



Appeal Decision

Site visit made on 27 September 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022.

Appeal Ref: APP/V1260/W/22/3299511

73 and 73a Seamoor Road, Bournemouth, BH4 9AE

- 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 Leagate Properties Ltd against the decision of BCP Council.
 - The application Ref. 7-2021-3771-P, dated 12 October 2021, was refused by notice dated 8 April 2022.
 - The development proposed is demolition of chimney and change of roof covering to tiles.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted the description of the proposed development as set out in the Council's decision notice as this more accurately describes the proposal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area, with particular regard to the sites location within the Westbourne Conservation Area.

Reasons

4. The appeal site lies within the Westbourne Conservation Area (WCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in the National Planning Policy Framework (July 2021) (Framework) and in policy CS39 of the Bournemouth Local Plan: Core Strategy (October 2012) (BCS) and saved policy 4.4 of the Bournemouth District Wide Local Plan (February 2002) (BDWP).
5. The map of the WCA confirms that it was designated in May 1993. However, there is no published Conservation Area appraisal and consequently I have assessed this issue on the basis of the submitted evidence and my observations on site. In relation to the evidence, whilst I have had regard to the Appellant's Heritage Statement, paragraph 1.3 of the Council's Appeal Statement includes a 'description' of the WCA that, in my view, provides a good summary of the areas character. The 'description' states that the area was laid out in the 1860's as a gracious, low density residential area which has since

been redeveloped at a much higher density. The north of the WCA, which includes the appeal site, comprises a very popular compact shopping area, which dates from the late Victorian to Edwardian period and comprises two main shopping roads linked by a 'listed' arcade. To the south, the area is characterised by three main residential roads, which form a strong neighbourhood with a cross section of period development that is under threat from unsympathetic development.

6. As I observed on site, the appeal site occupies a prominent and highly visible position within the shopping centre and WCA. The appeal site forms part of a Victorian terrace that is three storeys in height with some roof accommodation. The ground floor to the terrace is occupied by commercial uses, with residential accommodation on the upper floors. Whilst the terrace has a symmetrical façade, the roofscape has been altered through the introduction of dormer windows. The chimney in question is located towards the southern end of the appeal site and whilst it is one of three remaining chimneys, due to its size, height and features it dominates the roofscape of the terrace.
7. Similar chimneys, of varying heights and detailing, are to be found throughout the WCA and whilst some have been removed or altered, those that remain are important and attractive architectural features dating mostly from the Victorian period. They add a richness to the roofscape of the area, are a positive feature in themselves and an integral part of the other historic features that the terraces retain. Whilst some of that local distinctiveness has been eroded as a result of the removal of such features and from unsympathetic development, that does not detract from the importance and value of the original chimneys that remain, which contribute to the significance of the WCA as a whole.
8. I understand that the Council do not object to the proposed retiling of the roof, subject to the approval of materials and finishes. I concur with the Council's findings in this respect. In relation to the chimney, its loss through demolition would, in my view, remove an important period feature that makes a positive contribution to the roofscape of the appeal site and the terrace it forms part of. The chimney is an integral part of the original historic features of the terrace that remain, including its symmetrical appearance. As I confirmed earlier, the terrace occupies a prominent location within the WCA and from various public vantage points the existing chimney is highly visible on the skyline, which derives not only from its height but also from the fact that it retains its original brickwork outline, string corbel detailing and pots. Its importance is further accentuated by the fact that it is one of the few remaining chimneys within this terrace and of these it is the most complete and thus important example of this type of architectural detailing.
9. Reference has been made to the fact that other chimneys have been removed and modern works undertaken to the roofscape of this terrace and other terraces within the WCA. However, the removal of original historic features elsewhere does not, in my view, provide justification for the appeal proposal. Moreover, it is evident from visiting the area that the removal of original features, such as chimneys and sash windows and the introduction of new development in the form of unsympathetic alterations, has gradually eroded some of the area's distinctive character, placing even greater emphasis, in my view, on preventing, where possible, further decay to its character and on the need, where control exists, to consolidate its original townscape quality and protect those features that are an integral part of the special interest of the

- WCA. This would assist in achieving the overall aim of preserving and where appropriate enhancing the WCA.
10. The Appellant has referred to the felt that covers the brickwork to the chimney which I understand was installed to prevent further water ingress. The Council suggest that these works were not authorised and whilst that it not a matter that is before me or that I can determine, I agree with the Council that although this has an impact on the appearance of the chimney, from various public vantage points the felt covering is not readily apparent or visible and does not, therefore, materially diminish the chimneys contribution to the WCA. Moreover, the Appellant's Chimney Survey refers to the condition of the brickwork within the roof space and not apparently the chimney itself, and goes on to state that lowering and rebuilding the chimney would be a large financial burden, but provides no evidence or costings to support that statement.
11. I agree with the Council that there is no evidence, in the form of a structural survey or similar detailed assessments/costings, to justify the demolition of the chimney. The Chimney Survey is brief and does not provide any information on: the stability of or any damage to the chimney; the condition of the brickwork; whether there would be the option of it being rebuilt or repaired; whether the costs of those options would be prohibitive within the context of the works to retile the roof; and, whether such costs would fall outside the normal costs associated with the general maintenance of the building. The Appellant contends that the chimney is beyond repair. For the reasons set out above, that is not a view I share and there is no substantive evidence before me to support that statement. The fact that it is non-functioning is also not a justification for removing the chimney and does not in any way detract from the contribution it makes, with other similar chimneys, to the special interest of the WCA.
12. For the reasons set out above, I find that the appeal proposal would result in significant harm to the character and appearance of the area, and as such it would not preserve or enhance the WCA. In view of this finding and as is required, particularly by the Framework, considerable importance and weight must be attached to the harm to this designated heritage asset. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset. The level of harm would, in my view, be high and there are no public benefits delivering either environmental or economic or social objectives which would outweigh that harm.
13. Accordingly, I find that the proposed development would be contrary to policy CS39 of the BSC and saved policy 4.4 of the BDWP, and would also be contrary to paragraphs 189, 197, 199 - 200 and 202 of the Framework.

Conclusion

14. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR