

Cherry Court.

Topic

Demolition

The application before Members includes the demolition of the existing Cherry Court, a property that was specifically included within the designation of the Conservation Area in 1982, some 42 years ago. The first step for Members is to consider the appropriateness of this act of demolition in the context of the Council's duties in conjunction with the designation. Members could resist the demolition if you were concerned with the loss in terms of the heritage impact of the demolition. It is acknowledged that your Heritage Officer does not consider the building warrants retention, and the report of the Development Management Officer supports this view. If Members feel that the demolition is acceptable, then further reference to the existing form of development is of limited relevance going forward.

Conservation Area "Special test"

With the application site effectively clear of existing development, the next step is to consider what is being proposed for the site. The requirement as set out in the report at 39 is for the determination to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This statutory requirement is referred to as the "special test" and it places a high bar for development to achieve. It is not sufficient to simply say that the proposal provides an improvement over what is currently there, that is not the test. Both the Heritage Officer and Case Officer fall back on this analysis, and most importantly for you Members, neither express their opinion that the proposal not only meets but passes the special test. The Case Officer is circumspect in the advice to you at paragraph 80 "Whilst differing in appearance to the existing dwelling, that proposed is considered to be of far higher architectural quality to that which it would replace, which in turn could be considered as an enhancement of the area. This is an equivocation that leaves it to others who could consider it meets the special test. The others in this case are you, the Members this evening, and is it your assessment that this scheme meets the special test as set out, does what is being proposed enhance or improve the character or appearance of the conservation area. I put it to you that throughout the report it is identified that the scheme has taken the opportunities afforded by the site and maximised these, it has deployed through clever manipulation devices which set out to address the constraints of the site, and exploit the site to its full potential. But in doing so it has very little regard to the context within which it will be placed and whilst achieving a stand-alone Trophy, it is out of character with the Conservation Area within which it will be set. Use of a dark plinth, vertical timber cladding and a zinc roof are seen as architectural tropes that are typical elements of contemporary design typically seen across the County as offering modern urban design or stand-alone development. This does not reflect the prevailing character or appearance of the Conservation Area or its essential qualities for which it was designated.

Overlooking/Loss of Privacy

The report advises that the first floor balcony on the south elevation, in terms of overlooking would not be sufficient to warrant any concern. This is irrespective of the measures more recently introduced by amendment. The planting screen or green wall on the eastern side of the balcony may or may not fail, its effective maintenance and retention as a screen cannot be assured. The building is set back by approximately 4m into the site and the first floor balcony offers a commanding platform over the neighbouring property, whilst occupants within the building may not be noticeable, as soon as a human form is present in this position external to the building envelope it will be immediately noticeable and very detrimental to the sense of privacy currently experienced by the neighbour. (insufficient time to read this)

Landscape

The description of development includes reference to “associated landscaping”. There are no landscaping proposals within the current submission. Within this sensitive landscape and in the context of the Conservation Area, who’s landscape setting is a significant factor in the assessment of the character and appearance of the area, the absence of any landscape proposal is a significant omission, the imposition of a condition is no substitute for the proper inclusion of a suitable landscape scheme at the point of consideration and determination. The application is not supported by a LVIA as I understand was originally requested by Officers, but instead a far less detailed Landscape Visual Appraisal has been submitted, which falls considerably short of being a LVIA. The Appraisal offers a baseline assessment of landscape and the likely key visual receptors, but importantly is not required to offer a judgement of the significance of effects or reach any conclusion in terms of significance. The submissions before you are incomplete and should not be supported in their present form given the sensitive nature of the landscape within which it will be imposed.

Light intrusion/pollution

Allied to the above is the concern over the impact at night of the proposed atrium light well in the centre of the rear elevation. The illumination of this space is a significant consideration to bear in mind, the introduction of shutters on some windows relies on the discretionary deployment of these optional elements. The illumination of the balconies themselves, for the convenience and safety of occupants and their guests, will not be mitigated by these shutters. It is unclear what materials the louvres on the central atrium might be made of, and the positioning of these is crucial to their effectiveness when seeking to address either solar glare off of the glazing or alternatively solar gain within the building. Neither will address the light intrusion when viewed within the landscape. This element of the design will become a beacon seen from significant distance from the site, and from the neighbouring Authority, which has not been consulted on the scheme. The developer might choose to change the name from Cherry Cottage, but locally and colloquially this will become known as “The Lighthouse”. I do not want this to be an unintended consequence of the development and I want Members to be fully aware of the very real harm this development could have in the context of this very sensitive local landscape and nationally important ecological habitat, before it is too late.

I would invite Members to refuse the application as being out of character with the Old Bursledon Conservation Area, failing this, I would ask that you defer the application to allow for a Member Site visit to be conducted, for the Applicant to supply detailed landscape proposals and for a proper Landscape and Visual Impact Assessment to be conducted and submitted in conjunction with this scheme.