lower Bristol Road to the south.

We understand that the building was formerly used to manufacture large lifting equipment but is now a storage and sorting facility for a charitable organisation. Its façade comprises a combination of masonry, glazed curtain walling and suspected asbestos cladding. The pitched roof is covered with corrugated sheets.






Internally the largely open space still contains some heavy lifting equipment, in addition to a mezzanine with some basic office and bathroom facilities.







The building is in a very poor state of repair, is wholly thermally inefficient and the envelope is not wind/water tight. The roof is overgrown and all rainwater goods defective such that water damage has occurred to the elevations. The curtain walling system is defective and there are areas of structural movement and failure in the outer skin of masonry to the front and rear elevations.


Building services are rudimentary, dated and without a clear structure of supply and distribution. The internal environment is cold and inappropriate for occupational use in its current format.

Our estimated cost of envelope repair is circa £1.2m with a further allowance of £505,000 made for interior fit out. Costs include professional fees but exclude VAT.

2. Current Condition

1.	Roof	
1.1	Unable to inspect at close quarters but the corrugated roof sheets are heavily overgrown with uneven panels noted and some open joints in the ridge. The sheets do not meet current levels of thermal efficiency and should be replaced. This will require a full scaffold externally and fall protection internally.	
1.2	Rainwater goods – some plastic, some asbestos cement – are defective with sections missing. As a result areas of masonry are water damaged. Guttering at eaves level is ubiquitously full of vegetation. All rainwater goods should be replaced.	
2.	Elevations	
2.1	<p>South – blockwork and stone cavity walls with glazed curtain walling system. There are several areas of significant cracking to the masonry of this elevation: vertically alongside the first reveal of the curtain walling for its entire height, and further along the elevation from ground level to sill of the curtain walling system. Further destructive investigation will be required but this is likely to indicate insufficient allowance for thermal expansion, and/or lateral restraint issues (perhaps exacerbated by the heavy steel equipment suspended at high level internally). Weathering at the abutment between the curtain walling and the masonry is insufficient.</p> <p>Much of the wired glass of the curtain walling system is cracked, and the aluminium framing weathered. It is possible that the cracked glazing is resultant from whatever structural stresses are being applied to the envelope. The curtain walling system is also not able to meet current thermal efficiency requirements and should be replaced.</p> <p>Windows at the eastern end of the elevation are defective and should be replaced.</p>	
2.2	East – masonry and curtain walling as above but with corroded steel plates in the corners of the gable. The fascia appears to be asbestos cement based.	
2.3	<p>North – long runs of masonry as above with large sections of profiled cladding (suspected asbestos). The cladding does not meet thermal efficiency requirements (single skin) and should be replaced.</p> <p>Further evidence of structural movement in the masonry components including evidence of previous repairs (vertical cracking from ground to high level opening) and misalignment of adjacent blocks. The masonry is particularly stained on this elevation due to the defective rainwater goods.</p>	

	Windows and external doors in this elevation are in poor condition. The metal fire escape stair is heavily corroded. This area is also overgrown with vegetation.	
2.4	West - masonry and curtain walling as above but with corroded steel plates in the corners of the gable. The fascia appears to be asbestos cement based. Large main doors require overhauling.	
3.	Interior	
3.1	Generally the very basic interior is enclosed by vast areas of single skins of defective cladding and curtain walling, and is altogether thermally inefficient. The underside of the roof sheets are exposed over the steel trusses, and these contain very basic light fittings. Finishes generally are rudimentary. Much of the floor slab was covered at the time of the survey but cracking and crazing is prevalent with little in the way of a floor finish. The steel structure of the integral lifting gear is still in place at high level.	
3.2	Ancillary areas are fitted out with basic facilities and many of the surfaces are unfinished or haphazardly erected. The mezzanine structure is clearly a later addition with a beam and block construction limiting the ability to alter or remove. We saw no obvious cause for concern with the structure of the mezzanine.	
4.	Building Services	
4.1	Basic lighting and very little in the way of heating to the main area. Electric panel heaters to some ancillary areas. For a fit out the services should be taken back to the incoming mains and renewed with a rational approach to distribution and routing. Drainage installations should be assessed with a CCTV survey and repairs undertaken. The approach to fire detection and protection needs a thorough assessment and a holistic approach adopted.	
5.	Access For Repairs	
5.1	A full scaffold will be required around all elevations and internally for fall protection. Access to the north elevation will need to be cleared of vegetation and measures adopted to account for proximity to the river.	
6.	External Areas	
6.1	Repairs required include removal of vegetation, hard landscaping the north area, installing a fall arrest barrier to the river, and isolated resurfacing of existing hard surfaces.	

7.	Energy Performance Certificate (EPC)	
7.1	There is no EPC registered for the building. There is no question that any rating undertaken would rate the building below lettable standards.	



3. Budget Costings

The following cost analysis has been produced using areas calculated from approximate dimensions, and elemental approach to repairs and BCIS data for rehabilitation of industrial facilities for internal fit out costs.

Former Hollis Building - Cost Model			
External Repair	M2/Lm/No	Rate	Cost
External scaffold	2000	25	£ 50,000
Internal fall protection	790	20	£ 15,800
Allowance for site wide asbestos removal and disposal	1	20000	£ 20,000
Strip off roof covering and replace with insulation panels	790	96	£ 75,840
New rainwater goods and fascia etc	150	80	£ 12,000
Strip off external cladding panels and replace with insulated panels	420	95	£ 39,900
Strip off defective single glazed curtain walling system and replace with new double glazed curtain walling system	730	750	£ 547,500
Replacement windows to match existing	17	1000	£ 17,000
Replacement standard doors to match existing	6	2000	£ 12,000
Replacement main doors	1	5000	£ 5,000
Structural repairs to cracked external masonry	1	15000	£ 15,000
Cleaning and repoint water damaged masonry	520	20	£ 10,400
Overhaul rear metal fire escape	1	2000	£ 2,000
Clear shrubbery from rear elevation and hard landscape	300	110	£ 33,000
Fall protection to river	100	200	£ 20,000
<i>Sub-total</i>			£ 875,440
Prelims			£ 175,088
Professional fees			£ 157,579
Total			£ 1,208,107

Table 1 – External Repair Cost Plan

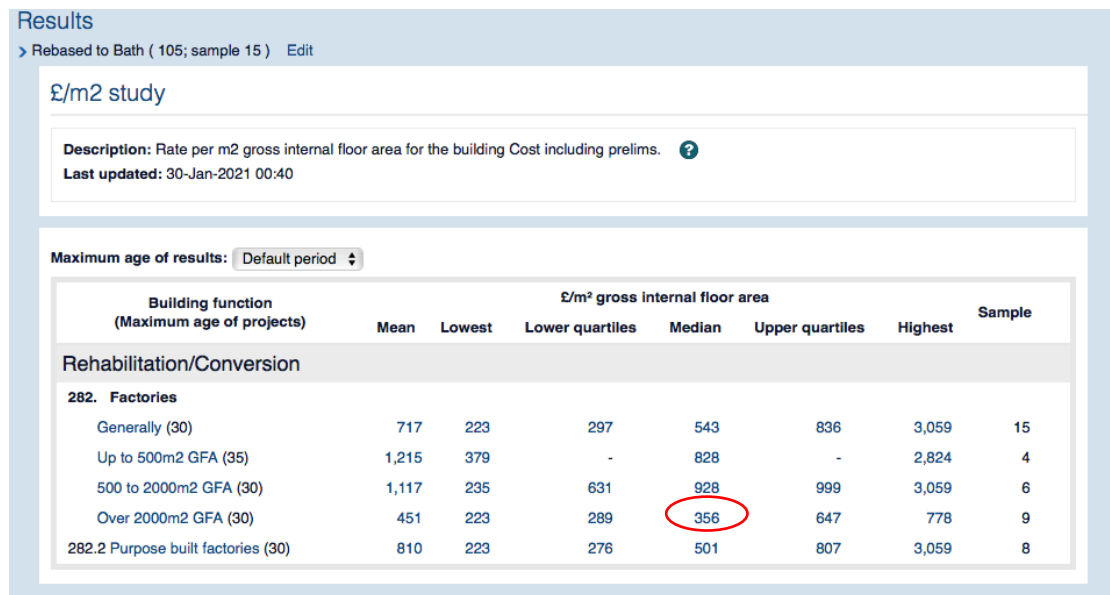


Figure 1 - BCIS Fit Out Data

The sample sizes for the data are small but for a building of this nature a per square metre rate of £400 was chosen based on experience and corroborated by Figure 1 above where it sits just above the median value for larger buildings. As a result the internal fit out costs for an industrial facility utilising the current mezzanine level are shown in Table 2 below. This includes new power, lighting and heating, some office provision and kitchen/bathroom facilities.

Fit Out				
Industrial				
Striping out including crane etc	975	50	£	48,750
Fit out including mezzanine level	975	400	£	390,000
			£	438,750
Professional fees			£	65,813
			£	504,563

Table 2 – Internal Fit Out Cost Plan

4. Selected Photographs



North elevation



South elevation



South elevation



Southeast corner



Typical view of roof



Proximity of north elevation
to the river





Structural movement to
façade








Structural movement to
façade



Defective glazing system

 A close-up photograph of a mezzanine structure. It shows a concrete ceiling with a grid of beams and blocks. Below the ceiling, there are some pipes and a light fixture. The walls are a light color, and there are some signs or notices on the wall.	<p>Beam and block mezzanine</p>
 A wide-angle photograph of the interior of the Jubilee Centre. The space is large and industrial, with high ceilings and large windows. There are several wooden pallets and boxes stacked in the center of the room. A person is visible in the background, and a red pallet jack is in the foreground. The walls are a mix of concrete and metal.	<p>General internal view</p>
 A close-up photograph of a haphazard services strategy. It shows a complex arrangement of cables and wires running across a concrete ceiling. There is a light fixture and a green exit sign on the wall below the ceiling. The overall appearance is cluttered and disorganized.	<p>Typical haphazard services strategy</p>