



## HISTORIC BUILDINGS & PLACES

Mr David Milinship  
Gloucester City Council

20 March 2023

By Email

**Re: Downings Malthouse, Baker's Quay, Merchants Road, Gloucester**

**Application Ref: 2200521LBC**

**Proposal:** Alteration, including partial demolition, restoration, development and extension of Downings Malthouse and the High Orchard Street Warehouse, plus the creation of a new basement level in Downings Malthouse accessed from Merchants Road to provide car parking, together with an extension and bridge link to Downings Malthouse Extension to provide 49 residential units on the ground and upper floors and 60m<sup>2</sup> of commercial floorspace for use for Class E purposes on the ground floor. The development of a new building comprising basement ground and nine upper floors on the site of the former Silo and the retention of the remaining portion of the High Orchard Street Kiln containing basement car parking, a ground floor plaza, reception and ancillary accommodation linking the building to Downings Malthouse, and 68 residential units on the ground and upper floors together with additional ancillary parking to the south of Downings Malthouse Extension, access, turning and landscaping all at Bakers Quay Merchants Road/High Orchard Street Gloucester.

**Statutory Remit:** Historic Buildings & Places (HB&P) is the working name of the Ancient Monuments Society, a registered charity in England and Wales (no. 209605). We are a consultee on all Listed Building Consent applications involving an element of demolition, as required by the *Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021*. We are concerned with historic assets of all types and all ages, including conservation areas and undesignated heritage.

**Comments:** HB&P was recently altered to this application. HB&P is unable to support the application in its current form and wishes to register a strong **objection**.

Gloucester generally remains a low rise city, with the tower of its Cathedral rising above the cityscape and appreciated in long distance vistas from the surrounding districts and escarpment. The Docks themselves make a distinctive contribution to Gloucester's history and its development in the 19<sup>th</sup> century as an important inland port.

Whilst HB&P wish to see the next phase of the regeneration Bakers Quay brought forward, the new build elements must not be to the detriment of the significance of the historic Docks, the City skyline, or the remaining listed buildings that form the Malthouse complex. The proposed tower, by virtue of its height and scale, shows complete disregard Gloucester's historic environment and the application should therefore be refused.



## HISTORIC BUILDINGS & PLACES

### *Site and Context*

The history and significance of Gloucester's Docks and the Downings Maltings complex is well documented in The Docks Conservation Area (Conservation Area No. 3) Appraisal and the application's Heritage Statement. While the proposed tower site is just outside the CA boundary, it would directly affect the appearance, character and setting of the CA.

The Docks CA is designated as an important example of a 19th century dock and canal terminus. The former Maltings site occupies a large proportion of the southern end of the Docks CA and the remaining listed structures contribute much to the story and character to the area and to the City's rich historic environment. Development within the Docks CA also affects the setting Grade I listed Llanthony Priory and scheduled ancient monument site.

Gloucester's skyline is also important to the city's identity. The predominant building heights and topography across the city means that, for the most part, the Grade I listed medieval Cathedral rises above the rooftops. We understand that important vistas of the Cathedral have been formally protected since the implementation of The Jellicoe Plan for Gloucester in 1961, and more recently by the '*Heights of Building's - Guidelines for developers in the Gloucester area*' (November 2008). A number of these views are from and across the Docks CA.

### *Impact of the Development*

The redevelopment and restoration of the wider Baker's Quay site, including the Downings Malthouse buildings, was permitted in 2016 under 15/01144/FUL. Despite heritage concessions to allow the application to proceed, only Phase 1, which covered the southern portion of the site, was completed. Unfortunately much of the grade II listed Llanthony Provender Mill was lost to fire and replaced with a modern apartment building, leaving only the south range. Further, in 2018 a survey of the Downings Malthouse (the main subject to this current application), found it to be structurally unsound and permission was granted for structural stabilisation works which involved the removal of the roof and interior of the building and the shoring up of the remaining external walls.

This means that as of 2023, a large part of the grade II listed Downings Malthouse has been lost, and almost no heritage benefits have been achieved across the wider Baker's Quay site by this approval, other than the restoration of the south range of the Llanthony Provender Mill.

The current application only applies to the remains of the Malthouse itself, and to the water front site surrounding the grade II Iron Shed building (but not included), which will be developed as a further surface car park. The shell will be repaired and incorporated into a new residential building with a basement carpark, largely reflecting the height of the original Malthouse. Immediately south, on the site of the demolished silos, a separate ten storey residential tower is proposed, that will include the remaining fragment of the High Orchard Kiln wall.

Given the limited remains of the Malthouse building, we do not object to the works to repair and incorporate it into a new low rise apartment building that generally reflects the



## HISTORIC BUILDINGS & PLACES

dimensions of the original building. The 'ghost sign' listing the branches on the remaining gable of the kiln is an important surviving element of this building and should be protected and restored as part of this development. HB&P also have concerns about the stability of the remaining structure, particularly with the excavations needed for the proposed basement carpark, and any approval will need to be carefully conditioned to ensure no further loss of the building.

However, we do object to the proposed opening up of the windows within the remaining shell, particularly those on the east elevation of the Maltings. The creation of balconies is overly domestic and not in keeping with the industrial nature of the building. It also results in the loss of additional historic building fabric far beyond what is necessary to facilitate the conversion. This is harmful to the significance of the building and the cohesion of the remaining listed buildings.

Regarding the tower, construction of a substantial building in this location would cause a high level of harm to the listed buildings and to the Docks CA, having little regard for its character, appearance and significance. At ten storeys in height, it rises well above the existing and traditional building heights in the area and would introduce a building form and roofline which is incongruous to the industrial docks and conservation area.

The images presented in the Design and Access Statement shows just how dominant the tower would be. Such height, scale and massing is not only uncharacteristic, but it would also become a prominent fixture on the City's skyline and intrude into the protected views of the Cathedral that are identified in '*Heights of Building's - Guidelines for developers in the Gloucester area*' (November 2008). It would completely obscure the Cathedral in protected view No. 8.

We refer you to similar cases in which tall buildings have been deemed to have a negative impact on other Cathedral cities, including the Lowesmoor Wharf proposal in Worcester, and the public inquiry for the redevelopment of Anglia Square in Norwich.

Little justification has been made for a tower in this location. This 'red line' application is effectively enabling development to allow the completion of the original approval for the wider 'blue line' Baker's Quay site, and as such this application cannot reasonably be considered in isolation. Much of the wider site is poorly used, with extensive surface car parking and a single storey drive through coffee shop. No consideration has been given to development of these other, less sensitive parts of the site that could reduce and mitigate the significant and harmful impacts of a tower. For example, the site to the north of the kiln is to be developed as a driveway and carpark and there is potential for better, more efficient use of this space. There is also scope to consider a low rise apartment building on the drive through coffee shop that could, between the two sites, generate the same number of apartments and negate the need for a harmful tower. Given the number of sensitive historic buildings, as well as the impact on the conservation area, other less harmful development opportunities must be considered.

In addition, it is noted that the application description includes works that directly affect the grade II listed Downings Malthouse Extension, due to the replacement of the high level



## HISTORIC BUILDINGS & PLACES

bridge link. That building is outside the application's 'redline' and no details are provided about the impact and extent of the works to the Extension building that are required to facilitate this amended scheme. This must to be clarified and addressed before proceeding.

### Policy

The Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the NPPF 2021 sets out the requirement for local authorities to have 'special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess'.

Paragraph 200 of the NPPF advises that: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. And Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent (Paragraph 201).*

Regarding conservation areas, Para 206 of the NPPF, states that: *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

Further, chapter 12 of the NPPF (2021) seeks to achieve high quality places. Paragraph 126 states: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 130 – in part – goes on to state:

*(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

### Summary

The tower element of this application is unacceptable due to:

- the harm to the significance and setting of a number of adjacent and nearby heritage assets;
- the significant harm to the significance, appearance, and setting of the Docks Conservation area;



## HISTORIC BUILDINGS & PLACES

- the negative impact of a tall building on the city skyline and protected views of the cathedral.

Chapter 16 of the NPPF makes it clear that your Authority has a duty to protect and conserve all heritage assets, include historic townscapes within conservation areas. Chapter 12 also requires your Authority to ensure new development is sympathetic to the established built and historic environment and there are now several precedents where local authorities have refused applications due to the discordant scale of such proposals.

HB&P recommend that the application is withdrawn. Given the significant impacts, a more comprehensive approach is required that takes into consideration the opportunities and constraints of the entire site subject to the original 2016 approval. Otherwise, the application should be refused on heritage grounds for the reasons outlined above.

As a final point, given the 2016 approval failed to benefit the historic and listed buildings on this site in a meaningful manner, HB&P is concerned that once again there is no guarantee that the Grade II Iron Shed and Malthouse Extension will be repaired and adapted, despite the suggestion that this application represents enabling development.

Paragraph 204 of the NPPF states that: *Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*

Should your authority be minded to approve the application, it is essential that paragraph 204 is addressed. We recommend a restrictive condition or s106 agreement is entered into that will guarantee works to secure the listed buildings. Examples used elsewhere include restrictions on constructing or the sale of the new apartments until substantive restoration works have been completed.

I would be grateful if we could be informed of the outcome when this becomes available.

Regards,

A handwritten signature in black ink, appearing to read 'Ross Anthony'.

Ross Anthony

HB&P Casework