



Appeal Decisions

Site visit made on 24 May 2023

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 02 August 2023

Appeal A Ref: APP/W1715/W/22/3308254

**Myrtle Cottage, Lands End Road, Bursledon, Southampton, Hampshire
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 Mr & Mrs Mike and Jule Blackman and De Pina against the decision of Eastleigh Borough Council.
 - The application Ref H/22/92624, dated 11 March 2022, was refused by notice dated 2 August 2022.
 - The development proposed is a sunken side extension.
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Appeal B Ref: APP/W1715/Y/22/3313761

**Myrtle Cottage, Lands End Road, Bursledon, Southampton, Hampshire
SO31 8DN**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Mike and Jule Blackman and De Pina against the decision of Eastleigh Borough Council.
 - The application Ref L/22/92773, dated 11 March 2022, was refused by notice dated 2 August 2022.
 - The works proposed are a sunken side extension.
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Decisions

1. Appeals A and B are dismissed.

Preliminary Matter

2. As set out above there are two appeals which relate to the same proposal and site under different, complementary legislation. I have considered each on its own merits although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issues

3. The main issues raised by both appeals are the effect the proposal would have on the special interest of the grade II listed Myrtle Cottage and the character and appearance of the Old Bursledon Conservation Area.

Reasons

4. Myrtle Cottage is a modest detached house with plastered elevations and steeply pitched plain tile roofs punctuated by tall slender chimneys. Dating from the C18 its significance as a designated heritage asset of national

importance includes its age, vernacular architecture, historic features including windows and materials, as well as its compact form and modest scale. It sits close to the river bank from where it appears nestled within its verdant, and to the rear steeply sloping, garden which are all attributes which also contribute to its significance.

5. As recognised by the Council's Conservation Area and Character Appraisals¹ Old Bursledon Conservation Area covers an extensive area where its many historic buildings are distributed in a largely dispersed arrangement. Buildings are often set within spacious plots giving rise to a largely low density, verdant and spacious character and appearance. The riverbank in the Bursledon Pool area contributes to this character where the appeal site forms part of an historic and picturesque group of buildings along with Ewers and the Jolly Sailor pub and their landscape settings. The composition of the appeal site with Myrtle Cottage set within a spacious garden to one side and sitting below the steep slope up to Lands End Road above make an important contribution to this character and appearance, and hence significance, by maintaining the sense of space and openness characteristic of the area.
6. The proposed extension would consist of a large rectangular building occupying a sizeable portion of the rear garden, set back from and to the side of the Cottage. Much of it would be dug into the bank with the exception of the front elevation with its three large windows. It would be linked to the Cottage by a simple and slender glass lobby. Its footprint would be larger than the existing ground floor of the Cottage.
7. As the significance of the Cottage relies to an extent on its small size and form as well as being set within a site which is spacious relative to the scale of the Cottage, the extension would be a disproportionate extension to the modest Cottage and would have a harmful effect on that significance. There would be some places within the site, including on the proposed sunken patio to the front of the extension, where the elongated form and extensively glazed facade of the building would be seen in harmful contrast to the compact scale of the host building.
8. The glazed link has the potential to be a 'light touch' addition to the Cottage and the effects of physical intervention with the listed building have the potential to be minimised with sensitive detailing. The simple rectilinear building would be a clearly new addition to the building and, to a degree, sit as a separate pavilion whose roof would be set below the eaves of the side of the cottage. However, the honesty of the elevational design and subservient height would not overcome the harmful effects of the proposal's overall scale and situation.
9. The appellants' case relies to a significant degree on the limited visibility of the scheme. Although from the river the location of the extension is currently screened by a timber lap fence this is not illustrated on the proposed drawings. Rather, the approach to reduce the building's prominence from the river would rely on increasing the height of the existing walls and the treatment of the extension's fascia visible above those walls.

¹ Old Bursledon Conservation Area Appraisal and Management Proposals Supplementary Planning Document, 2012, and Local Development Framework Character Area Appraisals: Bursledon Hamble-le-Rice and Hound – Supplementary Planning Document, 2008.

10. Although the information is limited, the drawings show a steeply sloping fascia, depicted as being planted in a similar fashion as the roof above. Given its steep angle I am not convinced that this element would necessarily read as a continuation of the garden even if planting successfully establishes itself. Whilst views from the opposite bank of the river are at some distance where this may not be apparent, the river itself is clearly a popular place for leisure and the site would be noticeable from the many boats that pass along the river from which much closer views would be afforded.
11. Its flat sedum or grass roof would go some way to assimilating the structure into the site. Given the topography of the site and its surroundings, this aspect would only be likely to be glimpsed from the footpath that leads past the Cottage to and from the pub, albeit that the three large roof lights would mean it would not have an entirely natural appearance and the void to the front of the building where it would let onto the sunken patio would be apparent. The drawings show a timber shed being replaced on top of the roof that may help screen those features from view.
12. Whilst the proposal would not exactly be invisible, its visual prominence would be limited. However, the special architectural and historic interest of the listed Cottage and the Conservation Area is not only dependent on visual aspects, appearance and public views.
13. Consequently, the proposal would fail to preserve the listed building's special architectural and historic interest and the significance it derives from its historic, modest plan form, scale and situation within a comparatively spacious garden. It follows that as the special interest of the prominently situated listed building within the Conservation Area would also be materially diminished, and that the character and appearance of the Conservation Area as a whole would also be similarly incrementally harmed.
14. As required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have had special regard to the desirability of preserving the listed building. In so doing, and in giving great weight to the designated heritage asset's conservation, the proposal would fail to preserve these attributes and consequently harm its significance. Although the harm would be tempered by the more limited visual effects and limited physical intervention into historic fabric, this harm nevertheless carries considerable importance and weight.
15. I have also paid special attention to preserving the character and appearance of the Conservation Area and have given great weight to this designated heritage asset's conservation. Whilst the potential exists for a less marked effect on its appearance, the development would not preserve its character and hence harm its significance. Again, this heritage harm carries considerable importance and weight.
16. This harm to significance would be less than substantial in respect of both designated heritage assets. These are circumstances where the National Planning Policy Framework (the Framework) requires such harm to be balanced against the public benefits of the proposal. In this case any benefits would be private ones to the occupiers and no public benefits have been identified to outweigh the harm.
17. As the development would increase the volume of the original dwelling by more than 25%, it would not conserve or enhance the character of the undeveloped

landscape between buildings and the development and would create a dwelling disproportionately larger than the one that is being extended, it would not accord with Eastleigh Borough Local Plan, 2022 (EBLP) Policy BU7 relating to the Old Bursledon Special Policy Area. It would also conflict with EBLP Policies DM1, DM12 and DM26 which together, and amongst other criteria, require development to preserve character and appearance, conserve heritage assets and avoid extensions in the countryside being disproportionate to dwellings and their plots. Although there is no statutory requirement for listed building consent applications to be determined in accordance with the development plan, the works would nevertheless not accord with EBLP Policies DM1 and DM12.

18. Although set well back from the front wall of the house, the extension would not be in scale or balance with the whole of the house, contrary to the Council's Quality Places guidance². It would also not accord with the Character Appraisal's guidance to avoid significant increases in floorspace to preserve the loose-knit character of the area. As subdivision of the property or plot would not occur, the proposal would not be contrary to the management proposals for the Bursledon Pool zone management proposals of the Conservation Area Appraisal.
19. I recognise that the appellants have attempted to address the reasons a previous scheme was rejected, however the Inspector's findings in those appeals³ were not limited to visual and appearance effects.
20. I note that the Council's Built Heritage Consultant raised no objections to the proposal, however his comments are limited to visual impact and appearance matters which are matters affecting only a part of the designated heritage assets' significance.

Other Matters

21. The appellants have cited a number of properties in the vicinity where they consider that large extensions have been approved beyond policy size limits. However, the vast majority of these would appear to have been considered prior to the adoption of the EBLP and is Policy BU7 coming into force. Although the previous Local Plan's Policy 179.LB had similar aims, its requirements were not identical and the percentage limit it relied on was set out in supporting text rather than the policy itself. The Council advises that a subsequent plan was never adopted. These are clearly different circumstances to the appeal proposal which I have determined in accordance with the development plan as not material considerations have indicated otherwise. The appellants have referred to a Policy BU9 however this has not been cited in the Council's reasons for refusal and from its appearance does not appear to be part of the adopted EBLP which was adopted after the applications were made.
22. From the information provided about those other examples, and those cited containing large areas of glazing, none of the circumstances are identical to those of the appeal site, the listed building and the particular proposal. Those other examples do not, therefore, carry any weight in support of this particular proposal which in any event I have determined on its own merits.

² Quality Places Supplementary Planning Document, 2011.

³ APP/W1715/W/19/3223341 and APP/W1715/Y/19/3223344.

23. The absence of harm in respect of neighbours' living conditions, parking and access do not amount to positive considerations in support of the proposal. The Council's reasons for refusal did not include an objection in these respects.
24. I have had regard to the letters of support for the proposal which raise similar points to the appellants. Therefore, for the above reasons they have not led me to a different conclusion.
25. Although the appellants have reported what they consider to be inconsistencies in communications from the Council during the consideration of their applications this is not a matter which has any bearing on the planning merits of the appeals.

Conclusion

26. For the above reasons the proposal would fail to preserve the grade II listed building and the character and appearance of Old Bursledon Conservation Area, contrary to the Act, the development plan considered as a whole, the Framework and Council guidance. Appeals A and B are therefore dismissed.

Geoff Underwood

INSPECTOR