

# Bath & North East Somerset Council

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**Date:** 15th October 2021  
**Our Ref:** 21/00069/RF

The Owner/Occupier  
Not Given

## Town and Country Planning Act 1990

Site Location: **The Scala Shaftesbury Road Oldfield Park Bath**

Description of Proposal: **Mixed Use Redevelopment of The Scala site including the demolition of existing extensions and new extensions to improve retail store at ground floor level, provide a new dance centre space (Use Class E) and residential accommodation at first floor (including affordable apartments). Erection of student accommodation including 92no. student bedrooms and associated ancillary space. Erection of residential accommodation (16 no. total residential units). Parking for cars and cycles and associated landscaping**

Appeal Ref: **21/00069/RF**

Application Ref: **20/00552/FUL**

Planning Inspectorate Appeal Ref: **3281615**

Appeal Start Date: **12 October 2021**

Appellant: **Rengen (Scala) Ltd**

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We are writing to inform you that an Appeal has been made to the Planning Inspectorate in respect of the above development. The appeal is against the decision of the Local Planning Authority to refuse planning permission for the development described above. Permission was refused for the reason(s) set out as follows:

1 The Courtyard building, due to its inappropriate height, massing and design, fails to reflect or enhance the local vernacular. The scheme is therefore not in accordance with policy CP 6 of the Core Strategy (July 2014) and policies D1, D2, D3, D4 and D5 of the Bath and North East Somerset Placemaking Plan (July 2017) and guidance in the National Planning Policy Framework.

2 The proposed development, due to the overall massing and scale of the development is considered to represent the overdevelopment of the site. The scheme is therefore not in accordance with policy CP6 of the Core Strategy (July 2014) and policies D1, D2, D3, D4 and D5 of the Bath and North East Somerset Placemaking Plan (July 2017) and guidance in the National Planning Policy Framework.

3 The proposed development is considered to result in an adverse impact upon the residential amenity of the neighbouring occupiers, including through loss of privacy. The scheme is therefore not in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan (July 2017)

It has been agreed that the appeal should be dealt with at an Inquiry and you will be notified of the date of the Inquiry in due course.

Details of the appeal are available for inspection on planning pages of the Council's website <http://planning.bathnes.gov.uk/PublicAccess/>. If you do not have access to the internet, you can use the self-service computers at all Council Connect Offices. They are available at The One Stop Shop, 3-4 Manvers Street in Bath, Keynsham Civic Centre, Market Walk in Keynsham and The Hollies in Midsomer Norton.

Electronic booklets entitled 'Guide to Taking Part in Planning Appeals' are also available for download on the Council's website. Alternatively, you can access these documents via the Planning Inspectorate website at <https://www.gov.uk/government/organisations/planning-inspectorate>. Should you not have access to the internet you can obtain these booklets from any of the Council Connect Offices as listed above or by telephone on 01225 394041.

Any comments made in respect of the original application for development will be forwarded to the Planning Inspectorate, and taken into account by the Inspector deciding the appeal.

The Planning Inspectorate has introduced an online appeals service which you can use to view details of the appeal and use to make further comments on this appeal if you wish. Please ensure that if you make further comments they are received by the Planning Inspectorate by the **16 November 2021**. The Planning Inspectorate will not acknowledge representations. They will however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned. You can also comment in writing to The Planning, Inspectorate, Temple Quay House, Major Casework & Inquiries Team, 2 The Square, Bristol (please provide 3 copies) quoting the Inspectorate's Appeal Reference: **3281615**.

You can find the online appeals service on the Planning Inspectorate's website at <https://acp.planninginspectorate.gov.uk>. The Inspectorate may publish details of your comments, on their website. Your comments may include your name, address, email address or phone number. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Please also read our corporate privacy notice: [www.bathnes.gov.uk/council-privacy-notice](http://www.bathnes.gov.uk/council-privacy-notice).

Once a decision has been made on the appeal it will be published on the Planning Inspectorate's website.

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