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Bournemouth Borough Council  
Town Hall  
Bourne Avenue  
Bournemouth  
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For the attention of Mr S Gould

15 December 2016

**By Hand**

Dear Sirs,

**Re: OBJECTION – 7-2016-891-Z, Odeon Cinema, 37-41 Westover Road**

I am writing with regard to the planning application reference 7-2016-891-Z affecting the above property and to register an **objection**. The grounds for this objection are scheduled below and will refer to the Planning Statement and Heritage Statement submitted with the application, the privately-researched Historic Building Appraisal ('HBA') (dated September 2016, provided to the Council in October 2016) and to national and local planning policies.

**1. Deficient/omitted information – NPPF Para. 128; CS Policy CS40**

It is very concerning that the Heritage Statement submitted by the applicant does not at all mention the surviving painted panels and significant extent of decorative and gilded plasterwork within the building, all of which is well-known to both the staff at the Odeon and therefore, we assume, the applicant. The Heritage Statement states that 'apparently little historic interest [remains] inside' (p. 11) and that 'it is apparent that little remains of the original layout or its detailing' (p. 13). Fortunately these elements are illustrated and dealt with in pp. 85-104 of the HBA. I would encourage the LPA to question why this information was not included in a report which is specifically intended to provide sufficient information to understand the impact of proposals on the significance of the building; this does not bode well for the transparency of the application.

Even without the large extent of omitted information concerning the building, the Heritage Statement provides no objective and reasoned Assessment of Significance of the building, as is required in para. 128 of the NPPF and is an implicit requirement in Policy CS40 of the Core Strategy. Indeed, the Statement merely makes

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assumptions that 'it seems that the auditoriums have already lost their significance' (p. 16; repeated at p. 17). Without this information it is not possible for an appropriate assessment to be made against the policies and requirements of the NPPF or the Core Strategy and I refer the LPA to the evidence-based Assessment of Significance in pp. 104-11 of the HBA.

## **2. Loss of Significance – NPPF Paras. 17, 135; CS Policy CS40; Town Centre AAP A29**

Owing to the lack of a suitable Assessment of Significance, a brief summary is provided here, based on the fully-referenced research which underpinned the HBA. Extant original fabric survives in great enough quantity to permit a study of it in a context that goes beyond the four walls of the building. In this case, from the surviving fabric in the Odeon sufficient information was gathered to be able to evaluate the interior decorative scheme of the building against other examples, now mostly lost and known only through historic photographs, both on the scale of super-cinemas of the 1920s generally and the specific cinemas of Provincial Cinematograph Theatres (PCT). This comparison was considered to be a fundamental element of establishing the significance of the building and was set out in detail in pp. 39-50 of the Historic Building Appraisal and summarised as part of the Assessment of Significance in pp. 106-9.

The result of this comparison was that the decorative scheme, in particular the surviving painted Italianate landscape panels (Frank Barnes, in-house artist for PCT and then Gaumont) lining the upper auditorium walls, is the largest known extant set of such decoration in a super-cinema of the 1920s and survive in sufficient detail to be able to understand the original decorative scheme of the auditorium. This is made clear from the comparative photographs provided on pp. 85-104 of the HBA.

The research also established that the cinema itself, complete with its interior decoration, represents the culmination of the American-influenced 'hard-top' style which was not only prevalent in Britain throughout the 1920s, but was introduced, refined and popularised by PCT themselves. Looking at comparative evidence for cinema design following 1929, it was apparent that the prevailing style changed within a year of the completion of the Odeon, with the advent of German/Scandinavian styles (epitomised by the New (now Apollo) Victoria, London) taking its place at the vanguard. During the construction of the Odeon (as The Regent, 1929), PCT were taken over by Gaumont, whose subsequent continuation of the 'hard-top' style was established to be inferior and derivative. There was no significant super-cinema constructed between the opening of the Bournemouth Regent and the opening of the seminal New Victoria in 1930. This is a building we should value.

The comparative study extended to the exterior architecture of the building which, apart from the removal of the original dome in the 1960s works, survives intact with a unified design aesthetic still legible on all four elevations. Specifically in the context of PCT cinemas of this period, it was found that this building was the most successful and ambitious example. Taken together with its established position as the culmination and last significant expression of the 'hard-top' style, this greatly increases its significance as a building which illustrates the ultimate possibilities of a building type which is not only long-gone, but whose understanding has been

severely limited by the great number of losses which have occurred nationally, thereby increasing the significance of buildings which retain this legibility.

The research covered the foundation, development and output of PCT and established them to be arguably the most significant early cinema chain, thus giving the building historical and associative value. Not least, this is because PCT were the first and largest British chain to operate and expand along American lines and because it was they alone who pushed the boundaries and possibilities of both the super-cinema and the 'hard-top' style (HBA, pp. 11-16, 106). There is no evidence in the Heritage Statement that the Odeon and its surviving original elements have been considered within the significance of PCT as a whole: in simple terms, for example, only 9 cinemas of the 116 PCT cinemas in operation or under construction by 1929 survive, and only two are showing films, of which the Odeon is one. With such poor survival, even greater weight should be placed on protecting this example, where the external architecture remains intact and sufficient remains of the internal decorative scheme, itself among the best known, to understand the PCT style in its wider context.

The building retains a purpose-built Cinerama auditorium (and screen, which has been demounted and is currently stored in one of the former dressing rooms), installed in 1968-9. The Cinerama auditorium was noted in the 2013 English Heritage assessment as being of 'historic interest'. Since the completion of the HBA, it has become apparent from further research that the Cinerama auditorium, which was one of only 16 installed in the country, is the last surviving purpose-built example in the UK. It is understood that the only other example is a modern reconstruction in the National Media Museum in Bradford.

Cinerama was a pioneering, three-projection ultra-widescreen viewing format which had a relatively short life in the UK (the boom ending in the mid-1970s), but which, according to the National Media Museum, 'was an important step in the development of widescreen cinema', particularly systems such as IMAX. Indeed, it was because the Museum took the view that 'this important development should be available to a wider audience' that the Cinerama installation was retrospectively installed there in 1992 (<http://blog.nationalmuseum.org.uk>, 31 May 2013). As well as its technological influence on modern-day cinema, this sole surviving original example of Cinerama is illustrative of the British cinema industry's attempts to combat the rising popularity of television, whose growth had resulted in the closure of hundreds of cinemas in the 1950s and 1960s, and is therefore of significant cultural value.

Given that the significance of the building (not simply the façade) has been established to be high, it is appropriate that, in line with one of the 12 Core Planning Principles in the NPPF, the heritage asset be conserved 'in a manner appropriate to [its] significance so that [it] can be enjoyed for [its] contribution to the quality of life of this and future generations (NPPF, Para. 17). Also, it is clear that the current proposals will result in an unacceptable scale of harm/loss to the significance of the heritage asset.

It is not in line with either national or local policies protecting heritage assets that loss of heritage assets, let alone their significance, be justified simply to meet the financial 'bottom-line' of those purchasing heritage assets. That financial viability,

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not building conservation or townscape improvement, is the driver for this destructive and excessive scheme is made clear in para. 5.5 of the Planning Statement (p. 14).

Similarly, potential incentives offered by S.106 Agreements (Planning Statement, p. 16), particularly those which do not seek to make the proposals acceptable in planning terms (NPPF, paras. 203-4), should not be seen as a justification for loss of heritage assets which, according to the NPPF, are an 'irreplaceable resource'.

### **3. Loss of locally-listed heritage asset – NPPF Para. 135; CS Policy CS40; Town Centre AAP Policy A29**

Policy CS40 states that the LPA 'will seek to protect local heritage assets by only supporting development that sustains or enhances the significance of the heritage assets.' The Planning Statement struggles to construct a reason why the current proposals achieve this, stating 'the removal of the unsightly roof and improvements to the fenestration on the Westover Road frontage can bring forward the required enhancements.' This is tenuous at best, disingenuous at worst. It is quite clear that the significance of this heritage asset is not limited to the windows and the roof, which in any case is simply a void containing suspended ceiling cables and which could easily be replaced in a more thoughtful conservation-led scheme of adaptive reuse. In any case, in the absence of such in the application, we refer again to the Assessment of Significance in pp. 106-9 of the HBA.

According to the Council's own publication, *The Local List* (December 2000), which is still the most current guide to locally-listed buildings in the area and their protection, locally-listed heritage assets are those 'worthy of being saved for future generations' and 'which would be missed if they were to be drastically altered or demolished, and would leave the town a poorer place for their passing.' That is the case here. The Odeon, having been part of Bournemouth's social and architectural scene for nearly 90 years, is part of an existing 'memorable townscape' (Planning Statement, p. 14) which the proposals will destroy in the name of creating one.

Once again, enabling suitable financial returns for building owners is not a valid reason to justify loss of a locally-listed heritage asset whose significance has been established and whose value is common to all, as *The Local List* states.

### **4. Harm to setting of designated and non-designated heritage assets – NPPF, Paras. 128, 132; CS Policy CS40**

Despite its omission of vitally important internal areas, the Heritage Statement rightly highlights the impact upon the setting of the Grade-II listed Pavilion. 'Setting' is defined in the NPPF as 'the surroundings in which a heritage asset is experienced'. NPPF states that 'significance [of designated heritage assets] can be harmed or lost through alterations or destruction of the heritage asset or development within its setting' (Para. 132). The setting of the Pavilion is partly characterised in two ways: a) its group architectural value with the Odeon; and b) views towards it from the Lower Gardens.

Firstly, the HBA identified and discussed the existence of group value of the

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functional and architectural interplay between the Odeon and the Pavilion Theatre, an exactly contemporary building and located directly opposite. This is discussed at greater length in p. 13 of the HBA (where the joint character of the two buildings and their entertainment provision was described in contemporary sources as comparable to the West End); p. 20 (where contemporary observations linked the two buildings as spatially complementary); p. 39 (where contemporary descriptions link the architecture of the Regent/Odeon as a 'pleasing composition' with the Pavilion); p. 106 and 109 where this group value of complementing function and architectural counterpoint is linked to the significance of the building.

It is set out in DCMS guidelines that group value applies to the whole of the property and therefore is not correctly applied to one element of the external architecture, in this case the façade. Indeed the architecture of the Odeon responds with flamboyance to the more restrained Beaux Arts composition of the Pavilion, but with both rooted in the classical tradition. The setting of the latter is thus enhanced by the architecture and function (as a leisure/cultural venue, not specifically a cinema) of the Odeon.

Secondly, the Pavilion is a dominating feature of the Grade II-listed Lower Gardens, where its style can be read and appreciated in perhaps a fuller form than on the front elevation and in a form which cascades down from Westover Road matching the topography; the general existing view is shown on drawing 8683/011 of the application drawings. It will be noticed that part of what characterises this view is the subservient roof-scape of the former Westover Road Ice Rink and the Odeon, neither of which projects above the mass of the Pavilion or detracts from it. The as-proposed CGI from the same view shows how, far from complementing it, the mass of incongruous glazing intrudes upon the view of the Pavilion from this significant viewpoint and is out of character with the general architectural landscape.

In terms of non-designated heritage assets, the proposals affect the settings of two locally-listed buildings, the former Westover Ice Rink (Seal & Hardy, 1930) and the former Palace Court Hotel (AJ Seal & Partners, 1935), neither of which is discussed in the applicant's Heritage Statement. Both these buildings are key elements in the view from, in particular, Westover Road and the forecourt of the Pavilion and are united by their Art Deco/Moderne style. The intervening building, now part of the Premier Inn but formerly Motor Mac's Parking Garage (Seal & Hardy, 1932), far from being 'bland' (Planning Statement, p. 2), complements the two with its simpler Art Deco expression. Aside from the complementary and contemporary architectural styles, the setting of these buildings is characterised by their gradual stepping down Westover Road, following the topography; this is particularly visible in the existing aerial view from the south on drawing 8683/011 and from the pier on drawing 8683/012. The insertion of a tower of featureless glazing, whilst admittedly attempting to 'deliberately depart from the character of what surrounds it' (Planning Statement, p. 12), will disrupt this historic and visually appealing setting (virtually unchanged since 1935) and introduce an incongruous intrusion into this setting. The same is true of the view along Westover Road where the visual continuum of the sweep afforded by the current buildings will be disrupted by the proposals (see drawing 8683/011 for CGI visual). It is agreed that there are occasions when new design is appropriate for historic settings and should be explored, but not when it is to the detriment of existing heritage assets.

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## **5. Inappropriate design – NPPF, para. 64; CS Policy CS41; Town Centre AAP Policy D4**

Every effort is made in the Planning Statement to denigrate the architecture of the Odeon (other than the façade) in order to make the proposed design seem more appealing; indeed, the need is felt so strongly that this is extended to Hinton Road generally, despite the presence of some fine Art Deco buildings, such as the Wessex Christian Centre (formerly the Little Theatre, Seal & Hardy, 1931), the former Motor Mac's Parking Garage (Seal & Hardy, 1932) and Palace Court Chambers (Seal & Hardy, 1933).

In order to provide a slightly more balanced viewpoint, it is necessary to state here that the rear elevation, described in the Planning Statement as 'very bland and plain', is quite obviously a well-designed, yet simpler, iteration of the front elevation and contributes positively to the street-scape. The range of three two-storey blank recesses, still with faience dressings and key-stones, echo the front arcade and are repeated on the side elevations of the fly tower, whilst the fully faience-clad ground-floor echoes the same treatment on the front elevation and was intended to be enlivened not with fussy architectural elaboration, but with large movie posters. The frieze beneath the cornice is handled simply with the only subtle addition being a range of lion's head roundels which not only connect the style to other PCT cinemas (where these commonly held flag poles), but also correspond to the plain roundels on the frieze of the front elevation. The aesthetic appeal of the rear elevation is greatly enhanced with the continuation of the ground-floor walls to either side of the building in simple brickwork combined with faience dressings, elaborate key-stones to the archways and Italianate ornamental urns framing the archways atop the walls. The octagonal windows correspond to the high-level octagonal windows on the front elevation and assist in denoting and reading the internal spatial hierarchy. As well as forming grand entrances to the otherwise perfunctory side alleys, these promote a deliberate and carefully wrought architectural coherence of the whole site, but also assist in framing the central mass of the fly tower.

With the above in mind, it seems rather difficult to argue not only that the proposed design is an 'improvement' (Planning Statement, p. 12), but why such an 'improvement' is needed at all. These changes in fact will erode the character of the area and can therefore hardly be said to 'respect the site and its surroundings' (CS Policy CS41).

In any case, the style is out of character with the area and, owing to the dominance of heritage assets and the importance of this area as an 'entertainment hub' of nearly 90 years (Heritage Statement, p. 15), the local character is especially significant here. The scale of the proposed development, which is only emphasised by its blocky form, also acts to the detriment of the heritage assets, character and townscape, as can be seen clearly from the as-proposed elevation drawings 8683/005, 8683/007 and 8683/008, on which adjoining buildings are shown.

## **6. Loss of tourist/cultural facility – NPPF Para. 131; CS Policy CS29; Town Centre AAP Policy U8**

There is a general principle in the NPPF that LPAs should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and

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putting them to viable uses consistent with their conservation' (NPPF, Para. 131). There has been no attempt demonstrated by the applicant that a viable use consistent with its conservation (bearing in mind the significance of this heritage asset) has been explored. The applicant's publicity, and indeed the application itself, has leant heavily on the fact that continuing use as a cinema is blocked by an alleged covenant. Of course, this is a predictable attempt to make the development seem inevitable but, again, although this is the course the applicant is choosing to take for financial gain, it does not follow that it is either the most appropriate or the only possible use in line with national policy. The applicant has the opportunity of selling the building and seeking a more appropriate site elsewhere and indeed had the opportunity of establishing the proper heritage constraints before purchasing the building. In any case, steps are being taken to undertake a Feasibility Study for an alternative leisure/cultural use of the building, along with discussions with relevant bodies.

#### **7. Outside tall buildings area / poorly located – CS Policy CS7; Town Centre AAP Policy D5**

It is acknowledged in the Planning Statement that the building lies outside the designated tall buildings area (pp. 9, 13-4) and para. 3.7.4 of the Town Centre AAP is cited as permitting 'fully justified' exceptions to the tall buildings policy. However, the Planning Statement does not record that proposed exceptions should be 'in the right place' and 'well-designed' (para. 3.7.4) and that 'tall buildings can have a detrimental impact on the appearance and function of the area' insofar that 'poorly-designed or badly-located tall buildings can be visually intrusive and have an adverse effect on the character of a place' (para. 3.7.5). In addition, the Policy D5 itself states that a tall building should 'have a positive relationship with its historic context'. In the light of what has been set out above, it is contended here that there are no grounds to justify a tall building in this historically significant and architecturally unified area.

The Planning Statement states that 'the town centre is also identified as an appropriate location for high density residential development (Policy CS7), but fails to draw attention to the *caveat* that this is only to be permitted where development would maintain or enhance the heritage characteristics of the town centre. That is not the case here.

In conclusion, it is argued here that, contrary to attempts in the (compliant) documentation to suggest otherwise, there are compelling grounds on which to **refuse** this proposal as being totally destructive of the significance of the Odeon as a locally-listed heritage asset; a negative intrusion upon the setting of designated and non-designated heritage assets; excessive in scale and incongruous in design to the character and setting of the area; representative of the loss of badly needed leisure/cultural venue where other uses (without cinema use) are clearly reasonable and preferable to demolition; and sited in an area which is inappropriate for a tall building.

Furthermore, in assessing this application we trust that the LPA to adopt an approach towards appraising the values and significance which is more holistic than is provided in the application documentation and that it takes full advantage of the detailed and extensive research now available. It is hoped that the latter will now supersede the unfounded second-hand assumptions about this building and its possibilities.

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Finally, we look forward to seeing the applicant's own current photographs and assessment of the surviving fabric.

Should you have any queries or require further information, please do not hesitate to contact me.

Yours faithfully,

**James Weir MA (Oxon) PgDipSurv PgCertArchHist FRSA IHBC**