

**12/03/2020**

**20/00552/FUL**

**The Scala Shaftesbury Road Oldfield Park Bath BA2 3LH**

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 community space at first floor levels and 20no apartments across first and second floor. Erection of student accommodation including 96no. student bedrooms and associated ancillary space. Erection of a residential block (C3) including 12no one bedroom apartments (a mix of affordable and market with accessible accommodation). Parking for cars and cycles and associated landscaping.

*Object*

The Scala is an early 20th century cinema, now retail space and dance studio, situated within the Bath World Heritage site and the immediate setting of the Bath conservation area. It was constructed in 1920 as a cinema, and re-opened as a Co-operative shop following its closure in the 1960s. Whilst unlisted, it remains a building of local historic and architectural significance, and is recognised as a NDHA. The Scala is situated off Moorland Road, a local popular retail high street, but its setting remains primarily residential with a high concentration of 19th century two-storey terraces to both the north and south of the proposed site of development.

BPT remains supportive of the principle of development, and the proposed mix of uses across the site. The improved permeability of the site and access from both Shaftesbury Road, Livingstone Road, and Arlington Road will ensure the development remains connected with its wider residential context.

We are additionally supportive of the proposed removal of the 1960s extension to the original Scala building, and feel that this is of negligible historic or aesthetic value.

However, the Trust regrets that it cannot support this scheme on the basis of unmitigated harm to a NDHA and the loss of existing community space:

**Design and appearance and local townscape character**

We maintain some concerns with the design, particularly regarding the central courtyard building, with regards to its height. Whilst the D&A Statement specifies that the block is 3 ½ storeys tall, the size of the dormer windows better realises this building to be 4 storeys in total. Therefore, we feel that the height of this development to be out of keeping with the established roofline of the Oldfield Park character area, which is maintained at 2 and 2 ½ storeys, and will overshadow the semi-detached terrace along Shaftesbury Road.

Whilst the existing 1960s extension is of low aesthetic or historic value, we appreciate that it sits low behind the Scala and has a minimal visual intrusion into the existing terraced townscape. We would therefore encourage the consideration of a more recessive design in line with Policies D2, D3, and D5 of the Core Strategy and Placemaking Plan.

We additionally maintain some concerns regarding the likely increase of vehicles on the site despite an apparent reduction in available parking spaces for residents and customers from 64 to 46. We are aware of the possibility that the increased residential capacity of the site could result in increased on-street parking in the area to the detriment of local character and residential amenity, and are somewhat disappointed that this does not appear to have been considered within the application.

We would additionally welcome further landscaping details regarding the integration of green space into this development. We feel that the development of the site offers a beneficial opportunity for the further breaking up of a large, detrimental area of hard standing.

**Heritage Impact**

We are supportive of restorative works to the external façade of the Scala, such as the reopening of existing windows in the rubble stone flank walls. We also feel that the introduction of a ‘Scala’ sign to the frontage of the building will reinstate a previously lost aspect of the building’s historic appearance, although the Trust emphasises that the sign should be of an appropriate scale and material that will not contrast with the appearance of a NDHA.

However, we are somewhat concerned regarding the integration of the new residential extension to the rear of the Scala, in which it has been proposed by the Heritage Impact Assessment that the rear quarter of the vaulted roof form will be removed. We see no justifiable public benefit to its removal as specified by paragraph 195 of the NPPF. We would argue that the removal of the rear quarter of the roof to instead provide additional private housing units constitutes a direct lack of public benefit. We would additionally highlight that this proposal cannot be justified as a means of bringing the site back into use, as the Scala is already well used by the community. Therefore, the Trust would encourage that alternative, more sensitive means of connecting the new extension to the rear of the Scala are considered in accordance with Section 16 of the NPPF and Policies D1, D2, and HE1 of the Core Strategy and Placemaking Plan.

Furthermore, we feel that the Scala remains an unusual built element within the indicative setting of the Bath conservation area due to its grand scale and classical design input, as well as its positioning carefully framed at the end of Third Avenue. Therefore, we feel that the significance of this NDHA remains in its unique design and scale within this region of the Oldfield Park character area, and the development to the rear should respect its dominance of height and design within a setting of largely 2 and 2 ½ storey terraced dwellings. We therefore assert that the scale and office-like genre of the proposed development, particularly the courtyard building, will challenge the architectural dominance of the Scala and will not enhance the character of the setting of the conservation area.

**Loss of Community Space**

Following consideration of the proposed plans, BPT notes that the space allocated to the Scala Studios dance studio has been significantly reduced. Whilst the proposed volume of space is given as 361m2, the existing volume has unfortunately not been provided to enable competent comparison; we judge that the community space has been halved in order to provide additional residential space. The Trust feels that this conversion of public space into private space is wholly unacceptable, and will result in the significant loss or restriction of a popular community space offering a range of diverse classes for a wide cross-section of the Oldfield Park community.

This application is therefore contrary to Policy LCR1 of the Core Strategy and Placemaking Plan; it is not apparent as part of this application that the loss of community space will be mitigated by the provision of alternative public facilities, nor can it be asserted that the reduction in available space “will improve the overall quality or accessibility of public services in the locality”.

Furthermore, paragraph 97 of the NPPF states that “existing open space, sports and recreational buildings and land… should not be built on unless… b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.” Whilst the application intends the refurbishment and modernisation of the dance studio, the Trust maintains that the severe reduction of space, and likely the consequent limitation of activities offered, does not constitute a superior provision of recreational capacity. The conversion of studio space to residential space offers no public benefit, and therefore does not outweigh the loss of the existing usage of the space.

BPT would therefore expect suitable provisions to be made to either maintain the existing scale of the community space, or to provide additional equivalent facilities elsewhere within the immediate vicinity of the site if this application is to be considered as suitably viable.

**Student Accommodation**

Whilst we remain concerned regarding the principle of PBSA within Bath, we appreciate the maintained mixture of housing types across the site that can contribute towards BANES’ housing targets. We are less resistant to student accommodation linked to or managed by a particular university or college body, and therefore support the application’s proposal for this accommodation to be used to house the first year intake of Norland College. We acknowledge the suitability of the proximity of the site to the college; student-specific provision in this area may in this instance free up alternative housing in Oldfield Park more suited to family groups and key workers.

However, to ensure the long term association of the two sites, we would encourage the LPA to consider the implementation of a ‘nomination agreement’ by which the Scala’s student accommodation provision would be solely usable by Norland College students. We feel that this would ensure the future sustainability of the site and prevent potential changes of use to alternative, less desirable uses such as AirBnB flats.

**Conclusion**

Whilst the Trust is supportive of the principle of development, we are unable to support this application on the basis of harm to a local community facility, and unjustified harm to a NDHA that is not outweighed by proposed public benefit. This application is therefore contrary to Sections 8 and 16 of the NPPF, and Policies CP6, D1, D2, D3, D5, D6, HE1, and LCR1 of the Core Strategy and Placemaking Plan, and we would suggest that aspects of the application are revised in line with our recommendations.