



---

## Appeal Decision

Site visit made on 10 June 2025

**by Martin Allen BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 September 2025

---

**Appeal Ref: APP/W1715/W/24/3353355**

**Cherry Court, Salterns Lane, Bursledon, Hampshire SO31 8DH**

- 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 Mr Patrick Reilly against the decision of Eastleigh Borough Council.
  - The application Ref is F/24/97376.
  - The development proposed is the demolition of existing dwelling and replacement with new self-build dwelling.
- 

### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Mr Patrick Reilly against Eastleigh Borough Council. That application is the subject of a separate decision.

### Main Issue

3. The main issue is the effect on the character and appearance of the area, bearing in mind the sites location within the Old Bursledon Conservation Area.

### Reasons

4. The appeal site is located within the Old Bursledon Conservation Area. I observed that the significance of this designated heritage asset is derived, in part, from a “village” feel to the locale, which is reinforced by the traditional design and form of dwellings within, as well as the rurality experienced when travelling along the streets within the vicinity. Dwellings are generally arranged in spacious plots with plentiful landscaping present, creating an attractive and verdant streetscene.
5. The proposed scheme seeks the demolition of the existing dwelling, which dates from around the 1960’s, and its replacement with a dwelling with a distinctly contemporary design. From the front elevation, the new building would be two-storeys in height, with an elevation treated with both stone and timber. It has been designed to follow the drop in levels within the site and consequently is three-storeys in height to the rear elevation.
6. The proposed dwelling would be substantial in its scale, and it would occupy a large extent of the width of the plot; it has this in common with the existing dwelling, which is generous in its proportions. To the rear, the proposed is designed over three storeys, the lower storey would include glazing and stone finishing, with two storeys of predominantly glazed elevations above. While the overall building height would be similar to the existing, the rear would present a somewhat monolithic elevation extending to the full roof height and as a result

there would not be the visual relief that currently exists from the pitched roof of the existing property.

7. This would have the effect of exaggerating the visual impact of the rear elevation, from both longer distance views from across the river and close distance views from the footpath to the south. Furthermore, the different material treatment to the lower ground floor would, in my view, do little to ameliorate its visual effect. While there is a centrally positioned glazed element to the rear, this is an imposing and dominant feature that does little to provide a visual break to the mass of the rear of the property.
8. I am also conscious that there are some views of the roofscape of the existing dwelling from Salterns Lane, albeit that boundary planting filters these views, and while the existing pitched roof is not overly prominent, I remain unconvinced that the proposed flat roof design would not be viewed as an unsympathetic addition to the streetscene when viewed in the context of the nearby, more traditionally designed dwellings.
9. The design would result in a striking building, in a commanding position within the site. In terms of size, I note that the increase in the volume of the dwelling falls below the 25% increase threshold set by local planning policy. However, the design, in incorporating a full height, flat roof would result in a dwelling that would appear as an overly dominant and intrusive feature within the site, as well as within the surrounding context. In this respect, the dwelling would result in an unacceptable urbanisation of the area and would not sit comfortably within its context.
10. The use of the flat roof design is not a common feature within the area, and while contemporary design is capable of being accommodated within a conservation area, given the predominant form of surrounding properties, together with both close and long distance views that are available, as well as the overly dominant appearance of the dwelling within the site, I find that the proposal would be discordant within its setting.
11. In terms of nighttime effects, given that the rear elevation of the dwelling would be predominantly glazed, when compared to the more modest fenestration extent of the existing dwelling, there would be an increase in the visibility of lighting during the hours of darkness. While the scheme is not located within an area that is devoid of existing light sources and the existing dwelling would generate some visibility through the use of lights, the mass glazing to the rear elevation would in my view substantially increase this, particularly given the additional storey of accommodation. I am conscious that shutters would be provided to the rear elevation in order to attempt to limit the amount of light spill that would occur. However, given the elevated location of the site, with expansive views to the river, I consider that the use of these cannot be guaranteed, and it is likely that even if provided, they would be left open for much of the time. Thus, they do not convince me that light spill would be satisfactorily mitigated.
12. The Council also raise concern over the justification for the demolition of the dwelling being inadequate, notwithstanding accepting that the policy to which it refers contains no such specific requirement. Nonetheless, I am referred to policy DM12 which requires that where development involves the demolition of a heritage asset, its replacement must enhance the asset. In this case the Council outlines

that it considers the relevant heritage asset requiring enhancement to be the wider Old Bursledon Conservation Area. The Council accepts that the existing dwelling at the appeal site “is not the best architectural example of its era”, a view I concur with, but I also find that it comprises a neutral element, providing neither a positive nor negative contribution to the character and appearance of the conservation area. However, the proposed dwelling, given its scale, bulk and massing would be incongruous at this location and thus would not positively contribute to, but detract from, the conservation area.

13. Drawing the above together, I find that the proposed development would have a detrimental effect on the character and appearance of the area, including that of the Old Bursledon Conservation Area. Accordingly, the development conflicts with policies DM1, DM12 and BU7 of the Eastleigh Borough Local Plan (adopted April 2022). Together, and amongst other things, these policies seek to ensure that development contributes to improving the character of an area, does not harm the significance of heritage assets, and that replacement dwellings are not detrimental to the character of an area as viewed from the River Hamble.
14. In failing to preserve the character and appearance of the conservation area, I find that the scheme would result in less than substantial harm to a designated heritage asset. As required by paragraph 215 of the National Planning Policy Framework, I have had regard to any public benefits of the proposed development. However, any such benefit given the small scale of the development is not sufficient to outweigh the harm that I have identified.

### **Other Matters**

15. I am conscious that the design has, following discussions, evolved to the point of the proposed scheme and that the design has been described as high-quality. However, I find that within the specific context of this site the design would not be appropriate to the location.
16. The matter of whether the development can, or is required to, demonstrate that it can deliver the necessary Biodiversity Net Gain has been raised. Given that I am dismissing the appeal for other reasons, this is not a matter than I need to consider further.
17. I note comments in respect of the condition of the existing building, that it would require extensive refurbishment and it is more efficient to redevelop the site. However, the design of any redevelopment is of key importance, and I have found in this case that the current scheme is not acceptable. The condition of the existing building therefore has little bearing on my decision.

### **Conclusion**

18. The proposal conflicts with the development plan and there are no material considerations that indicate a decision should be made other than in accordance with it.
19. For the reasons given above the appeal should be dismissed.

*Martin Allen*

INSPECTOR