



Appeal Decision

Site visit made on 9 May 2023

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2023

Appeal Ref: APP/V1260/W/22/3308958

24 Westover Road, Bournemouth BH1 2BZ

- 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 J Watts, Trefiglie Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2022-2730-R, dated 24 March 2022, was refused by notice dated 27 June 2022.
 - The development proposed is replacement of windows on front elevation to aluminium and UPVC and the windows on rear elevation to UPVC.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and the Old Christchurch Conservation Area.

Reasons

3. The appeal site is a four-storey terrace property in a Neo-Georgian style, located within the Old Christchurch Conservation Area (CA). The terrace as a whole is of an imposing scale, features commercial units at the ground floor, and I observed is a prominent feature within Westover Road.
4. In the area surrounding the site, I saw a variety of period buildings many, in common with the appeal site, of a large scale and featuring high quality architectural details. From my observations, the significance of the CA as a designated heritage asset largely derives from these buildings, the spaces around them and commercial uses at ground floor, reflecting the development of the area as part of a prosperous Victorian seaside town. In that context, the appeal building has historic and architectural merit and it is a positive contributor to the character and appearance of the CA.
5. The submitted information proposes that windows to the front elevation would be replaced with white aluminium windows to the first floor, with white uPVC to the second floor and third floors and rear elevation.
6. I observed that within the terrace as a whole, a number of windows had been replaced, with a mixture of windows of differing materials, appearance and opening methods. I therefore have some sympathy for the appellant in seeking to replace the existing windows in the manner proposed.

7. I acknowledge that the new windows would feature glazing bars of a similar size to the existing and would include decorative horns. Furthermore, given the lack of wider visibility of windows to the rear of the building, replacement of those windows on the rear elevation would result in minimal harm. However, to the front elevation, although the appellant contends otherwise, the design of the proposed uPVC frames in particular, would result in the opening casement appearing visually wider than the part of the frame below. This is further emphasised by the change in opening method from sash to top or side hung, and the man-made material drawing the eye due to its smooth engineered finish. In doing so, the proposal would reduce the positive contribution of the building to the CA and thus have an eroding effect on the character and appearance of this heritage asset, which would fail to be preserved.
8. Furthermore, far from justifying the proposed windows at the appeal site, the surrounding examples of replacement windows which follow historical proportions, while they may not be of a similar design quality to that proposed, clearly highlight the impact that inappropriate windows can have on the historic integrity of a building and the wider CA.
9. Additionally, noting the planning permission cited by the appellant, even if the Council has been inconsistent in approving uPVC replacement windows to some properties within the CA and not others, that is insufficient reason in itself to grant planning permission in this case given the identified harm.
10. Section 72 (1) of the Listed Buildings and Conservation Areas Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA and Paragraph 199 of the National Planning Policy Framework (Framework) requires great weight to be given to the designated heritage assets' conservation.
11. The harm caused would be localised and I therefore agree with the appellant that the effect on the CA would be less than substantial. Even so, the Framework states that great weight should be given to the conservation of such assets, which I have done. In those circumstances, the Framework states that harm should be weighed against the public benefits of the proposal.
12. In this case, the new windows would be energy efficient, improving the thermal and acoustic insulation of the building. It is also put to me that the proposals would allow better use of the appeal building with associated benefits to the local economy. That many of the existing window frames are in poor condition is also not at issue. However, for the above stated reasons I do not agree that the proposal would result in an improved uniformity of the terrace façade as stated by the appellant. Furthermore, there is nothing before me to indicate that the above stated benefits could not be achieved by using alternative replacement windows that would be less harmful to the host building and to the CA. Consequently, these benefits do not outweigh the harm that I have identified.
13. Accordingly, I conclude that the proposal would result in harm to the character and appearance of the host building and the CA. As such, the appeal scheme conflicts with Policy 4.4 of the Bournemouth District Wide Local Plan (February 2002) and policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (2012). These policies seek, amongst other things, to protect heritage assets from inappropriate alterations, and to ensure that proposals respect local character. The proposal would also conflict with the aims of the

Framework, which places great importance on the design of the built environment and on the conservation of heritage assets such as conservation areas.

Other Matters

14. It is acknowledged that the development would not harm the living conditions of neighbouring occupiers. However, this represents an absence of harm in relation to this matter rather than a positive benefit.
15. I also note the appellant's comments in relation to the Council's handling of the planning application and lack of opportunity to overcome the Council's concerns. Any concerns regarding process during the processing of the planning application fall outside of the remit of this decision.

Conclusion

16. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR