



# PLANNING HERITAGE

*Conservation Planning Consultancy*



## HERITAGE IMPACT ASSESSMENT

Project: Garfunkel's Restaurant, The Empire, Bath

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## 1.1 PURPOSE OF THE REPORT

The focus of this report is to inform and support a listed building application relating to Garfunkels, Orange Grove, Bath for internal and external works to facilitate the conversion of this branded chain restaurant into a high end individual pub-restaurant. The scheme includes the redesign of the existing exterior canopy, conservatory and entrance and the adaptation of rooms to provide a new bar and restaurant facilities. The report concentrates upon the historic significance of the basement and ground floor where the main changes are proposed.

The purpose of this statement is to provide an assessment of the significance of the affected rooms within the building and to assess the impact of the works upon that significance as a Grade II listed heritage asset. The application site is within the City of Bath conservation area and as such, the World Heritage Site.

This statement does not provide a detailed historical appraisal of the site, nor does it record in detail the complete architectural development of the building, but provides a proportionate assessment of significance for the purposes of informing the application.

This statement is based upon a visual assessment of the heritage assets supported by sufficient documentary research to elucidate the results of the visual assessment. A full examination of documentary and other sources has not been undertaken.

The assessment was carried out by Gregory Beale, IHBC, RTPI, Planning Heritage Limited.

## 1.2 EXECUTIVE SUMMARY

The application site has been used by Garfunkel's restaurant for approximately 20 years, prior to which the building had been since 1939 occupied by the Ministry of Defence who formally requisitioned the property on 19 June 1940. Although it retains many of the principal historic features, the assessment revealed that there has been extensive change to the planform both in the past and in more recent times.

The Empire Hotel dates from 1899-1901, when it was officially opened. It was designed by the Bath City Surveyor of Works, Major Charles Davis, for the hotelier Alfred Holland. It represents *'the final surge of Bath's confidence in its future as a spa town.. an enormous and eccentric Queen Anne Revival building.. it is the last monument to the Victorian city, and marks the end of an era, the brief flowering of the spa already over'*, however, Pevsner described as a *'monstrosity and an unbelievable piece of pompous architecture'*.

The property is listed at Grade II and has been included upon the statutory list since July 1989. The listing was updated in October 2010.

The building is one of Bath's major early C20 architectural set pieces of six storeys plus the octagonal corner tower. The main elevation face on Orange Grove has eight bays whilst the Avon side elevation has nine. It is located on Orange Grove and forms an integral, if not contentious, part of the City's centre and dominates views of the City from the south side of the River Avon. The design is known for its depiction of the British social classes, with a Castle on the corner for the Upper Classes, a House for the Middle classes and a cottage for the lower classes.

The building was converted in the late 1980-early 1990s into apartments and a restaurant. It had until that time been used by the MoD, the Government having requisitioned the site for use by the Royal Navy during WWII and it remained in their possession until the 1990s. The existing planform and detailing dates from that period.

It is considered that the proposed renovation and associated interior alterations will not have a detrimental impact upon the character of the designated heritage asset, nor will the works cause harm in any way to the heritage asset. As the works to the exterior are limited and relate to the removal of later additions, there will be a limited impact upon the wider setting and conservation area/World Heritage Site however, that will not be a harmful change, rather it will enhance the building and its setting.



*Above: The Empire Hotel c.1917*

*Below: The Empire and Garfunkel's Restaurant*





## 2.1 STATUTORY DESIGNATIONS

The Empire was listed at Grade II in July 1989, and forms part of that context in which the Abbey and Orange Grove are located. It is within the City of Bath conservation area, which also incorporates the designated World Heritage Site.

The list description describes the building as a whole states '*Hotel, now apartments. 1900-1901 by Major CE Davis for hotelier Alfred Holland, restored and converted 1996. MATERIALS: Limestone ashlar cladding to an internal steel work, roofs of Bridgwater tiles and lead. PLAN: Large L-shaped block with octagonal corner tower EXTERIOR: A large building in the city centre, clad in a Free Renaissance exterior. Six main storeys with attics and double depth basement corner tower has seven storeys. Eight bays to Orange Grove, nine bays to east (river) front with further bay canted on corner. Tall ground floor with mullion and transom windows and decorative cast iron canopy to main entrance, with 'EMPIRE HOTEL'. Five bay conservatory now added to left of entrance (1996). First floor has three light mullion and transom windows and four bay loggia across centre with balustraded balconies. Second floor has pedimented windows. Third and fourth floors have plain windows, all three light mullion and transom. Heavy cornices divide each floor and strip pilasters between each window. Sixth floor has very varied roofline. Paired gables to left with decorative plasterwork. Central bays have large shaped gable with six single light windows separated by pilasters, and two more in attic floor above, this gable was originally crowned by ball finial. Each face of corner tower has two light mullion and transom window, upper floor with Baroque columns supporting only block entablatures. Parapet to tower, Jacobean filigree spikes have been removed. East front has another large shaped gable, and plain but double sized gable, again with decorative plasterwork.*

*Single storey kitchen range in angle of L. City's medieval Eastgate (qv) attached on north side. INTERIOR: Basement contains much structural steelwork by Glengarnock Company. Rolled steel joists on cast iron columns spanning many difficult corners of site. Extent of steelwork not known. Boiler room with two original heating boilers dated 1901. Public rooms on ground floor very little altered except decoratively. Dining Room, in subdued Greek manner, has two marbled Ionic columns, Greek architraves and fire surrounds with over-mantels. Entrance Hall has two Corinthian columns, coffered ceiling and French Renaissance type fireplace. Original reception desk and revolving doors in store in basement. Jacobean style staircase with fine joinery and Rococo plasterwork on walls. Joinery and plasterwork largely complete in Drawing Room and Bars. Staircase rises full height of building. First floor has grand suites and these retain joinery and fireplaces, original bathroom fittings are in store in basement. Bedroom floors above are much plainer but again almost unaltered. Whole building shows remarkable survival of original design and planning of grand turn-of-the-century hotel in which purpose of almost every room is still recognisable. Interior has only been inspected on ground floor on this occasion, full inspection made at time of listing. HISTORY: A huge hotel development, altering the scale and appearance of the city centre, employing new construction techniques. The hotel was requisitioned by the Navy in 1939, and only returned to its owners, Bath City Council in 1989. It was converted into retirement flats above commercial premises on the ground floor. The basement underwent considerable alteration and the old kitchen has been demolished. The building is now an integral part of the city centre and possesses very strong group value with the surrounding listed buildings, a number of which are also by Major Davis, the Bath City Architect. SOURCES: N. Jackson, Nineteenth Century Bath - Architects and Architecture (1991), 225-228.'*

## 2.2 STATUTORY LEGISLATION, POLICY AND GUIDANCE

The policy context is set out more fully in Section 4 and briefly comprises:

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework
- Council's planning policy framework relating to the historic environment is contained in the adopted Core Strategy (July 2014) and the Development Plan for Bath and North East Somerset. Of particular relevance to this proposal is BH.2 'Listed buildings and their settings'.

## 2.3 RESOURCES

Searches were undertaken online and at the the Bath Record Office, Bath in Time and the Bath Library.

## 2.4 PLANNING HISTORY

The documentary research revealed an extensive planning history, however the majority of the schemes were not implemented. Most applications date from the late 1980s-early 1990s for schemes relating to the conversion and reuse of the whole building.

## 2.5 CONTEXT

Michael Forsyth describes The Empire in the Pevsner Guide to Bath as '*an unbelievably pompous piece of architecture, by Davis, 1899-1901. It is five-storeyed and adds for good measure two storeys in the roof and a yet higher angled-tower, once higher still. Moreover in the roof there are side by side a large Loire style gable and two small Norman-Shavian tile-hung gables, originally with scalloped architraves capped by finials, removed, along with numerous balconies, by the Admiralty who requisitioned the building in 1939. The Avon front is in the same frolicsome spirit. What can have gone on in the mind of the designing architect? Yet, this is a worthy survival of a grand and confident turn-of-the-century hotel, a building of its time, and Bath's only major survivor*'. The original entrance canopy was by AJ Taylor c.1907. The building was considered for demolition in 1995-6 prior to the conversion into retirement apartments and restaurant.

The Empire Hotel is located in the area known as Orange Grove situated at the centre of the medieval city. The application site forms part of an architectural group which includes the Abbey and former Police Station.

Orange Grove has been an open space for public use since the C16, and was renamed by Beau Nash in the C18 after the Obelisk was erected in celebration of the Prince of Orange's visit to Bath. The layout of the area has evolved over time from the C18 when it had avenues of trees separated by gravel walks.

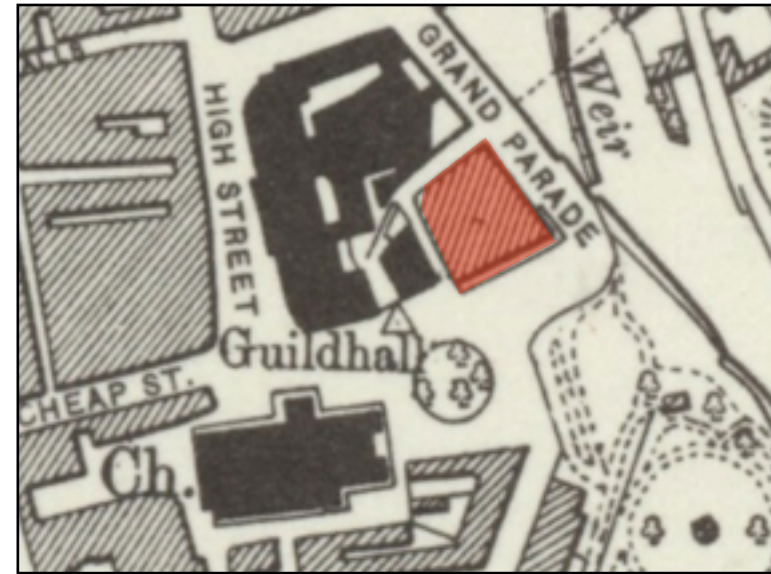
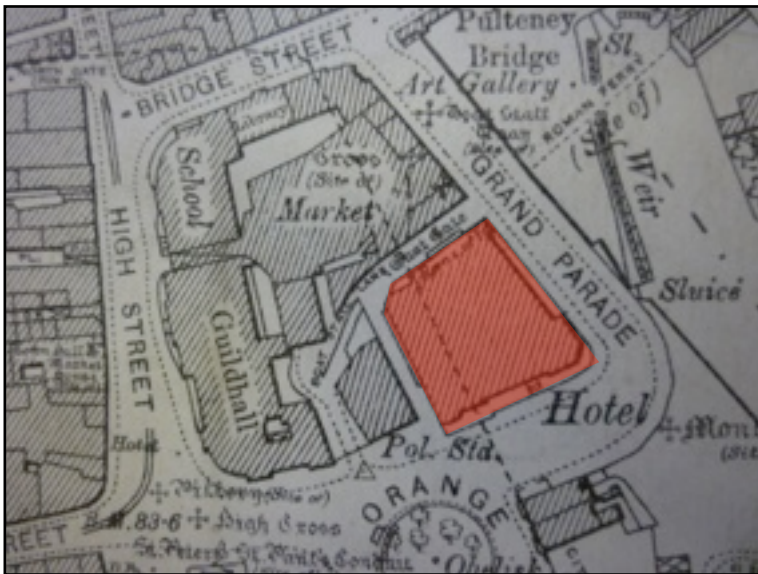
At the end of the C19, the City experienced a revival as a spa destination and Orange Grove was redeveloped by Major C. E. Davis. Today, Orange Grove largely reflects that design which included the demolition of the buildings on the east side to create a vista across the river towards Sham Castle, the erection of the police station (Browns restaurant), the Empire Hotel and remodelling of the Orange Grove terrace with its distinctive gabled roof and shell shaped hoods.

Today the area is defined by the public green encircled by the road network and the integration of pedestrian schemes.



Above: Extract from 1888 OS map showing site before the construction of the Empire

Below: Extract from 1904 OS map



Above: Extract from 1933 OS map

Below: Extract from 1947 OS map





## 2.6 THE BUILDING

As discussed above, the application relates to the Garfunkel's Restaurant which forms part of the Empire building. The proposed works seek changes to the interior of the restaurant to facilitate a new layout and interior decoration and the exterior works seek to remove the conservatory and replace it with a traditional designed verandah canopy.

The documentary evidence held in the Bath Records Office, includes a comprehensive set of plans relating to the period 1988-1995. The original 1899 plans for the Empire are held in the archives and show the main rooms of Garfunkel's set out on the floor plan as follows:

- Restaurant - 'Table d'Hote Room' (with Music Gallery)
- Bar - 'Supplementary Dining Room'
- Entrance - 'Hall'

The plans do not show in any detail the interior finishes or decoration. the requisition papers (dated September 1939) give an indication of the interior fixtures although not a comprehensive description.

The requisition survey describes the Ground Floor (the original Hall) as *'handsome square panelled plaster ceiling with great relief rosettes, panelled walls with floral design in plaster with 4 fluted pillars and gold ornamentation. In excellent condition. Oak block floor under carpet'*.

The listing for the Dining Room describes the fittings as *'plain ceiling with ornamental plaster cornice. Several cracks. Walls - panelled in green damask paper. Floor- deal. Imitation green Italian marble pillars with gold ornamentation. 2x large bevelled mirrors as overmantels'*.

As discussed above, the documentary evidence shows a number of approved schemes throughout the late 1980s to the mid 1990s. The plans show that the ground floor plan has been substantially altered and changed.

Plans dated 1994 and 1995 show the present arrangement of rooms and decorations largely date from that time. The main entrance was rebuilt and the conservatory added in 1995.

The plans demonstrate the extensive alterations to the ground floor and basement level, the latter having in effect been comprehensively remodelled.

### Basement

The basement rooms beneath Garfunkel's are largely modern in construction of no merit. The 1899 plans show the room layout for the basement level, which when compared to the existing show the level of alteration. The present basement is of no merit.

### Ground Floor interior

The ground floor interior has been remodelled throughout the various changes at the Empire. Originally the Entrance Hall formed a large open reception area that ran through to the main staircase, now part of the Empire residential accommodation. The photographic evidence shows the reception had the character of a colonial Members Club, with informal seating.

The 1899 plans show how significantly the ground floor has changed. The dining room doors have replaced the music gallery, the corridor from the main hall has been lost and the present bar was originally a secondary dining room, accessed from the main passage and not the entrance hall as is the case now. The plans reveal that the basement stairs are new. Other later features, included the reception desk and an internal revolving lobby door.

Today the original Entrance Hall has been subdivided and divorced from the main staircase/reception. The present wall built between the columns has a false door on the Garfunkels' side and a false fireplace on the reverse in the Empire. Other changes include the rebuilding of the dining room north wall to facilitate an ornate salad bar and 2 service doors; a new access from the Entrance Hall to the bar, the construction of the external seating area, separate conservatory with rebuilt main steps/wheelchair lift, alterations to the canopy entrance and the loss of the original corridor to the dining room. Changes have also been made to the internal decorative finishes.

The interior decoration is a confused mix of modern replacement/reproduction plaster work, some of which has more historic detailing. Much of the dining room plaster work is modern, most notably along the east wall which has had fireplaces removed, likewise the flooring replaced in the 1980s. The documentary evidence, as shown on the 1994/95 approved plans annotates the need to 'match and replace' plaster wall decoration as part of the restaurant work.

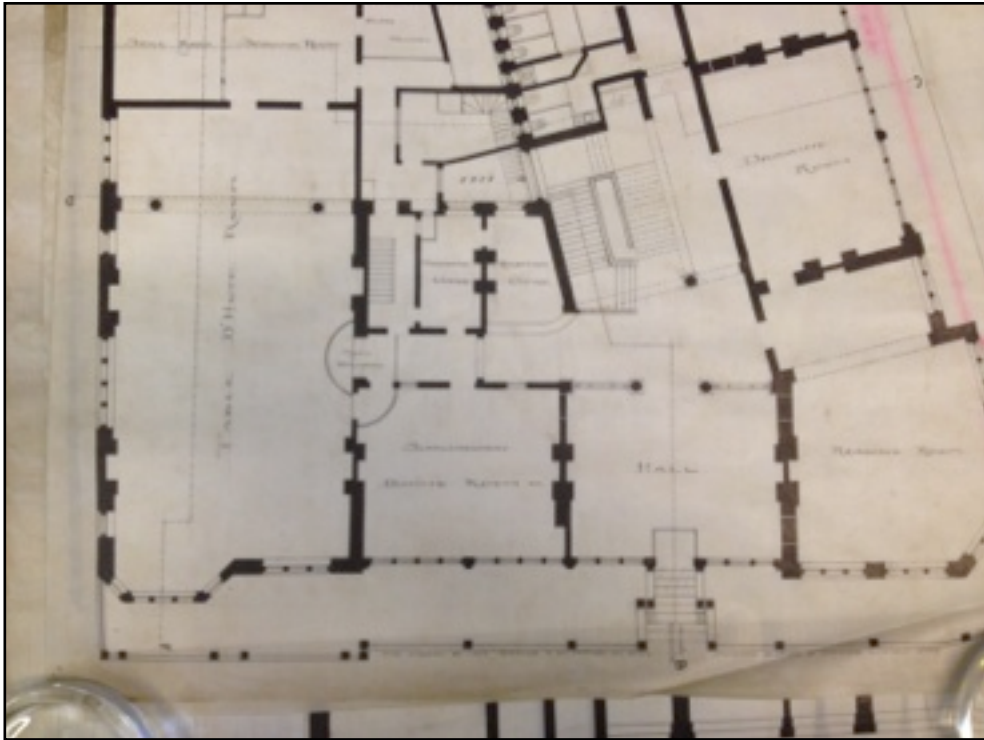
Features which are contemporary with the original design include the Entrance Hall ceiling and fireplace however, the plaster wall panels, dado rails and doors appear from the documentary and physical evidence, to be modern replacements.



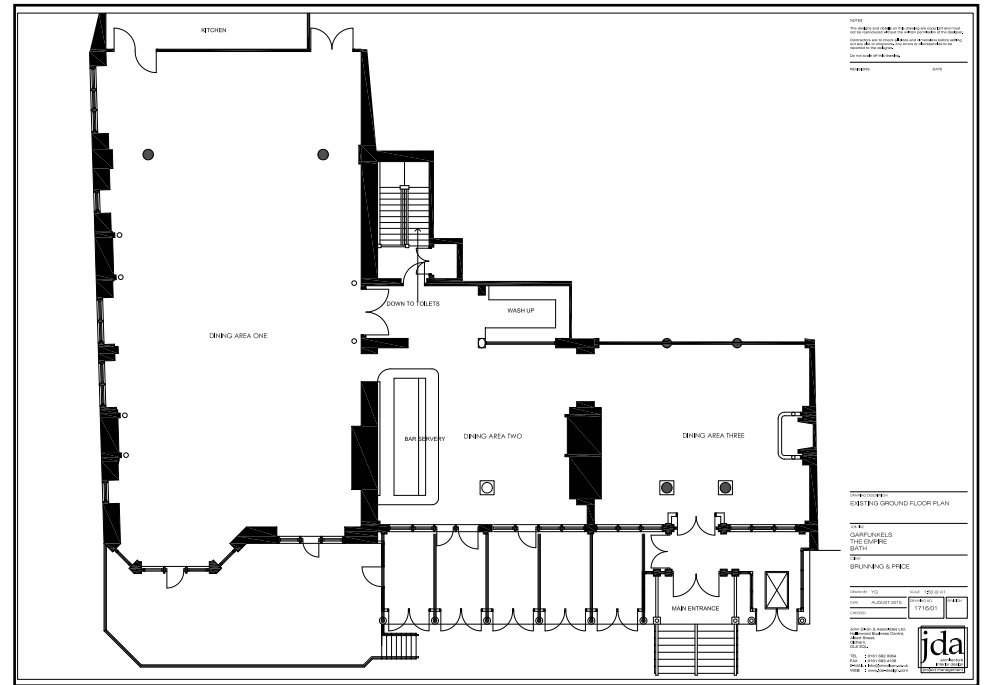
*Above: The Empire Hotel; The Lounge and Entrance Hall showing view through to main staircase*

*Below: The Empire Hotel dining room*

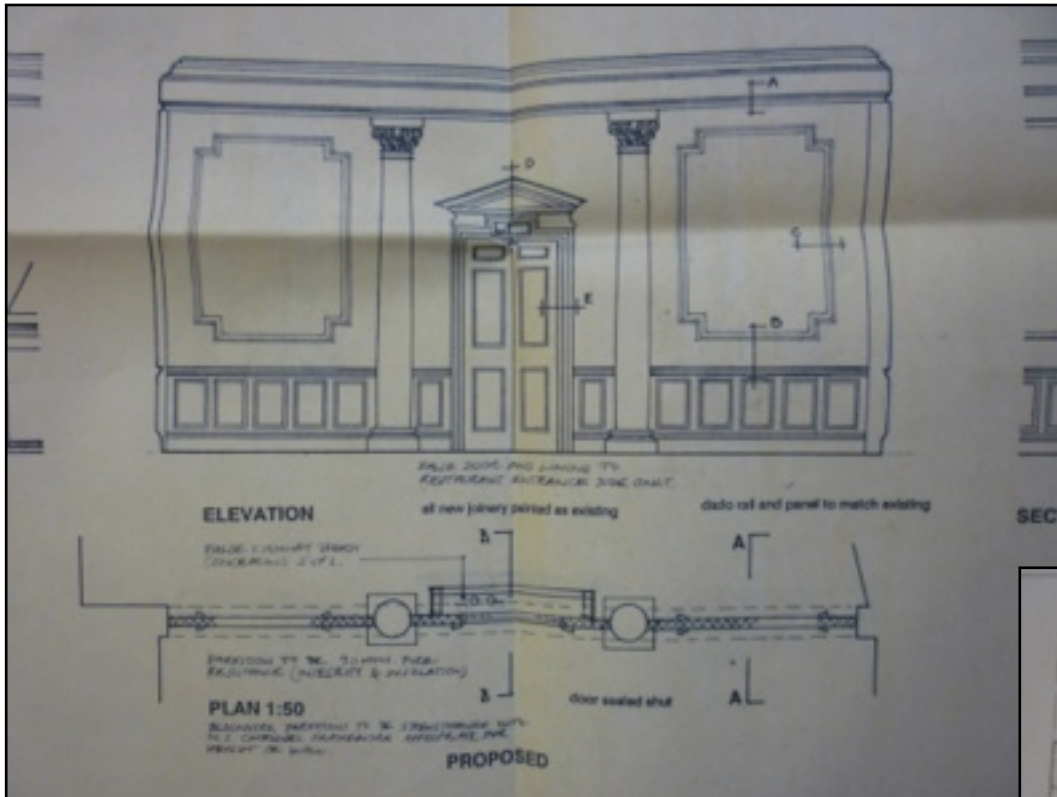




Above: The Empire Hotel; ground floor plan 1899, showing music gallery, room plan, corridor, main lobby/entrance, service stairs, service rooms and fireplaces

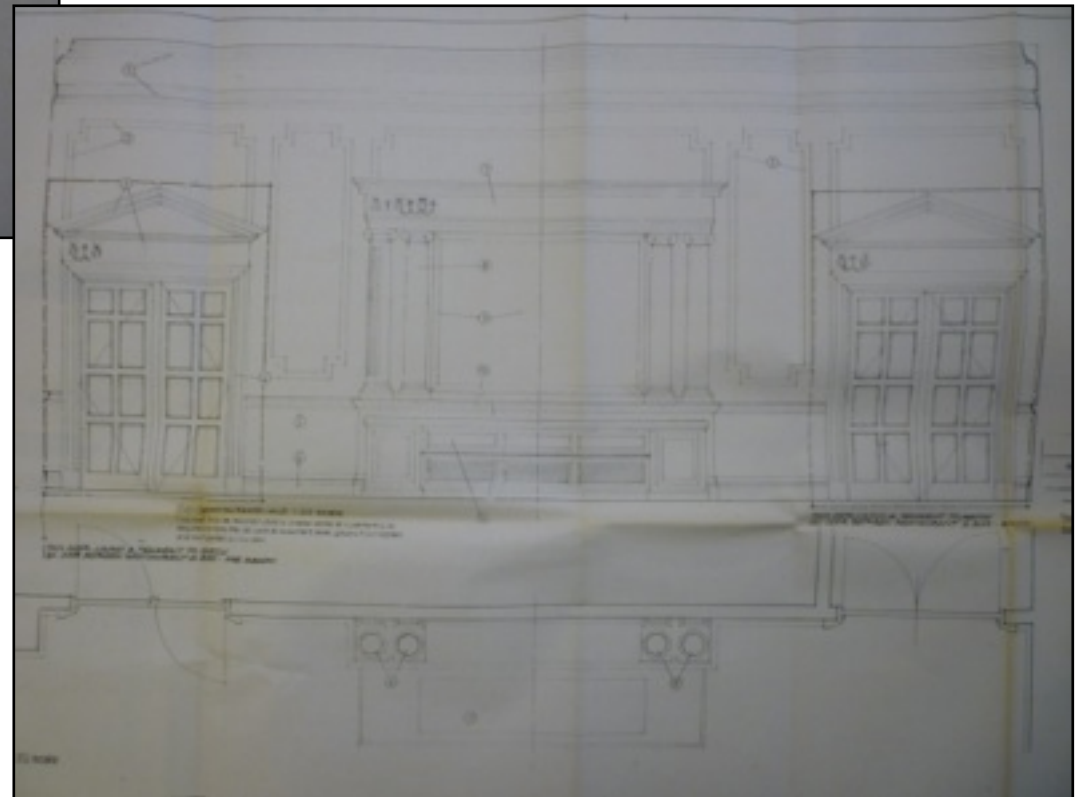


Above: The Empire; existing ground floor plan, showing new room plan, main entrance/lobby separation from Hotel stairs, new service stairs, window arrangement in dining room, removed fireplaces and new kitchen doors in dining room



Above: Plan showing new false door in Entrance Hall with false chimney breast 1994

Below: Plan showing north wall of dining room with new salad bar and service doors





### Ground Floor exterior

The photographic evidence illustrates the level of change to the appearance of the ground floor. Changes that have taken place include the loss of the ground decorative leaded arched top lights and canvas canopies which extended out across the raised seating area. The extended outside seating area with steps leading up to the restaurant were added as part of the MoD security/defence measures following the IRA bombing in the 1970s.

The photographs also reveal the stucco work, soffits and barge boards of the cottages were painted in a recessive colour, unlike today where they are picked out in white.

Externally, the prominent ground floor feature is the Entrance Canopy. This was added to the building c.1907, however, it has undergone modification most notably c.1980s-90s after the entrance was rebuilt and is now painted white which serves only to accentuate the feature.

The photographic evidence shows that originally, the Entrance had an arched entrance detail, later extended to include a glazed fanlight detail, before the glazed canopy was added advertising the *Empire Hotel*. The canopy was painted a dark recessive colour and was painted white some years later c.1930s, making it stand out as a feature. It appears that as part of the works to reform the entrance, the historic canopy glazing and decorative glass side panels were removed and replaced with false lead detailing and a Georgian wire glass roof cover set in aluminium glazing bars.



Above: *The Empire Hotel* c.1907 showing sunshades and entrance with extended arch with no decorative glazed canopy

Below: *The Empire Hotel* c.1920s with sun shades and dark entrance canopy





1. The Empire Hotel 1902 with the original entrance porch and decorative ledged arched top light windows
2. The Empire Hotel entrance c. 1910 showing dark ornate canopy
3. The Empire Hotel canopy entrance c. 1973



4



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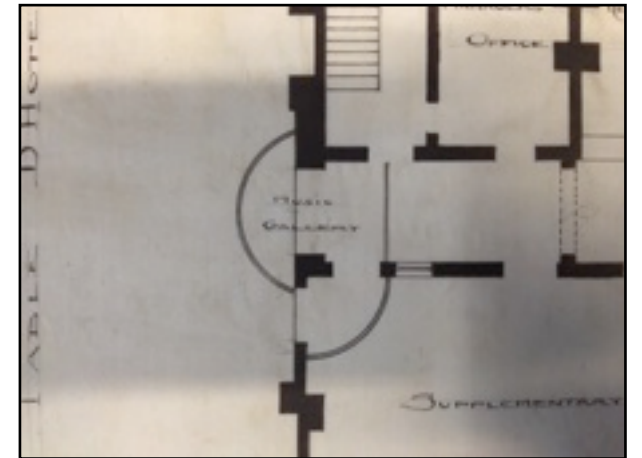
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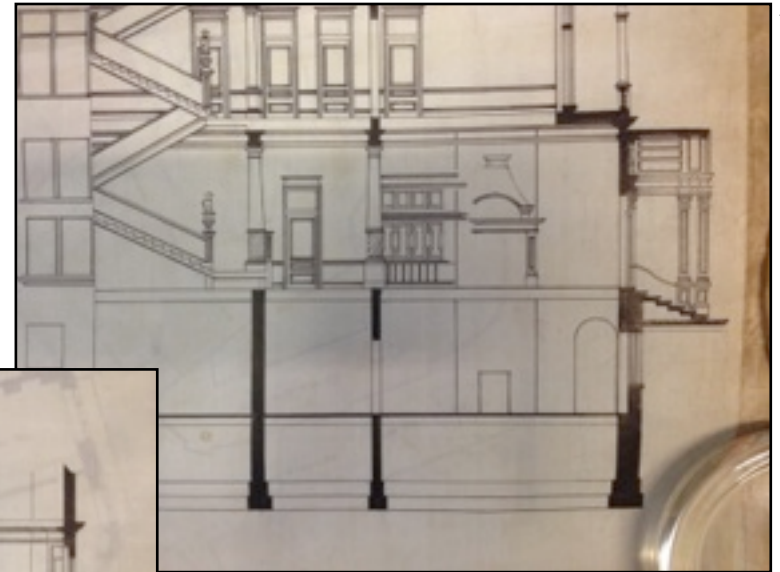


4 1898 plan showing Orange Grove elevation  
 5 Close up of entrance to Empire Hotel as originally designed  
 6 Ground Floor plan  
 7 Close up showing room plan  
 8 Close up showing Music Gallery

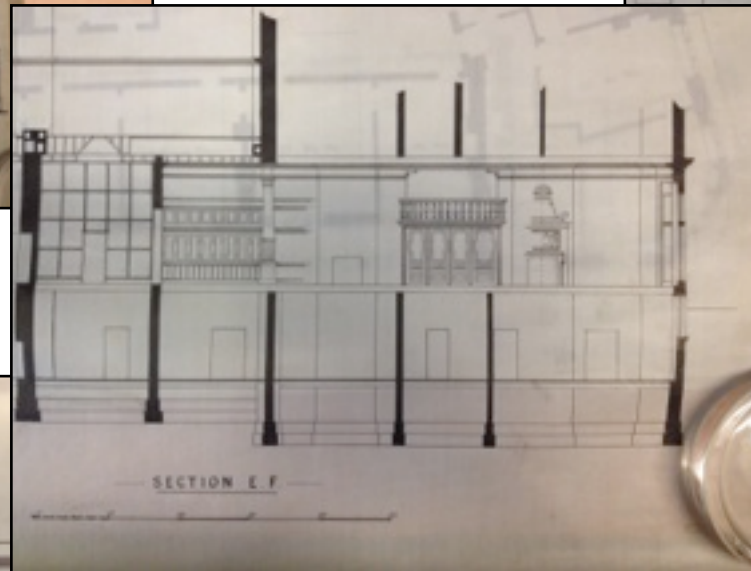
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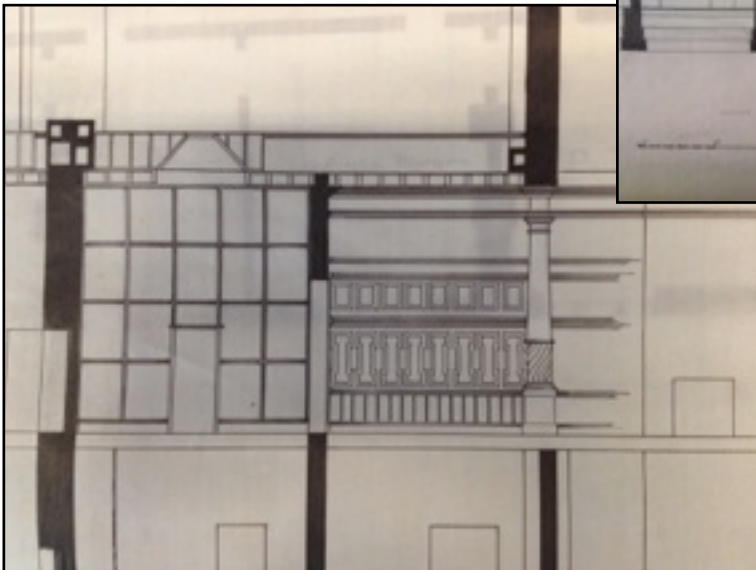
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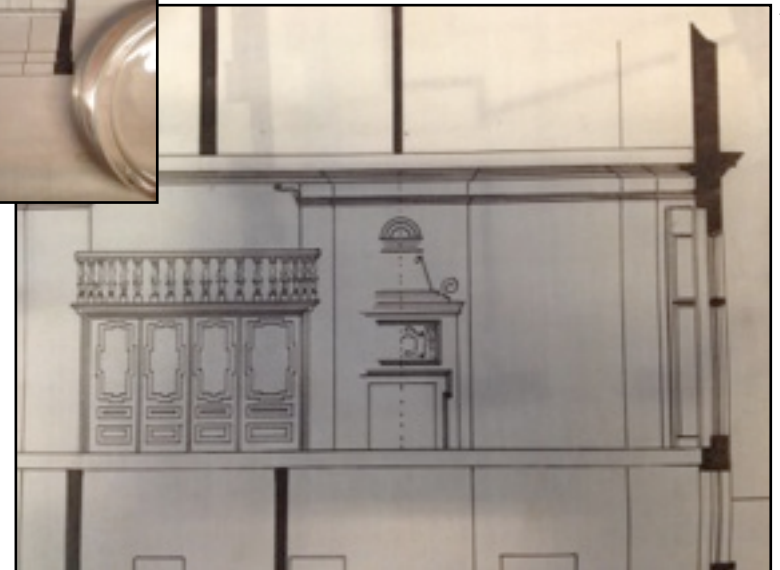
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12



13



9 1898 section showing entrance hall  
 and stairs  
 10 Extract showing detailing of Entrance  
 Hall fireplace, columns and wall  
 decoration  
 11 Extract from section showing east  
 wall of dining room with music gallery  
 12 Extract showing wall decoration in  
 dining room  
 13 Extract showing music gallery and  
 decorative fireplace in dining room





Above: Basement plan 1899



Above: Ground Floor plan 1899



Above: Basement Floor plan 1989

Below: Ground Floor plan 1989



### 3.1 INTRODUCTION

Significance can be defined as the *'value of a heritage asset to this and future generations because of its heritage interest'*. Significance is unique to a place and it is vital to identify this, as the aim of conservation is to sensitively manage change to a place to ensure that its significance is protected, and also revealed, reinforced and enhanced at every possible opportunity.

There are occasions when the significance of a building or place may be regarded simply as intrinsic. However, since significance is evaluated as a result of how a building or place is interpreted or perceived at a given moment, there are instances where significance can be regarded as a fluid concept that can either be eroded or enhanced, depending on the consequences of change. Significance can be eroded through, for example, partial demolition or inappropriate alterations. Alternatively, it can be enhanced through informed, considered change which can bring positive benefits. These benefits can include the revealing of heritage values, the re-assertion of historic integrity, facilitating greater public appreciation and the strengthening of communal values and uses – all of which may ultimately raise the level of

significance. Thus the aims of managed change to protect, reveal, reinforce or enhance significance can be achieved through a variety of means including conservation, improved interpretation, understanding and/or presentation.

### 3.2 THE POLICIES

The desirability to sustain and enhance significance, together with the potential to erode it, is clearly set out in the National Planning Policy Framework (NPPF) where:

Paragraph 126 recognises *'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'*.

Paragraph 132 states that *'significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'*.

The Planning (Listed Buildings and Conservation Areas) Act 1990 Sections 16 and 66, state that a local authority is obliged, when considering whether to grant listed building consent and planning permission for works or development which affect a listed building or its setting, to pay *'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest'*.

In regard to the policies contained within the National Planning Policy Framework these relate

to the Governments wish to see proposals that conserve and enhance the historic environment. It defines the historic environment as *'all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora'*. The NPPF further classifies a *'heritage asset'* as *'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'*.

When considering proposals and the impact upon a heritage asset the Local Authority should take into account the particular nature of the significance of the heritage asset.

The NPPF states that *'the purpose of the planning system is to contribute to the achievement of sustainable development'* and that there are *'three dimensions to sustainable development: economic, social and environmental'*. The Government see the role of the environment as being one of *'contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use of natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy'*.

Within the over-arching roles that the planning system will play, a set of 12 *'core land-use planning principles'* have been developed to

underpin place-shaping and decision making. The 10<sup>th</sup> principle is stated as being one that will seek to *'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'*.

NPPF paragraph 128 states that *'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'*.

The NPPF continues further and states in paragraph 131 that in determining an application, local planning authorities should take into account the following:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

As part of the consideration of an application, the Local Authorities should require an applicant to provide a description of the significance of any heritage assets affected, including any

contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The NPPF states that the assessment of the heritage assets and their significance should be taken in to account by the Local Planning Authority in their consideration of the application, in order to *'avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'*.

Paragraph 132 of the NPPF states *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'*.

The Council's own advice and policy on the historic environment, specifically the development affecting listed buildings and conservation areas are set out in the adopted Bath & North East Somerset Local Plan adopted October 2007 and the adopted Core Strategy (July 2014).

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The relevant policy on development affecting the WHS is Policy BH1. which sets the policy guidance and states: '*Development which would harm the qualities which justified the inscription of Bath as a World Heritage Site or which would harm the setting of the World Heritage Site will not be permitted*'.

In regard to development affecting the Conservation Area, Policy BH.6 development will not be permitted unless proposals preserve or enhance the character or appearance of the area, in terms of size, scale, form, massing, position, suitability of external materials, design and detailing.

The relevant policy on works affecting listed buildings is Policy BH.2 which sets the policy guidance and states: '*Development affecting a listed building or its setting will only be permitted where it would:*

- i) preserve the building's special architectural or historic interest;*
- ii) preserve any feature of special architectural or historic interest which the building may possess;*
- iii) retain the historic form and structural integrity of the building;*
- iv) respect the character of the building in terms of scale, style, design and materials; and*

*v) not adversely affect the building's contribution to the local scene including its role as part of an architectural composition.*

Also relevant to this application is consideration of the Council's Core Strategy Policy CP6 Environmental quality (2) Historic Environment which states that '*the sensitive management of Bath & North East Somerset's outstanding cultural and historic environment is a key component in the delivery of sustainable development. The Council will protect, conserve and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.*

*The sensitive reuse and adaptation of historic buildings and spaces will be supported, and in areas where regeneration is required the imaginative integration of new development with the historic environment will be promoted.*

*Where development has a demonstrable public benefit, including mitigating and adapting to climate change, this benefit will be weighed against any harm to the significance of the heritage asset.*

*The Council will continue to develop strategies and guidance which ensure the historic environment and its significance is understood, recorded, promoted and enjoyed, and is sensitively and proactively managed, including those heritage assets most under threat. A positive and proactive conservation strategy will be promoted through the Placemaking Plan'.*

### 3.3 THE ASSESSMENT OF SIGNIFICANCE

This assessment of significance has been informed by site investigation combined with archival research.

Many heritage values are recognised by the statutory designation and regulation of significant places. In statutory terms, the site is listed and forms an integral part of the World Heritage Site.

These designations provide a formal statement of the national architectural and/or historical interest of the site and its local value. However, it is essential to go beyond this view to arrive at a deeper understanding of its values and significances that considers more than matters architectural-historical and identifies nuances in levels of significance. This ensures that decisions regarding both day-to-day and long-term management take into account the values that contribute to its significance.



### 3.4 ELEMENTS OF SIGNIFICANCE

The significance of the property is derived from the external appearance and scale of the property and as such it makes a significant contribution to the C20 Bath skyline, the wider conservation area and WHS.

The surviving interior fixtures and planform are much altered and the surviving elements primarily comprise of principal features such as fireplaces, the decorative Entrance Hall ceiling and the false marble columns. Later adaptations and decoration serve only to confuse the understanding of the building's development.

In assessing the building, it is apparent that the surviving features and planform contribute to the character of the property as a former Hotel although this has been diminished by the separation from the main staircase and the falsification of decorative plasterwork. In regard to the significance of the basement this holds little merit, having been comprehensively remodelled and subdivided.

In regard to the character of spaces within the restaurant, with the exception of the basement, there will not be a fundamental change to the use or layout.

The removal of the modern conservatory and its replacement with a canopy that better suits the period of the building spine will enhance the exterior and not cause harm in any manner to the fabric or character of the property.

The site assessment demonstrated the restaurant is capable of further sympathetic adaptation and alteration, without harm to the overall character. The assessment informed the extent of change and the manner in which the exterior and interior have been adapted.

The flexibility of planform is both beneficial and forms part of the understanding of the use and history of the site. The changes inform and tell the 'story' of the site's evolution and history which continues to be of special architectural and historic merit.

### 3.5 STATEMENT OF SIGNIFICANCE

The primary significance of the site is derived from the exterior which forms an integral part of Orange Grove which is an attractive part of the city centre and Bath skyline. As such it makes an important contribution to the wider setting of Bath as a whole.

This scheme seeks to refurbish a much altered ground floor and associated restaurant including removing and replacing a somewhat clumsy conservatory with a feature more in keeping with the period of the building. The proposals have been designed to ensure that the surviving historical features are safeguarded greatly enhancing the character and historic significance of the property. In this regard, change and alteration, as proposed in this scheme, will not harm or remove fabric of significant historic interest or quality, rather it will result in an enhancement of the restaurant spaces by removing the elaboration which is not of the greatest quality and is itself much altered and replicated.

As the proposal seeks to remove the conservatory and replace it, the overall architectural character and appearance will be enhanced, in turn benefiting the character and appearance of the conservation area and WHS.

The result of these proposals will bring considerable enhancement and conservation benefits to the property, which will allow for a better use of space without harming any historic fabric or the planform. The result of which will be that the building will continue to contribute in a positive manner to the overall significance of the heritage asset(s).

#### 4.1 CRITERIA FOR ASSESSMENT OF THE SITE

The focus of this report is to examine and assess the significance of Garfunkel's Restaurant in terms of the impact of the proposed works and show that they will not result in harm to the significance of the heritage asset(s).

The assessment was carried out by Gregory Beale, IHBC, RTPI, Planning Heritage Limited.

This document has been produced in accordance with planning requirements set out in the National Planning Policy Framework (NPPF). It specifically meets Paragraph 128 which states that in '*determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including the contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more that is sufficient to understand the potential impact of the proposal on their significance*'.

The key findings include the following:

- That the historic significance of the heritage asset is derived from the period of construction, the unique design of the elevational detailing, all of which make a significant contribution to the visual qualities of the city and WHS.
- That the property was comprehensively adapted and converted after the MoD vacated the property resulting in considerable alteration to the planform on the basement and ground floors.
- That the present restaurant layout was formed as part of that conversion.
- That the rooms were redecorated at that time to reflect elements of surviving detailing. The present decoration is a mix of new and older detailing.
- That the basement and staircase to it were remodelled in the 1980s and no longer reflect the original plan form nor does the basement retain any historic fabric or features.
- The conservatory was added after the conversion and its associated structures are of no architectural merit.
- That the alterations will enable the property to be fully restored without harming the historic significance or understanding the property as a whole.

#### 4.2 IMPACT ASSESSMENT OF THE PROPOSED WORKS

This statement of significance has been prepared to support an application for the renovation of the restaurant and the replacement of the existing conservatory with a new canopy roof. The assessment focussed upon the impact of the works upon the character of the rooms and property as a whole.

The primary purpose of this report is to focus upon the issues relating to the work in relation to the heritage policy implications contained within National Planning Policy Framework (NPPF), specifically paragraphs 131, 132 and 137.

### 4.3 ANALYSIS OF THE HERITAGE ASSET

The focus of the report are the works relating to the works to change the interior fittings and the formation of a new exterior canopied seating area. The works within the basement will affect a much altered area of little merit and as such there will be no harm to either the fabric or integrity of the building.

The assessment revealed, as set out above that the significance of Garfunkel's Restaurants is derived from it forming part of the former Empire Hotel which is contributes to the visual qualities of the Bath city skyline as well as its historical association with the C19 development of the city.

In assessing the architectural significance of the property it is apparent that externally the change has been to the Orange Grove elevation with necessary changes carried out to provide security and an enclosed seating area. The interior changes have been more significant and have resulted in a fundamental alteration to the fabric, character and function. Although the restaurant use has been reinstated to the area in which it was located originally, the separation from the main accommodation and the replication of ornamentation has had a dramatic impact upon the understanding of the historic significance.

This report sets out the findings of the assessment which revealed, informed and more fully understood the significance of it. The analysis of the property demonstrated that the proposed scheme will not affect any fabric of significant

architectural or historic interest and as such this will not harm the qualities of the property.

The assessment of the site in regard to work was broken down into 2 stages, these being i) the principle, ii) the architectural design.

### 4.4 THE ISSUE OF PRINCIPLE

The proposed works of redesign have in principle been agreed by the Council Conservation Officer in principle during a pre-application meeting and discussions. Likewise, the removal and replacement of the existing conservatory with an open-sided structure set below a more traditional design for a canopy. As such, these proposals need to be considered in light of the affect upon the character and appearance of the listed building, as set out in Sections 16 & 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which state that *'in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

The proposals also need to be considered in light of the affect upon the character and appearance of the conservation area, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*.

This application seeks to redesign the interior spaces to provide a more appropriate feel and appearance, which will not cause harm or loss of significant historic fabric. The new island bar in the main room will provide a central focus, allowing patrons to enjoy a relaxed dining and social



experience, while the other rooms will primarily offer slightly more formal dining.

In effect the proposals seek to implement a change in interior design and layout in tandem with a new exterior canopy to cover the existing outside seating area. The reinstatement of the original entrance design will also enhance the pavement area by removing the canopied projection. Although this advocates change, it is not change that will result in harm as the works return the building to a more historic and original appearance. Such change can be achieved without harming the historic integrity of the building or adversely affecting the overall character of the building as one of '*special architectural or historic interest*'.

The proposals seek to alter C20 fabric in a manner that retains and leaves the significance of the C19 building unaffected.

In this regard the works are sympathetic and without harm and bring significant heritage value to the property.

Overall, it can be seen that the work will not cause harm to the character or significance of the building as a whole rather it will enhance and revitalise the use of the ground floor for the long term.

#### 4.5 THE ISSUE OF ARCHITECTURAL DESIGN

NPPF paragraph 132 states '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification*'.

The site analysis demonstrated that the original architectural style of the property has undergone numerous and in part significant changes and intensity of uses, whilst the overall character and appearance has remain largely intact and the property continues to contribute positively to the wider streetscene and character of the city. The scheme and the manner in which it has been designed seeks to ensure that these proposals will not be harmful or detrimentally affect the historic significance as a whole.

In this regard the advice set out in Paragraph 134 of the NPPF is relevant and which states that, '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*'.

The scheme can thus be seen to bring considerable conservation benefits, better reveal

the historic understanding of the property and comply with both national and local policies on heritage assets.

## 5.1 CONCLUSION

This report sets out a series of key issues that are important considerations in assessing the scheme.

The key findings include the following:

- that the assessment of the property revealed the historic development of the site enabling a fuller understanding of the significance and its development during the C20.
- that the property has historically been occupied by different uses including a hotel, offices and restaurant.
- that the interior and ground floor most notably, have been significantly altered as part of the conversion to residential and restaurant use.
- that the restaurant was separated from the main part of the building as part of those works.
- that the basement originally provided rooms for servants daily routines and cellarage.
- the basement rooms have been comprehensively altered and no longer reflect the historic room use/arrangement, neither do they preserve any fabric of historic value.
- that the conservatory is not of architectural merit and the canopy has merit only in so far as it dates from the Edwardian period.
- the proposed scheme will not cause harm to the special interest or significance and will not

be harmful to the listed building as a whole, neither will the proposals result in the loss of any significant historic fabric.

It is considered that the scheme will achieve a successful redesign of the restaurant interior and a more attractive exterior in a manner which will enhance the property and not cause loss of character or substantial harm to the listed building as a whole.