



Appeal Decision

Site Visit made on 10 August 2021

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2021

Appeal Ref: APP/W1715/D/21/3270328

The Anchorage, Lands End Road, Bursledon SO31 8DN

- 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 Mrs Jess Armstrong against the decision of Eastleigh Borough Council.
 - The application Ref H/20/88728, dated 3 October 2020, was refused by notice dated 8 December 2020.
 - The development proposed is the retention of a detached raised summerhouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development in the heading above from the Council's decision notice which describes the development more precisely while removing superfluous information. I am satisfied that neither party has been prejudiced by my approach.
3. The appeal development has already been erected and is consistent with the submitted drawings. Therefore, I have determined the appeal on the basis that the appellant is seeking permission for what is now in place.
4. The Council refer to the emerging Submitted Eastleigh Borough Local Plan 2016-2036. The Examination has concluded and the Council state that they have received the Inspector's report. However, I have little information to suggest when the plan is likely to be adopted, if any policies have been modified, or if there are any unresolved objections; and the emerging plan doesn't add to the policies in the adopted plan in this appeal. I have not therefore referred to it in my determination.

Main Issue

5. The main issue is whether or not the development will preserve or enhance the character or appearance of the Old Bursledon Conservation Area (OBCA).

Reasons

6. The appeal site comprises the sizeable grounds of The Anchorage, a detached dwelling located off Lands End Road and within the OBCA. I have therefore attached considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area (CA) in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The OBCA comprises an expansive area of low-density housing, woodland, open fields and salt marshes adjacent to the River Hamble. Much of the area has a semi-rural atmosphere, with a strong landscape framework of trees and hedgerows, and generous plots in proportion to the buildings within them. This is particularly the case in relation to the southern side of Lands End Road, where there are large dwellings, such as the appeal property, set within spacious gardens and undeveloped domestic land. Therefore, in so far, as it relates to this appeal, the conservation area derives some of its significance from a sense of space and openness between buildings.
8. The Council's Appraisal and Management Proposals Supplementary Planning Document (SPD) for the conservation area, discourages proposals which intensifies development along the southwest side of Lands End Road and harms the open character of land between existing buildings.
9. A long boundary wall separates The Anchorage's large garden from Lands End Road. This screens the amenity area somewhat, yet during my site visit I was able to look over the wall and observe the expansive lawned space. The summerhouse is set back from the roadside boundary wall and occupies a fairly central position within the garden. It is also marginally lower than the road level, yet still visible. Given its placement on top of wooden stilts, it has a prominent and top-heavy appearance from Lands End Road that will have an incongruous and encroaching presence in this open and spacious setting. Moreover, I observed that the majority of ancillary buildings along this side of the road were grouped close to houses and, did not, in contrast to the appeal proposal appear isolated and disconnected from the host dwelling. The proposal therefore detracts from the established pattern of development, whilst its scale and visual presence harms the open and spacious character of spaces between buildings in this part of the conservation area.
10. The existing apple tree and shrubs to the immediate north of the summerhouse, were noted during my site visit. These screen the building slightly from some public vantage points along Lands End Road, but they do not completely mask it or reduce its prominence to the extent that my concerns are addressed. Furthermore, the natural wood construction and dark stained finish, are acceptable but only in so far as being appropriate finishes in this semi-rural context. They do not reduce the structure's scale or overcome my concerns on the effect it will have on the open character of this part of the OBCA.
11. In support of the appeal, my attention has been drawn to other residential properties nearby that have outbuildings and domestic structures of comparable scale. However, from the details submitted none of these appeared to be positioned on wooden stilts or have an encroaching presence within plots in a manner similar to the proposal. In addition, I have been given no specific details of the location of those examples as they relate to the conservation area. In any event, these do not outweigh the harm I have identified nor do they, on the basis of the information submitted, represent a justified comparison with the appeal proposal.
12. I am aware that several neighbouring occupiers are unanimously in favour of the development, however, a lack of objection does not indicate a lack of harm, as I have found in the case of the proposal, therefore, I have given little weight to this.

13. I was not able to observe the proposal's effect from the River Hamble waterway itself, but instead I gained representative views from a yacht club near to Badnam Creek, around 1km to the south west of the appeal site. From here, the summerhouse was not obvious given the presence of existing landscaping around the headland relating to Lands End Road, while the many moored boats along the river obscured clear views towards the appeal site. The proposal will therefore not have any perceptible effect on the area's character from that location, nonetheless this does not eliminate my earlier concerns.
14. Overall, I conclude that there will be moderate harm to the significance of the OBCA. Accordingly, the proposal will fail to preserve or enhance the character or appearance of the conservation area. The proposal also conflicts with Saved Policies 59.BE, 169.LB and 179.LB of the Eastleigh Borough Local Plan (2001-2011). These require, amongst other things that proposals do not detract from the character of the area including heritage assets, protect the special loose-knit character of Old Bursledon and ensure the retention of existing open areas. It will also conflict with the guidance in Quality Places Supplementary Planning Document where it relates to conservation areas. Lastly, the proposal also fails to accord with the provisions of the SPD set out earlier in my decision.

Heritage Planning Balance

15. The harm I have identified in relation to the proposal is less than substantial in terms of the National Planning Policy Framework (the Framework). Accordingly, this harm should be weighed against the public benefits of the proposal.
16. The appellant indicates that the summerhouse acts as an informal meeting place for a local sailing club. It provides shelter on bad weather days, and somewhere for members to assemble to plan club activities. I agree that the summerhouse has a functional use in this regard, however, this is a private benefit limited to members of the club, rather than being of wider public/community value. Therefore, this is not a matter that can be weighed against the harm to the OBCA.

Conclusion

17. For the reasons set out above I conclude that the appeal should be dismissed.

RE Jones

INSPECTOR