
Appeal Decisions

Site visit made on 14 June 2017

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 July 2017

Appeal Ref: APP/G1250/W/16/3167768

8, Upper Terrace Road, Bournemouth, Dorset, BH2 5NW.

- 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 Mr G Ellis against the decision of Bournemouth Borough Council.
 - The application Ref.7-2016-25917-B, dated 20 June 2016, was refused by notice dated 17 August 2016.
 - The development proposed is described as *replacement & additional roof dormers attic stair adjustments (amended scheme)*.
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Appeal Ref: APP/G1250/Y/16/3167772

8, Upper Terrace Road, Bournemouth, Dorset, BH2 5NW.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr G Ellis against the decision of Bournemouth Borough Council.
 - The application Ref.7-2016-25917-C, dated 20 June 2016, was refused by notice dated 17 August 2016.
 - The works proposed are described as *replacement & additional roof dormers attic stair adjustments (amended scheme)*.
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Decisions

1. The appeals are dismissed.

Preliminary Matters

2. The application forms state that the development/works commenced in August 2015. The front dormer window replaced a previous dormer of a similar size and the rear dormer replaced a rooflight. The proposal includes retaining the front dormer and replacing the rear dormer with a smaller 'catslide' window.
3. I note the arguments of both main parties concerning the likely date when the previous dormer window on the front of the property was constructed. The evidence before me on this matter is inconclusive. However, whether or not that dormer window was extant at the time of listing it no longer exists and is not therefore a fallback position available to the appellant. On behalf of the appellant, it is accepted that the existing rear dormer window is unauthorised.

Main Issue

4. The main issue is whether the proposed development/works would preserve the grade II listed terrace of buildings at 1-9 Upper Terrace Road or its setting or any features of special architectural or historic interest which it possesses.
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Reasons

5. 1-9 Upper Terrace Road comprises a row of nine mid-19th century three storey houses with basements and attics. Nos. 1-8 are in handed pairs and No.9 is on its own. Some of the terrace is in commercial use and Nos. 8 and 9 are in use as flats. The terrace steps progressively upslope with No. 9 at the higher level.
6. The significance of 1-9 Upper Terrace Road is derived primarily from its architectural qualities (including the stuccoed or painted front elevations which are fashioned in the Georgian/Regency tradition with well-proportioned window openings, architraves, head moulds, porches and the shallow pitched roofs behind small upstanding parapets) and their historic value (including their interest as part of the mid-19th century development of Bournemouth). I concur with the appellant's architect that the front elevation of the terrace is of some distinction whilst, in comparison, the rear elevation is rather indifferent. Nevertheless, the largely unfettered rear roof slope is not unattractive.
7. A sizeable dormer window has existed on the front roof slope of No.8 for a number of years. I understand that the previous dormer window was in a poor condition and included concrete roof tiles and felted cheeks. The reintroduction of slates on the roof and the inclusion of leaded cheeks on the new dormer window have more in common with the architectural qualities of the terrace.
8. However, like the one it replaced, the new front dormer window extends across much of the width of the host building and is at about the same height as the roof ridge. It comprises a large, prominent, bulky addition to the front roof slope and contrasts awkwardly with smaller dormer windows in the terrace. From sections of the surrounding streets below, this replacement comprises a discordant and 'top heavy' addition to the roof slope of the terrace. It markedly detracts from the pleasing architectural qualities of the listed building and is inconsistent with the general character of the terrace. This element of the proposals erodes the heritage interest of this designated asset.
9. This new front dormer window does not comprise high quality design as required by policy CS41 of the adopted Bournemouth Local Plan: Core Strategy (CS) and is also at odds with CS policy CS39 which affords protection to designated heritage assets. In the context of the National Planning Policy Framework (the Framework) it results in less than substantial harm to the significance of the listed building. However, this does not equate to a less than substantial planning objection and weighs heavily in the planning balance.
10. I have noted above that the rear of the terrace is of lesser architectural interest than the front of the row. I also note the appellant's argument that this part of the listed building is in shade for most or all of the day. Nevertheless, it is important to carefully consider all aspects of a building when undertaking the relevant statutory duties¹. In this regard, I concur with the appellant's architect that the existing rear dormer window on No.8, by virtue of its size, height and shape, is inappropriate. It considerably detracts from the largely unfettered and simple, pleasing shape/form of the rear roof slope.
11. The proposed rear 'catslide' dormer window would be smaller and less bulky than the existing rear dormer and the 'swept' element of its design would be

¹ Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

preferable. However, as the existing rear dormer window is unauthorised it does not comprise a fallback or set a precedent that I, or others, must follow.

12. To support viable residential accommodation and sustain the use of this listed building there may be scope to incorporate a small, appropriately designed dormer window in the rear roof slope. However, the proposal before me has been designed to include a flat roof element (that would be at about the same height as the roof ridge on this part of the building) as well as the proposed 'swept' roof slope. From the street below, the proposal would be a prominent addition to the listed building and the combination of flat and 'swept' roof shapes would unduly disrupt the simple sloping form of the rear roof slope. To a limited extent, this would detract from the architectural interest of the listed terrace. This would also conflict with CS policies CS39 and 41.
13. The proposed development/works would fail to preserve the listed terrace of buildings at 1-9 Upper Terrace Road or its setting or the features of special architectural or historic interest which it possesses. The public benefits, which include increasing the stock of dwellings within the Borough, helping to sustain residential use of No.8 and support for the building industry, do not outweigh the harm I have identified. The appeals should not therefore succeed.

Neil Pope

Inspector