The Planning Inspectorate

Appeal Decision

Site visit made on 11 September 2018

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 17 October 2018

Appeal Ref: APP/E1210/W/18/3199049
Dolphin House, Church Street, Christchurch BH23 1BW.

- 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 Bond Real Estates against the decision of Christchurch Borough Council.
- The application Ref 8/17/2582/FUL, dated 14 September 2017, was refused by notice dated 4 January 2018.
- The development proposed is described as, addition of 2 no velux windows to upper floor front / ne elevation.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The revised National Planning Policy Framework (the Framework) came into force during the course of the appeal. The parties have been given the opportunity to comment on the implications of the revisions, and I have also taken it into account in making my decision.

3. The appellants claim that the application is in part retrospective given that one rooflight has already been installed. However the position and dimensions of the installed rooflight do not match those shown on the plans, and furthermore its installation does not match the flush fitting described. As such, whilst the installed rooflight has assisted my assessment of the visual effects of the proposed development, I have based my decision on the plans as submitted.

Main Issue

4. The main issue in this appeal is whether the development would preserve or enhance the character or appearance of Christchurch Central Conservation Area (the conservation area).

Reasons

5. The site is located within the conservation area, which is a designated heritage asset. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

6. As the conservation area covers the whole of the historic centre of the town, I consider that its significance largely lies in the architectural and visual quality

of the historic townscape and buildings it contains, including the important sites of Christchurch Castle and the Priory Church.

7. Dolphin House is a modern building located on the main approach to the Priory Church within part of the historic centre of the town. The considerable footprint, height and mass of the building, combined with its frontage on three streets lend it great visual prominence. Though Dolphin House appears to hold no obvious architectural or historic interest in itself, it nonetheless occupies a visually sensitive position.

8. Dolphin House has undergone a series of alterations following its relatively recent change of use, principally detailed in permissions 8/15/0140 and 8/16/2118/CONDR. Care has been taken to break the façade into separate units, and related modifications have been made to the window arrangements, including the addition of regularly spaced dormers on the roof. This has had the effect of reducing the apparent mass and visual presence of the building, softening its relationship with the historic buildings of more modest scale which otherwise characterise the immediate townscape.

9. Principal views of the proposed rooflights would be provided from the mound on which the ruins of Christchurch Castle are located (the castle mound), and from street level. No clear views would be allowed from within the castle ruins themselves. Views across the historic townscape from the castle mound are extensive and include key historic sites. As such I consider that these views make an important positive contribution to appreciation of the significance of the conservation area.

10. As Dolphin House is of considerably greater height than the buildings opposite, the sequence of dormers on the roof slope facing Church Street is clearly visible from the castle mound, as is too the absence of other additions to the roof slope. The simplicity of appearance helps to relieve the dominant scale and mass of the roof within the view.

11. The addition of the proposed rooflights would clutter and disrupt the existing sequence and spacing of the dormers, detracting from the simplicity of the roof design. The rooflights would be conspicuous and draw the eye for this reason. Whilst the visual distraction created would be modest, it would nonetheless have an appreciably adverse effect on the general townscape view from the castle mound.

12. Street level views of the proposed rooflights would be more limited on account of the height of the building, combined with the angle of the roof slope, width of the street, the projection of the existing dormers and presence of a street tree. As such important views of the Priory Church along Church Street would not be affected.

13. The proposed rooflights would however be visible in more immediate views from the opposite side of the street. Notwithstanding the fact that the symmetry would be maintained in the part of the building façade affected, the rooflights would again be perceived to clutter and reduce the simple appearance of the roof. This would modestly detract from the appearance of the building and undermine the sensitivity of the facade design.

14. The proposed flush fitting of the rooflights would help to reduce their visual prominence; however they would remain clearly visible. As such this would not alleviate the adverse effects identified.

15. The appellants note that rooflights have been present on the roof slope facing Church Street in the past, and that they are currently present on other elevations of the building. Be that as it may, rooflights do not currently form an approved element of the elevation design, and rooflights present on other elevations are observed from different locations, in different settings and within different views. The effects therefore differ. Consequently the rooflights referenced by the appellants do not alter my opinion with regard to the appeal scheme.

16. For the reasons set out above I find that the development would not preserve or enhance the character or appearance of the conservation area, and that with reference to paragraph 196 of the Framework, the development would cause less than substantial harm to its significance. Having regard to the considerable importance and weight to be given to the statutory objective of preservation or enhancement of conservation areas, I find that the development would provide only private benefits; therefore there is no public benefit to weigh against the harm caused.

17. I conclude that the development would conflict with saved Policy BE4 of the Borough of Christchurch Local Plan 2001, which amongst other things requires development in conservation areas to complement existing buildings. It would also conflict with the objectives of Policy HE1 of the Christchurch and East Dorset Local Plan Core Strategy 2014 (the CS), which seeks to protect and enhance heritage assets, and Policy HE2 of the CS which seeks to secure development that is compatible with, or improves its surroundings. The development would furthermore be inconsistent with the advice of the Framework to conserve heritage assets in a manner appropriate to their significance.

Other Matters

18. Whilst I have noted the additional plan policies and paragraphs from the Framework to which the appellant has made reference, these do not affect my identification of the harm that would be caused to the conservation area.

Conclusion

19. For the reasons set out above, and with regard to all other matters raised, I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR