



Appeal Decision

Site visit made on 10 December 2024

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2024

Appeal Ref: APP/V1260/W/24/3349273

The Nici, West Hill Road, Bournemouth BH2 5EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by The Nici against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2023-4988-AZ.
 - The development proposed is erection of single storey side extension to hotel restaurant to provide new entrance way.
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Decision

1. The appeal is allowed and planning permission is granted for erection of single storey side extension to hotel restaurant to provide new entrance way at The Nici, West Hill Road, Bournemouth BH2 5EJ in accordance with the terms of the application, Ref 7-2023-4988-AZ, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos:
NIC/GB0/005 - Site Location Plan
NIC/GB0/009 Rev A - Proposed East & West Elevations
NIC/GB0/009 - Proposed North & South Elevations
NIC/GB0/011 Rev A - Proposed Plan
 - 3) All on-site working, including demolition, operation of site machinery or plant and deliveries to and from the site, associated with the implementation of this planning permission shall only be carried out between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m. Saturday and not at all on Sunday, Public and Bank Holidays.
 - 4) No development above ground level shall take place until details / samples of the materials to be used in the construction of the frame of the glazed extension hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.

Preliminary Matters

2. The Council's Statement of Case refers to the proposed extension measuring approximately 7 metres by 2.1 metres at approximately 3 metres tall. However, it is clear from the Council's Delegated Report, submitted plans and Notice of Decision that amended plans were submitted and considered during the application amending the extension to approximately 2.9 metres by 2.2

metres at a height of 3 metres showing the proposal in context. I will deal with the appeal on the basis of these amended plans.

3. Both main parties refer to drawing number NIC/GB0/010. During the course of the appeal, it was confirmed by the appellant that this relates to drawing number NIC/GB0/009 Proposed North & South Elevation.
4. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst paragraph numbers have altered, any policies that are material to this decision have not fundamentally changed. I am satisfied that this has not prejudiced any party and I have had regard to the latest version in reaching my decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area and whether the proposal would preserve or enhance the character or appearance of the West Cliff and Poole Hill Town Conservation Area (CA).

Reasons

6. The appeal property comprises a large hotel and stable block, formerly a large villa, with associated restaurant and landscaped gardens at the junction of West Cliff Road and West Hill Road close to the seafront. The hotel sits on a sizable plot with accommodation over 5 levels and a basement. It is adjacent to hotels and buildings of a similar scale. The site lies within the CA.
7. The CA is characterised by its large villas and hotels of high-quality architectural styles with views of the sea on wide curving roads between large plots. Balconies and small extensions, a number of which are glazed, also form part of the character of the area.
8. The appeal property is constructed from buff coloured brick with a tiled roof. It has its main entrance to West Hill Road but with an elevation, that also contains a restaurant, facing onto its landscaped gardens. On this elevation, immediately adjacent to the location for the proposed entrance, the restaurant has a mainly glazed frontage with a small partly glazed return that fronts West Hill Road with glass balcony screens above. Given this, and by way of its lack of detailing, the side elevation to which the proposed entrance would be attached appears as a more modern addition to the building. The appeal property as a whole does however make a positive contribution to the area by reason of its design detailing, scale, landscaped gardens, and position.
9. The West Cliff and Poole Hill Conservation Area Appraisal and Management Plan (the Appraisal) acknowledges that the hotel represents an eclectic and robust piece of seaside architecture. It states that it occupies a large plot on the west cliff distinguished from other hotels on the cliff edge by the landscaped gardens to the south which respect the historic plot of the former Victorian villa and provide an attractive landscaped frontage to the cliff top walk. The Appraisal also identifies a key characteristic of the area as the open sea views down roads such as at the southern end of West Hill Road. These features, along with those identified above, form the significance of the CA.
10. On my site visit I observed that there are limited distant views of the location for the new entrance from West Hill Road and West Cliff Road due to its position set back from the pavement adjoining the fenced landscaped garden to

the hotel and on-street parking. I also noted that whilst development, and particularly entrances, are generally set back from the pavement edge, an entrance to the stable block, and a glazed ground floor front projection to the Nala Lounge at the junction of West Hill Road and West Cliff Road are at the back edge of the pavement. While the glass entrance would project forward of the existing side of the restaurant/hotel, by reason of the other nearby development and entrances at the edge of the pavement, and by reason of its small scale, flat roof design, lightweight glazed appearance, and as it would follow the inside line of the existing boundary fence and railings to the hotel, the proposal would not detract from the prevailing street scene.

11. Within the local area there are a variety of balconies and small predominately glazed extensions. In light of this and given the small size of the entrance to part of the building that appears a later addition to the hotel, the proposed entrance would neither read as an unsympathetic nor visually intrusive addition to the host building or wider CA. The use of glazing, set against the brick and glazed wall to the hotel would ensure that it would not be highly prominent. Furthermore, due to its position and small scale, it would not harm the hotel's landscape gardens or restrict views towards the sea down West Hill Road.
12. On this basis, I find that the proposal would preserve the appearance of the area and wider character and appearance of the CA. Given this, there is no need to consider any alternative options or public benefits. While paragraph 219 of the Framework states that local planning authorities should look for opportunities for new development to enhance or better reveal the significance of heritage assets, it goes on to state that proposals that preserve those elements of the setting should be treated favourably.
13. Accordingly, and for the above reasons, the appeal proposal would not cause harm to the character and appearance of the area or to the significance of the CA as a designated heritage asset. I have given great weight to the conservation of the heritage asset. The proposal would preserve the character and appearance of the CA as a whole in accordance with Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990. I therefore find that the proposal accords with Policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy October 2012. Amongst other things, these require development to protect designated heritage assets from alterations or extensions that would adversely affect their significance and ensure that all development and spaces are well designed and of a high quality.
14. The proposal would also be consistent with the provisions in the Framework in relation to achieving well-designed places and conserving and enhancing the historic environment.

Other Matters

15. Although the proposed elevation plans do not precisely reflect the existing building, there is adequate detail to be able to fully assess the proposal.
16. Any new signage does not form part of this proposal and would be for consideration under any necessary application for advertisement consent.

Conditions

17. I have had regard to the tests in the Framework in relation to conditions and to the conditions suggested by the Council. In addition to the standard time

condition, it is necessary for a condition to confirm the approved plans in the interests of certainty.

18. A condition is necessary to control hours of construction and demolition in the interests of protecting the living conditions of nearby occupiers. I have however removed the 'tailpiece' from this condition in the interests of certainty.
19. While the Council have suggested a condition to secure the submission of detail/samples of bricks and tiles prior to commencement, given that the extension is proposed to be glazed, this is not necessary. However, given that the appellant's plans and Statement of Case detail a thin profile frame joining the glass, it is reasonable for these materials to be submitted and approved before first use. This is in order to protect the character and appearance of the area and wider CA.
20. A further condition is suggested by the Tree Officer regarding compliance with a submitted arboricultural method statement and tree protection plan but given the position of the amended entrance away from any root protection areas, such a condition is not reasonable or necessary.

Conclusion

21. For the reasons given above the appeal should be allowed.

C Rose

INSPECTOR