

Application No: 25/00188FULL Full Application

Site: Creek Cottage, Lower Woodside, Lymington SO41 8AJ

Proposal: Conversion of two existing salt barns to residential; associated works

Applicant: Mr D Stevenson

Case Officer: Natalie Walter

Parish: Lymington and Pennington Town Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view.

2. POLICIES

Development Plan Designations

Listed Building
Flood Zone
SPA
SSSI
Ramsar

Principal Development Plan Policies

DP2 General development principles
DP12 Flood risk
DP13 Coastal development
DP18 Design principles
DP49 The re-use of buildings outside the Defined Villages
SP4 Spatial strategy
SP5 Nature conservation sites of international importance
SP6 The natural environment
SP7 Landscape character
SP11 Climate change
SP15 Tranquillity
SP16 The historic and built environment
SP17 Local distinctiveness
SP21 The size of new dwellings

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places

Sec 14 - Meeting the challenge of climate change, flooding and coastal change

Sec 15 - Conserving and enhancing the natural environment

Sec 16 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Lymington and Pennington Town Council: Recommend permission.

5. CONSULTEES

Archaeologist: No objection subject to conditions.

- The buildings and site have been the subject of heritage recording and investigation conducted over the past years.
- Archaeological works to date have shown that the proposed development area has a high potential to contain in situ deposits and features associated with the construction, use and subsequent partial demolition of the 18th and 19th century salt boiling house and any associated features and structures. There is also the potential for evidence of activity prior to the construction of the boiling house.
- The proposed development will see new areas of impacts not previously investigated and/or recorded and as such has the potential to negatively impact any in situ archaeological deposits. Therefore, recommends that all ground works are archaeologically monitored, a watching brief.
- The proposed alterations to the barns are extensive and the fabric of the two barns is in poor condition. It is unclear how much of the current (original) historic fabric can be and will be retained. In both barns the current floors are to be removed, with the wooden floor in barn 1 replaced.
- Subject to the views of the NFNPA Building, Design and Conservation Officer, additional historic building recording may be appropriate before and/or during development due to the proposed alterations and the potential for access to and/or loss of historic fabric.

- With the access to below floor deposits and loss of historic fabric when the floors are removed, it is recommended that floor removal and any subsequent excavations within the structures are also archaeologically monitored, a watching brief.

Building Design and Conservation Officer:

Support subject to conditions (following the receipt of amended plans) (January 2026)

North Barn:

- The applicant is now proposing to retain more of the late 19th century wall following concerns over its loss which now include a brick finish floor level, a nib on the south-east elevation, and retention of a section between the dining room and entrance hall. It is considered that these elements will conserve our understanding and appreciation of this less significant wall that none-the-less contributes to the historic evolution of the building.
- The applicant is now proposing a full height element, approximately one third, in the centre of the historic barn that will permit a continued appreciation of the aisled barn form. This, along with the reduced number of openings, is welcomed and the revised design supported subject to conditions. It has been confirmed that the partition between the dining room and the main living space will be glazed, therefore concern over this element is withdrawn (subject to a details condition to include a cross-section of this element).

South Barn:

- The revised scheme overcomes concerns relating to openings and design, subject to conditions.

Conclusion:

- Heritage assets are an irreplaceable resource, as set out in paragraph 202 of the NPPF and should be conserved in a manner appropriate to their significance for the enjoyment of future generations.
- As noted within previous comments, the salt barns have been deteriorating over many years and are now considered vulnerable and at risk by the National Park Authority. Conversion of the barns will require extensive works to overcome structural and historic fabric defects, causing less than substantial harm. However, noting the planning history of the site and the applicants supporting statements, residential use does appear to be their optimum viable use. The team are supportive of the adaptive reuse of these buildings that are considered both nationally and

locally important heritage assets that positively contribute to the cultural heritage of the National Park.

Additional Comments on Structural Elements of Proposal (February 2026):

- Cross-section/ elevation details still required to understand how the structural supports will interact with the historic fabric and hold the load of the first floor accommodation.
- Repair specification appears absent from documents.
- Comments on measures required to increase flood resilience.

Ecologist: Comments (summarised):

- Whilst there are concerns on behalf of the Authority regarding certain aspects of protected site impacts and need for bespoke mitigation due to proximity to the sites, notes Natural England's support.
- BNG matters would benefit from some clarification, particularly the issue of classification of the garden areas post-development and the metrics to calculate requirements. It may be that this is accommodated as part of the deemed condition.
- Protected species issues are capable of mitigation and compensation and licence for loss of bat roost is likely to be issued if the measures outlined are proposed. Recommends that the measures of ecological mitigation compensation and enhancement in the two reports are the subject of conditions to secure development to proceed in accordance with them unless otherwise agreed in writing.

Environment Agency: Objection on the grounds that the development poses an unacceptable risk to life and property from flooding.

- The proposed ground and first finished floor levels of each unit will be set below the future design flood level identified. Therefore, the adequacy of a safe refuge and the flood resistance and resilience measures mentioned in the Flood Risk Assessment (FRA) will not provide safety to the occupants for the lifetime of the development within these conditions.
- The Applicant should note that the outcome of the Hurst Spit to Lymington Strategy should not be considered within this application, as there is no guarantee that it will directly benefit the proposed development.
- Concerned that the high flood depths will impact the structural stability of the listed buildings, especially considering the

paragraph in section 6.13 of the FRA, “The structural integrity of the walls will vary from place to place by virtue of differences in materials, age, condition, etc, and it is thought that testing this with flood water retention may find weak spots in the construction and is therefore not recommended.” Flood water depths of 600mm or more pose a significant risk to structural stability, which in this case is confirmed to be significantly higher than 600mm.

- Flood warning and emergency response are not within our direct remit or expertise but nevertheless are important considerations for managing flood risk for this development.

HCC Countryside Services: No objection in principle to this proposal but access to the various PROW that interact with the site, as well as the Solent Way, must remain available for safe public use during construction and occupation of the proposed dwellings. Vehicles accessing the site area should be aware of the footpaths and of the likelihood of encountering pedestrians. It is requested that informatives are added to any permission the planning authority may grant.

Historic England: No comment.

- In this case advice is not offered. This should not be interpreted as comment on the merits of the application. Suggest that the views of your specialist conservation and archaeological advisers are sought.

The Georgian Group: Support the principle of conversion, given they are at risk, accepting that this represents the best viable use for these important Grade II listed structures. The Georgian Group views the barns to be of high significance particularly in light of their accepted rarity; hence the nature of their conversion is naturally complex and sensitive. Welcome the applicant's Design, Access & Heritage Statement which reflects a good consideration of the barns' significance, and the resulting design constraints. We have read the comprehensive report by the Conservation Officer and endorse the concerns raised, with particular regard to minimising openings and to retaining some impression of the open nature and original scale of these barns internally. We recommend that the applicant reviews design articulation accordingly. In this case we support and defer to the expertise of the Authority's Conservation Officer.

Natural England: No objection subject to appropriate mitigation being secured.

6. REPRESENTATIONS

Lymington Society: In favour of the buildings being converted into residential properties as part of a scheme to restore and prevent their further deterioration therefore support the application subject to conditions. Comments:

- In favour of the barns being developed as two separate buildings rather than one building with a connection.
- The current plans lean too heavily towards creating habitable residential spaces at the risk of removing their essentially industrial character.
- Large number of new openings in the walls seem excessive.
- Introduction of first floor level across entire building detracts from the need to be able to read the original function of the buildings.
- A more open plan layout would better reflect the open nature of the industrial building.

Friends of the New Forest: Objection on the following grounds:

- The barns are of immense historical and industrial archaeological significance and their conversion to residential would result in the loss of this significance.
- The barns are a distinctive feature in the landscape of the salt marshes, which are in turn a distinctive feature of the National Park. The introduction of residential development would be a discordant feature and the domestication of this part of the area with the creation of domestic curtilages would have a detrimental effect on the more natural landscape of the marshes.
- The barns are visible from public rights of way which surround them and there is concern that the occupants would seek to close or divert these rights of way.
- Contrary to Policy SP16 as consider no case has been made that demonstrates that a residential use is the most appropriate use. Also contrary to SP7: Landscape character.
- There has also been no evidence put forward that uses alternative to residential have been considered such as office/low key industrial uses that would bring a modern use to the buildings but retaining the industrial character of them.

One letter of objection from local resident on the following grounds:

- Barns are in a nature reserve and would be contrary to policies for new dwellings in the countryside.
- The buildings have been allowed to deteriorate over the last few years.
- There are other possible uses that would enhance the original structure and surroundings.
- Other uses that would better enhance the original structure and surroundings.
- Residential does not appear to be the best option for the location.
- Would result in an increase of vehicle movements on the narrow access road which is shared by pedestrians.
- Obvious flooding hazard.
- Urbanization is encroaching nature reserve.
- The marsh areas not only protect ecology, but they provide opportunity for the public to experience space and tranquillity.

7. RELEVANT HISTORY

Conversion of two existing salt barns to residential; associated works (Application for Listed Building Consent)(25/00189LBC)- pending decision.

Realignment of footpath/track; access alterations; installation of estate fencing; reinforcement to bank (15/00632) granted on 17 November 2015

Installation of sea defence wall; realignment of footpath/track; access alterations; 1-metre high fence and gates (15/00306) refused on 16 June 2015

South Building: Internal Alterations; Joists; Flooring; Refurbishment of Window; Replacement Doors; Staircase to New First Floor; 2 Roof Lights, Upgrade Blocking of Openings; Re-point Brickwork. Aisled Building: Single Storey Extension; Windows Repaired / Replaced; Form Doorways; Repoint Brickwork; Repair / Piece Existing Boarding; Internal Staircase; Mezzanine; Installation of Paved Area (Application for Listed Building Consent) (12/97779) granted on 23 October 2012

Change of use to B1 office (aisled barn) and ancillary parking and storage (south barn); external alterations and single-storey extension (Application to extend time limit to implement planning permission ref. 09/94329) (12/97441) granted on 21 June 2012

South Building: Internal Alterations; Joists; Flooring; Refurbishment of Window; Replacement Doors; Staircase to New First Floor; 2 Roof Lights, Upgrade Blocking of Openings; Re-point Brickwork. Aisled Building: Single Storey Extension; Windows Repaired / Replaced; Form Doorways; Repoint Brickwork; Repair / Piece Existing Boarding; Internal Staircase; Mezzanine; Installation of Paved Area (Application for Listed Building Consent) (09/94337) granted on 04 May 2010

Change of use to B1 office (aisled barn) and ancillary parking and storage (south barn); external alterations and single-storey extension (09/94329) granted on 01 October 2009

Conversion of buildings to form two units of living accommodation; external alterations to both; extension to aisled barn (06/90881) refused on 19 February 2007

8. ASSESSMENT

Application Site

8.1 The application site comprises two Grade II listed brick buildings located adjacent to Moses Dock, a channel leading down to the Solent. The buildings lie to the east of Creek Cottage, a non-designated heritage asset. The buildings are currently disused other than for some storage purposes and have been deteriorating for a number of years.

8.2 The site lies outside of the defined New Forest villages and within the Lymington to Keyhaven Marshes Local Nature Reserve (LNR) and the eastern part of the site lies within the following ecological designations: Special Protection Area (SPA); Ramsar; and Site of Special Scientific Interest (SSSI).

8.3 The site lies within Environment Agency Flood Zones 2 and 3 for fluvial and coastal flooding, with the buildings sited within Flood Zone 3 (high probability of flooding) in an area with flood defences.

8.4 In relation to public rights of way, Lymington and Pennington Footpath 75 runs from the northeast through the site past the two salt barns, then southeast away from the site. Lymington and Pennington Footpath 77 runs along the site access from Lower Woodside to a junction with Footpath 75. Lymington and Pennington Footpath 509 runs south from Footpath 75 past the eastern boundary of the site.

Proposed Development

8.5 The application seeks permission for conversion of the two existing salt barns into residential use with associated works. The conversion would create two separate, two-bedroom dwellings. A concurrent application has been submitted for listed building consent.

8.6 It is proposed to extend the northern barn on its north-eastern elevation together with a smaller extension on the south-western elevation. Following receipt of amendments, it is proposed to retain more of the late 19th century wall which include a brick finish floor level, a nib on the south-east elevation, and retention of a section between the dining room and entrance hall.

8.7 In respect of the internal floor space, a full height element is proposed in the centre of the barn; and the partition between the proposed dining room and living space would be glazed. Existing openings would be maintained with additional fenestration on each elevation, the addition of three rooflights on the south-eastern roof slope and an additional door on the south-eastern elevation.

8.8 Extensions are not proposed to the southern barn. The internal works would include a full height element. Two rooflights are proposed on the north-east elevation, a window at first floor on the south-east elevation and an amendment to the fenestration/ openings on the north-west elevation. There would be no changes to openings on the south-west elevation facing Moses Dock.

Consideration

8.9 The key considerations are:

- The principle of the proposed development;
- The impact on heritage assets;
- Flood risk considerations;
- The impact on the landscape and coast;
- Ecological impacts;
- Highway and access considerations (including impact on public rights of way);

- The impact on neighbouring amenity; and
- Other material considerations.

Planning Background

8.10 By way of background, the application has been submitted following a pre-application submission in 2022. The pre-application advice set out that the physical condition of the barns was of concern; that they are vulnerable and at risk; and that extensive works would be required in order to ensure their retention. It set out the key relevant policy considerations and the policy position was summarised as:

"...the conversion of buildings to residential in the countryside is not generally acceptable, though their use as holiday accommodation may be supported. Any application along these lines would therefore need to demonstrate that there are no other viable and more appropriate, policy compliant, uses for the buildings and that the level of development proposed is the minimum required to secure their restoration and long-term conservation."

8.11 It then detailed other matters which would require consideration should an application be pursued following the receipt of the advice, including flood risk considerations.

Principle of Development

8.12 Policy SP4 sets out the Spatial Strategy for the New Forest National Park and seeks to direct new development towards to the defined New Forest villages (alongside site allocations) in the first instance. The site does not lie within a defined village and does not form part of a site allocation. In such instances, Policy SP4 states that development will only be permitted where:

- a. It is in accordance with Policy SP28 on Rural Exception Sites; or
- b. It is in accordance with Policy DP44 on employment sites; or
- c. There is an essential need for a countryside location; or
- d. It meets the specific locational needs for commoners, Estate Workers or agricultural dwellings; or
- e. It is an appropriate reuse or redevelopment of an existing building(s) in accordance with Policy DP49.

8.13 In respect of new residential development in the National Park, Policy SP19 permits new residential development where the proposal involves:

- a) The development of sites allocated for housing in the Local Plan;
- b) The implementation of extant planning permissions;
- c) The development of land previously unallocated or unidentified (windfall development) within the Defined Villages of the National Park (Policy SP4);
- d) Development that comes forward on appropriate rural exception sites (Policy SP28); and
- e) Housing for New Forest Commoners (Policy SP29); Estate Workers (Policy SP30) and tied agricultural dwellings (Policy DP31).

8.14 Policy SP19 does not explicitly support dwellings in this location outside of the defined villages and Policy SP4 permits development outside the defined villages where it comprises an appropriate reuse of existing buildings in accordance with Policy DP49.

8.15 Policy DP49 sets out that the re-use of buildings outside of the defined villages will be permitted provided that:

- a) the proposal would not result in the loss of an employment use or community facility and accord with Policy SP39;
- b) the proposal would not involve a residential use (other than in accordance with Policy SP19);
- c) the building is appropriate in scale and appearance to its location, and should be capable of conversion without significant extension or detriment to itself or its surroundings. The building must be structurally sound and capable of re-occupation without re-building; and
- d) in the case of agricultural or forestry buildings, the building must be genuinely redundant in its existing use and not capable of fulfilling any beneficial agricultural use.

8.16 The proposal would involve a residential use that would not be in accordance with Policy SP19 and would therefore be contrary to Policy DP49 (a). Consideration is also required to whether the buildings are structurally sound and capable of re-occupation without rebuilding. Essentially the proposed residential use of the buildings needs to be considered as an exception to policy, justified by other material planning considerations (such as safeguarding heritage assets).

8.17 With reference to Policy SP46 (Sustainable Tourism Development), the barns lie outside of the defined New Forest villages. In this location, visitor accommodation will be considered as part of a farm diversification scheme. The proposal falls outside of these requirements.

8.18 A further consideration is Policy SP21 (the size of new dwellings) which sets out that new dwellings permitted in the National Park will have a maximum total internal habitable floor space of 100 square metres. Both residential units from the proposed conversions and associated works would have an internal habitable floor space considerably in excess of 100 square metres.

8.19 The applicant has put forward evidence in a statutory declaration that the neighbouring Creek Cottage was formerly three residential units before being converted to one unit by the current owners. Therefore, the creation of two units through the conversion of the barns is viewed by the applicant as re-establishing a total of three units rather than further residential units. However, currently Creek Cottage comprises one residential unit on the adjacent site and the barns are noted in the design, access and heritage statement to have served as outbuildings for successive owners principally for storage as their location and attributes have not readily enabled them to be used for other purposes and the application description is for conversion to residential use. Our view is firmly that the application as proposed is for two net new dwellings.

8.20 Conflict has therefore been identified in terms of the principle of the proposed development with Policies SP4, SP19, DP49 and SP21 of the adopted Local Plan.

8.21 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This is assessed in the following paragraphs.

Heritage Considerations

8.22 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.23 Comments received from the Authority's Building Design and Conservation Team set out that the salt barns at Creek Cottage are thought to be the last remaining built structures associated with the salt boiling industry of Lymington. The barns are considered to provide high evidential, historic, architectural, and communal value as possibly the only surviving buildings relating to Lymington's Salt industry, a rare survival in their national context too, and through illustrating past construction techniques using local, vernacular materials. The salt barns are considered to be prominent local landmarks and form an important part of the cultural heritage of the National Park (linked to the first statutory Park purpose).

8.24 It is noted that the salt barns have been deteriorating over many years and are now considered vulnerable and at risk.

8.25 Paragraph 202 of the NPPF sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 210 states that in determining applications, local planning authorities should take account of:

- (a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) The desirability of new development making a positive contribution to local character and distinctiveness.

8.26 In addition, paragraph 221 of the NPPF sets out that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

8.27 Policy SP16 of the adopted Local Plan reflects NPPF policies and requires proposals to protect, maintain or enhance features of the historic and built

environment and, where appropriate, help secure a sustainable future for those heritage assets at risk.

8.28 In respect of the proposed works to facilitate the proposed conversion of the barns and the extension of the northern barn, the applicant's design, access and heritage statement concludes that the overall impact of the proposed works to the barns will be significant but positive, and will therefore not have an adverse effect on the significance of the property or its surroundings.

8.29 The Authority's Building Design and Conservation Team note that conversion of the barns will require extensive works to overcome structural and historic fabric defects. Following two site meetings and a number of discussions with the applicant and their agent, amended plans were received which responded to concerns over the internal floor plans, openings and design. The adaptive reuse of the buildings is therefore supported in principle from a conservation perspective.

8.30 In relation to the proposed use of the barns, the applicant's planning statement sets out that the current proposal focuses on the preservation and security of the salt barns for the future. It references previous applications, such as office use, which have been found not to be viable. The proposed residential use is stated to be the most viable way forward. No specific up to date viability report is provided. However, reference is made to application 06/90881 which explored agricultural, office and residential options, although it should be noted that this application and viability report was 20 years ago. The planning statement acknowledges areas of compliance and non-compliance with policy and states that the current application has learnt from what has gone before as follows:

- 1) The alterations and repairs to the listed buildings to enable residential use are sympathetic and considered with the building and setting first in mind.
- 2) The previously approved office use has shown that other uses have been considered but are not as viable.
- 3) The flood risk is still Flood Zone 3 as before but extra steps have now been proposed that will make occupants safer.

8.31 Notwithstanding the lack of detailed viability information, the Authority's Building Design and Conservation Team set out that, noting the planning history of the site and the applicant's supporting statements, residential use does appear to be their optimum viable use. Support from the Town Council, Georgian Group and the Lymington Society to the principle of the conversion is also noted.

8.32 As set out above in relation to re-use of buildings, Policy DP49 (c) sets out that the buildings should be capable of conversion without significant extension or detriment to itself or its surroundings. The buildings must be structurally sound and capable of re-occupation without re-building. The application includes a structural survey report and preliminary structural appraisal for first floor support drawing. The report states that the barns have been inspected from time to time since 1993 with the latest inspection undertaken in October 2021. It concludes that the temporary repairs that were put in place more than 30 years ago have been effective in supporting the main structural elements, even if they are inappropriate in scale, manner of support and materials. However, the repairs recommended to the previous owners in 2009 were never carried out because the development given planning consent was never acted upon. This has left the barns vulnerable

because the roofs are now in a much worse condition than in 2009 and the rate of deterioration is increasing. It recommends that the repairs specified in 1999 that were reiterated in 2009 be carried out in full, in conjunction with protecting the buildings by finding a purpose for them that makes such investment in their repairs worthwhile.

8.33 The Authority's Building Design and Conservation Team set out that, as noted by the British Archaeology Society, the internal structures should be self-supporting and cross section/elevation drawings should be provided to confirm this. Self-supporting structures would minimise the need for alterations to the fabric of the barns and prevent stresses on the historic structures, as well as maximising the reversibility of the new subdivisions and upper floors.

8.34 Additional comments have been provided by the Building Design and Conservation Team in relation to structural matters in early February 2026. Whilst the applicant has provided two preliminary structural appraisal plans, which has been welcomed, cross-section/elevation details are still required in order to understand how the new structural supports will interact with the historic fabric and hold the load of the first-floor accommodation. This is particularly important as the proposals following receipt of amended plans now significantly differ from the original proposal set out in the structural report and design, access and heritage statement, for example internal brick piers that appeared to provide structural support to the South Barn are now proposed to be removed. In addition, clarification is required in relation to the overall approach, which appears to differ between the design, access and heritage statement and the construction environmental management plan. Reference is made to the Environment Agency's concerns in relation to the structural stability of the buildings in relation to flooding and whether additional measures are required.

8.35 In respect of archaeology, the Authority's Archaeologist considers that the proposed development will see new areas of impacts not previously investigated and/or recorded and as such has the potential to negatively impact any in situ archaeological deposits. It is therefore recommended that all ground works are archaeologically monitored.

8.36 Overall, given the significance of the grade II listed buildings, there is a strong case for the proposed conversion in heritage terms. However, this is dependent upon structural information and an acceptable approach in relation to historic fabric and full details on this matter have not been provided to date.

Flood Risk

8.37 The application site is located in Environment Agency Flood Zones 2 and 3 with the barns located in Flood Zone 3 (high probability of flooding). The proposed development for residential use comprises a "more vulnerable use" as defined in the NPPF in flood risk terms within this zone.

8.38 Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. The Government's Planning Practice Guidance sets out that

changes of use can increase the vulnerability of the development or result in occupation or use by people who are more vulnerable than the previous occupants/users to risks from flooding. It states that older existing properties may not previously have been subject to a flood risk assessment and appropriate mitigation measures, or the nature or severity of the flood risk may have changed over time, requiring more appropriate mitigation.

8.39 Paragraph 181 of the NPPF states that development should only be allowed in areas at risk of flooding where it can be demonstrated that:

- a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) Any residual risk can be safely managed; and
- e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

8.40 Policy SP11 (Climate change) of the adopted Local Plan seeks to avoid development in areas at highest risk of flooding and Policy DP12 does not permit proposals where they are in high flood risk areas.

8.41 The applicant has submitted a site-specific flood risk assessment and the Environment Agency has been consulted. The Environment Agency objects to the proposals as the development poses an unacceptable risk to life and property from flooding. The site lies within Flood Zone 2 and 3, which is land defined by the Planning Practice Guidance as having a high probability of flooding. Notwithstanding the mitigation measures proposed, the risk to life and/or property, from tidal and fluvial inundation would be unacceptable if the development were to be permitted. The Environment Agency's consultation response sets out that the application does not demonstrate that occupants can remain safe for the lifetime of the development (100 years for residential) when allowances for climate change are taken into consideration. There is insufficient flood risk mitigation up to the design flood level and/or no specified arrangements for safe access and egress. The proposed ground and first finished floor levels of each unit will be set below the future design flood level identified. Therefore, the adequacy of a safe refuge and the flood resistance and resilience measures mentioned in the FRA will not provide safety to the occupants for the lifetime of the development within these conditions. This is a key requirement of national planning policy for development in areas of flood risk, and application 25/00188 does not demonstrate the requirements can be met for the proposed 'vulnerable' residential use.

8.42 In addition, the Environment Agency are concerned that the high flood depths will impact the structural stability of the listed buildings, especially considering the paragraph in section 6.13 of the FRA, "The structural integrity of the walls will vary

from place to place by virtue of differences in materials, age, condition, etc, and it is thought that testing this with flood water retention may find weak spots in the construction and is therefore not recommended.” Flood water depths of 600mm or more pose a significant risk to structural stability, which in this case is confirmed to be significantly higher than 600mm.

8.43 The agent's response to the Environment Agency's initial comments, considers that granting consent as an exception will allow the lifespan of the buildings to be prolonged whilst taking steps to minimise risk to occupants as far as possible. However, additional information, as set out in the Environment Agency's comments has not been provided.

8.44 The agent makes reference to the Hurst Spit to Lymington Strategy. However, the Environment Agency has stated that the Applicant should note that the outcome of the Hurst Spit to Lymington Strategy should not be considered within this application, as there is no guarantee that it will directly benefit the proposed development. The emerging Strategy pathway for this area of coastline is not looking to raise the existing sea defences in the future.

8.45 In terms of use for holiday accommodation, it has been clarified since the pre-application enquiry, that this use falls within the same flood risk vulnerability category as 'residential', as confirmed by the Environment Agency and therefore the same policy considerations as above would apply.

8.46 In summary, the proposed conversion and associated works raise very strong concerns in relation to flood risk considerations, contrary to Policies SP11, DP12 and national policy set out in the NPPF. The Environment Agency have an in principle objection to the proposals.

Landscape Impacts

8.47 In relation to Policy SP7 (Landscape Character), DP13 (Coastal Development) and Policy SP17 (Local Distinctiveness), the planning statement states that the external finishes of the landscape would be similar to the existing. For example, the gravel finish to the north-west of the site would be maintained (as parking) and where there is grass between and around beside the barns, this would be retained (as garden space). The hedges around the boundaries of the site would remain and would screen the garden areas from the adjacent footpaths. The Authority's Building Design and Conservation Team has commented that a landscaping condition would be required for hard and soft landscaping to include details of screening of bin stores; but that in principle the use of gravel, brick walling and hedgerows for boundary treatments is supportive. Overall, it considered that the proposed conversion and associated works would conserve and enhance the existing landscape and seascape character.

8.48 In respect of tranquillity, the proposed change of use would improve the visual appearance of the barns. Whilst the proposed use would impact on tranquillity, it is noted that office use was previously approved. The use of roof lights and any flues has been restricted. Details of any proposed external lighting have not been provided.

Ecological Impacts

Recreational Impacts

8.49 The site lies in a sensitive location in relation to ecological designations and the proposal would result in a net increase of two dwellings. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites. Adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Solent Recreation Mitigation Strategy (through the approved Bird Aware Solent scheme) or mitigation to at least an equivalent effect and that the development takes place in accordance with measures put forward in the Construction Environmental Management Plan. There is no objection from Natural England on this basis. The development would also be required to address in-combination recreational impacts on the New Forest's internationally designated sites.

Nutrient Impacts

8.50 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been included in this application and a condition could be included to address this issue. This is consistent with the approach adopted by other planning authorities in the Solent to address the issue and ensures the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met. There are nutrient mitigation credit schemes available within this part of the Solent catchment with credit capacity available.

Protected Species

8.51 An ecological survey has been undertaken identifying the presence of bat roosts within the buildings and that a European Protected Species licence will be required for any works within the buildings. The Authority must therefore be satisfied that the three tests for obtaining such a licence would be met. The first and second tests relate to the work being in the public interest, (this is met by its being in compliance with adopted Policy) and there being no satisfactory alternative (the development is the appropriate means of meeting the homeowners' requirements). In this instance, as highlighted above, the proposal is not compliant with the policies of the development plan and thus does not meet these tests. The third test relates to the maintenance of the conservation status of the population of protected species. Had the initial tests been met, this test would have been capable of being met subject to the work being carried out in accordance with the recommendations of the ecology report and the requirements of a licence.

8.52 In respect of potential impacts on other protected species, the Authority's Ecologist has advised that any consent should be conditioned to be in accordance with the method statement submitted unless otherwise agreed by the Authority. In addition, the NPPF attaches great weight to the conservation and enhancement of wildlife in a National Park setting, and Policy SP6 of the development plan further supports this requirement at a local level. The submitted report contains details and specifications for swift and bat features. The Ecologist has recommended that the measures and specifications of that report are conditioned to secure accordance with policy.

Biodiversity Net Gain

8.53 The proposal comprises an application for which biodiversity net gain (BNG) is now required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. The Authority's Ecologist has advised that BNG matters would benefit from some clarification but this may be that this may be accommodated as part of the deemed condition.

Transport Considerations

8.54 There are a number of footpaths in the vicinity of the barns, including the track from Lower Woodside, which would provide need to be used to provide vehicular access to the dwellings. It is understood that this was historically used by Creek Cottage, which has now created an alternative access directly from the road. Details of likely traffic generation have not been provided but it is anticipated that it would be lower than the previously approved office use. The CEMP includes details of measures relating to construction traffic.

8.55 Hampshire County Council Countryside Service has been consulted and have no objection in principle but state that access to the various public rights of way that interact with the site, as well as the Solent Way, must remain available for safe public use during construction and occupation of the proposed dwellings. The response also sets out that vehicles accessing the site area should be aware of the footpaths and of the likelihood of encountering pedestrians but informatives are requested should permission be granted.

8.56 Parking for the north barn is proposed to be to the east of the building, and parking for the south barn would be to the north of the building. Two parking spaces would be provided per dwelling. A parking space for visitors would be available across the track from the north barn. Swept path drawings have been provided for each parking area. Parking provision would meet the standards required by Annex 2 of the adopted Local Plan. Cycle parking provision has not been shown on the application drawings.

Impact on Neighbour Amenity

8.57 The only property in the immediate vicinity is Creek Cottage and this is in the same ownership as the barns. The physical alterations to the building would not have a direct impact on the amenities of the occupants of the cottage, through loss of light, outlook or privacy but the creation of two additional residential units would result in increased noise and disturbance from vehicular movements and

residential activities. These would be less regular and over the full day as opposed to the office hours that could have been anticipated from the previously approved office use.

Other

8.58 The foul drainage for both units is proposed to be managed by a package treatment plant to the east of the north barn. Surface water is proposed to be collected by the French drains and dispersed through a soakaway or discharged into the watercourse. The flood risk assessment states that the surface water strategy will not change from the existing arrangement and the surrounding ground level finishes will be permeable to prevent run-off and a flood risk increase elsewhere.

Planning Balance

8.59 The NPPF sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. In relation to this application, clear conflict has been identified with Policies SP4, SP11, SP19, SP21, DP12 and DP49 of the adopted Local Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the NPPF require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.60 Weighing in favour of the proposals, as set out above, residential use would appear to be the optimum viable use of the buildings and the adaptive reuse of the buildings set out in the amended information is supported from a conservation perspective, noting that structural information and clarifications have not been provided to date. Significant weight is afforded to these considerations.

8.61 However, weighing against the proposals, as set out in the Environment Agency's objection, the development poses an unacceptable risk to life and property from flooding. Very significant weight is attributed to flood considerations and it is concluded that this outweighs the above.

Conclusion

8.62 The historic significance of the barns is recognised and it has been put forward that residual use is the optimum viable use. Support from the Town Council, the Lymington Society and Georgian Group is noted. However, the proposed change of use and associated works would result in an unacceptable risk to life and property from flooding. Due to this, together with an absence of sufficient information on structural matters, refusal is recommended as the proposal would be contrary to Policies SP4, SP11, SP16, SP19, SP21, DP12 and DP49 of the adopted Local Plan and the NPPF.

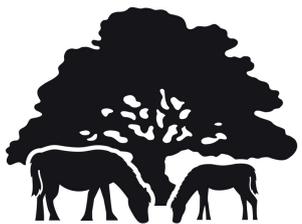
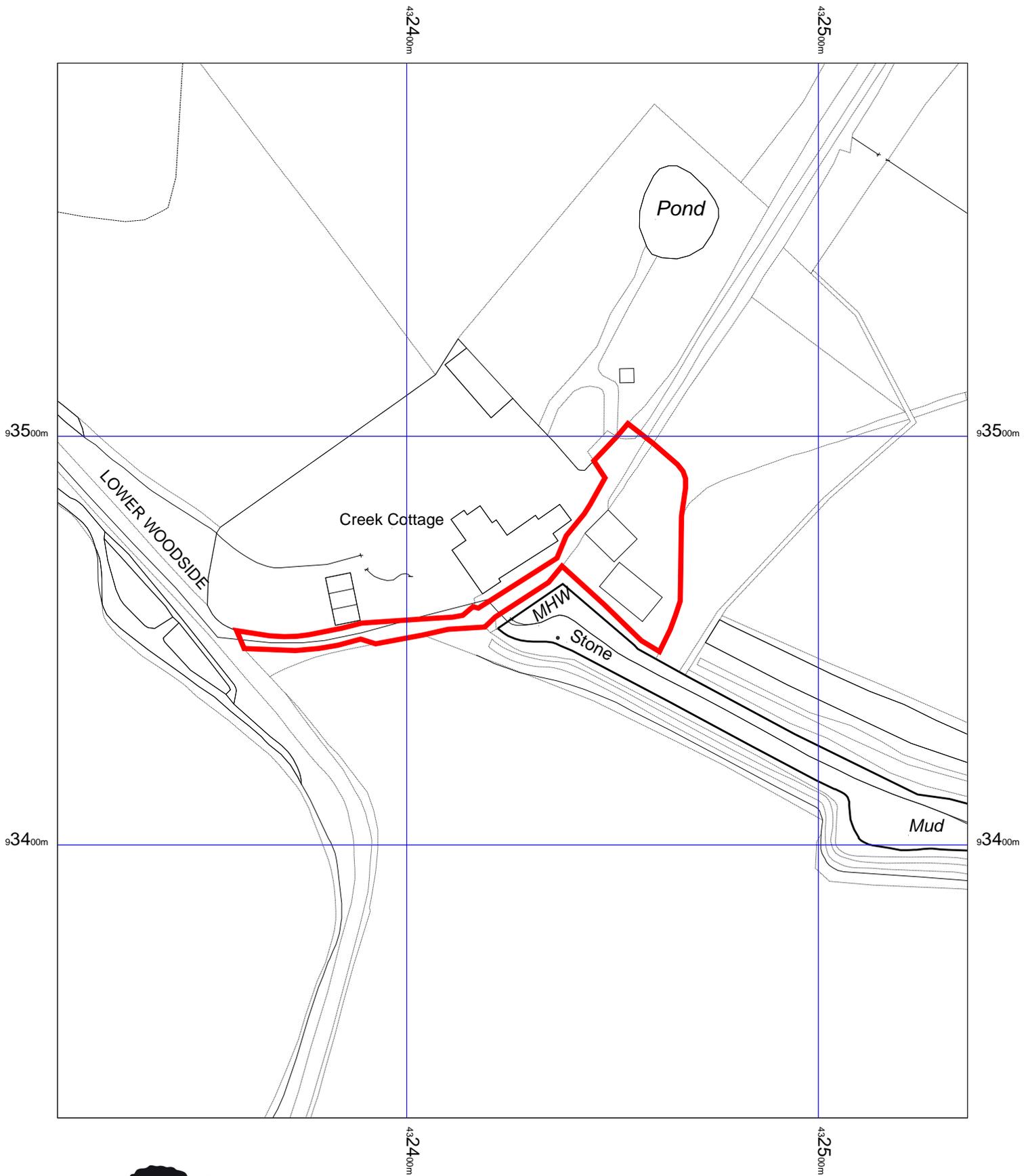
9. RECOMMENDATION

Refusal

Reason(s)

1. The proposed development would result in two net new dwellings within an area at high risk of flooding which would present an unacceptable risk to life and property from flooding. The application does not demonstrate that occupants can remain safe for the lifetime of the development (100 years for residential) when allowances for climate change are taken into consideration and there is insufficient flood risk mitigation up to the design flood level and/or no specified arrangements for safe access and egress. The proposed development would be contrary to Policies SP11, DP12, DP18 of the New Forest National Park Local Plan 2016- 2036 (August 2019) and the National Planning Policy Framework. Furthermore, the proposed development would not seek to further the purposes of the National Park, contrary to the requirement of Section 245 of the Levelling Up and Regeneration Act 2023, which amended Section 11A of the National Parks and Access to the Countryside Act 1949.

2. It has not been demonstrated that the grade II listed buildings are capable of conversion without significant detriment to themselves or their surroundings, contrary to Policies DP49(c) and SP16 of the New Forest National Park Local Plan 2016- 2036 (August 2019) and the National Planning Policy Framework.



NEW FOREST
NATIONAL PARK

New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 05/02/2026

Ref: 25/00188FULL

Scale: 1:1250

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Application No: 25/00189LBC Listed Building Consent

Site: Creek Cottage, Lower Woodside, Lymington SO41 8AJ

Proposal: Conversion of two existing salt barns to residential; associated works (Application for Listed Building Consent)

Applicant: Mr D Stevenson

Case Officer: Natalie Walter

Parish: Lymington and Pennington Town Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view

2. POLICIES

Development Plan Designations

Listed Building
Flood Zone

Principal Development Plan Policies

DP2 General development principles
DP12 Flood risk
DP18 Design Principles
DP49 Re-use of buildings outside the Defined Villages
SP11 Climate change
SP16 The historic and built environment

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places
Sec 14 - Meeting the challenge of climate change, flooding and coastal change
Sec 16 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Lymington and Pennington Town Council: Recommend Permission.
Town Council is in support of this application since it is the best way of ensuring that the salt barns continue to exist in perpetuity going forward.

5. CONSULTEES

Archaeologist: No objection subject to conditions.

- The buildings and site have been the subject of heritage recording and investigation conducted over the past years.
- Archaeological works to date have shown that the proposed development area has a high potential to contain in situ deposits and features associated with the construction, use and subsequent partial demolition of the 18th and 19th century salt boiling house and any associated features and structures. There is also the potential for evidence of activity prior to the construction of the boiling house.
- The proposed development will see new areas of impacts not previously investigated and/or recorded and as such has the potential to negatively impact any in situ archaeological deposits. Therefore, recommends that all ground works are archaeologically monitored, a watching brief.
- The proposed alterations to the barns are extensive and the fabric of the two barns is in poor condition. It is unclear how much of the current (original) historic fabric can be and will be retained. In both barns the current floors are to be removed, with the wooden floor in barn 1 replaced.
- Subject to the views of the NFNPA Building, Design and Conservation Officer, additional historic building recording may be appropriate before and/or during development due to the proposed alterations and the potential for access to and/or loss of historic fabric.

With the access to below floor deposits and loss of historic fabric when the floors are removed, it is recommended that floor removal and any subsequent excavations within the structures are also archaeologically monitored, a watching brief.

Building Design and Conservation Officer:

Support subject to conditions (following the receipt of amended plans)
(January 2026)

North Barn:

- The applicant is now proposing to retain more of the late 19th century wall following concerns over its loss which now include a brick finish floor level, a nib on the south-east elevation, and retention of a section between the dining room and entrance hall. It is considered that these elements will conserve our understanding and appreciation of this less significant wall that none-the-less contributes to the historic evolution of the building.
- The applicant is now proposing a full height element, approximately one third, in the centre of the historic barn that will permit a continued appreciation of the aisled barn form. This, along with the reduced number of openings, is welcomed and the revised design supported subject to conditions. It has been confirmed that the partition between the dining room and the main living space will be glazed, therefore concern over this element is withdrawn (subject to a details condition to include a cross-section of this element).

South Barn:

- The revised scheme overcomes concerns relating to openings and design, subject to conditions.

Conclusion:

- Heritage assets are an irreplaceable resource, as set out in paragraph 202 of the NPPF and should be conserved in a manner appropriate to their significance for the enjoyment of future generations.
- As noted within previous comments, the salt barns have been deteriorating over many years and are now considered vulnerable and at risk by the National Park Authority. Conversion of the barns will require extensive works to overcome structural and historic fabric defects, causing less than substantial harm. However, noting the planning history of the site and the applicants supporting statements, residential use does appear to be their optimum viable use. The team are supportive in principle of the adaptive reuse of these buildings that are considered both nationally and locally important heritage assets that positively contribute to the cultural heritage of the National Park.

Additional Comments on Structural Elements of Proposal (February 2026):

- Cross-section/ elevation details still required to understand how the structural supports will interact with the historic fabric and hold the load of the first floor accommodation.
- Repair specification appears absent from documents.
- Comments on measures required to increase flood resilience.

Council for British Archaeology: support the principle of the adaptive reuse of these buildings and commend the heritage-led approach taken by the application. Recommendations made to help ensure the proposals retain the significance of the barns wherever possible including in relation to the internal fabric, the internal walls and floors, fenestration and archaeological mitigation works.

6. REPRESENTATIONS

Hampshire Swifts: The buildings should have at least one swift brick per home, secured by condition.

Lymington Society: Supports the proposals put forward and glad to see these properties restored and brought back into use.

Friends of the New Forest: Object on the following grounds:

- The barns are of immense historical and industrial archaeological significance and their conversion to residential would result in the loss of this significance.
- The barns are a distinctive feature in the landscape of the salt marshes, which are in turn a distinctive feature of the National Park. The domestication of this part of the area with the creation of domestic curtilages would have a detrimental effect on the more natural landscape of the marshes.
- The barns are visible from public rights of way which surround them and there is concern that the occupants would seek to close or divert these rights of way.
- Contrary to policy in that it has not been demonstrated that alternative uses, that would be better suited to the buildings, have been considered.

One letter of objection on the grounds that:

- The essence of the serene area will be destroyed by allowing extra parking for cars and the current plans with a variety of windows and doors will diminish the character of the buildings.
- Agree with the comments made by the Conservation Officer.

7. RELEVANT HISTORY

Conversion of two existing salt barns to residential; associated works (25/00188FULL)- pending decision

Realignment of footpath/track; access alterations; installation of estate fencing; reinforcement to bank (15/00632) granted on 17 November 2015

Installation of sea defence wall; realignment of footpath/track; access alterations; 1-metre high fence and gates (15/00306) refused on 16 June 2015

South Building: Internal Alterations; Joists; Flooring; Refurbishment of Window; Replacement Doors; Staircase to New First Floor; 2 Roof Lights, Upgrade Blocking of Openings; Re-point Brickwork. Aisled Building: Single Storey Extension; Windows Repaired / Replaced; Form Doorways; Repoint Brickwork; Repair / Piece Existing Boarding; Internal Staircase; Mezzanine; Installation of Paved Area (Application for Listed Building Consent) (12/97779) granted on 23 October 2012

Change of use to B1 office (aisled barn) and ancillary parking and storage (south barn); external alterations and single-storey extension (Application to extend time limit to implement planning permission ref. 09/94329) (12/97441) granted on 21 June 2012

South Building: Internal Alterations; Joists; Flooring; Refurbishment of Window; Replacement Doors; Staircase to New First Floor; 2 Roof Lights, Upgrade Blocking of Openings; Re-point Brickwork. Aisled Building: Single Storey Extension; Windows Repaired / Replaced; Form Doorways; Repoint Brickwork; Repair / Piece Existing Boarding; Internal Staircase; Mezzanine; Installation of Paved Area (Application for Listed Building Consent) (09/94337) granted on 04 May 2010

Change of use to B1 office (aisled barn) and ancillary parking and storage (south barn); external alterations and single-storey extension (09/94329) granted on 01 October 2009

Conversion of buildings to form two units of living accommodation; external alterations to both; extension to aisled barn (06/90881) refused on 19 February 2007

8. ASSESSMENT

8.1 The application site comprises two Grade II listed brick buildings located adjacent to Moses Dock, a channel leading down to the Solent. The buildings lie to the east of Creek Cottage, a non-designated heritage asset. The buildings are currently disused other than for some storage purposes and have been deteriorating for a number of years.

8.2 The site lies outside of the defined New Forest villages and within the Lymington to Keyhaven Marshes Local Nature Reserve (LNR) and the eastern

part of the site lies within the following ecological designations: Special Protection Area (SPA); Ramsar; and Site of Special Scientific Interest (SSSI).

8.3 The site lies within Environment Agency Flood Zones 2 and 3 for fluvial and coastal flooding, with the buildings sited within Flood Zone 3 (high probability of flooding) in an area with flood defences.

8.4 In relation to public rights of way, Lymington and Pennington Footpath 75 runs from the northeast through the site past the two salt barns, then southeast away from the site. Lymington and Pennington Footpath 77 runs along the site access from Lower Woodside to a junction with Footpath 75. Lymington and Pennington Footpath 509 runs south from Footpath 75 past the eastern boundary of the site.

8.5 Listed Building Consent and planning permission are two separate regimes. For some proposed works both planning permission and Listed Building Consent will be needed and this is the case with the proposals relating to the salt barns associated with Creek Cottage. The assessment of an application for Listed Building Consent focuses on the impact of the proposed works on the special interest of the listed building.

Proposed Development

8.5 The application seeks listed building consent for conversion of the two existing salt barns into residential use with associated works. The conversion would create two separate, two-bedroom dwellings. A concurrent full planning application has been submitted for the same proposed works (application reference 25/00188FULL).

8.6 It is proposed to extend the northern barn on its north-eastern elevation together with a smaller extension on the south-western elevation. Following receipt of amendments, it is proposed to retain more of the late 19th century wall which include a brick finish floor level, a nib on the south-east elevation, and retention of a section between the dining room and entrance hall.

8.7 In respect of the internal floor space, a full height element is proposed in the centre of the barn; and the partition between the proposed dining room and living space would be glazed. Existing openings would be maintained with additional fenestration on each elevation, the addition of three rooflights on the south-eastern roof slope and an additional door on the south-eastern elevation.

8.8 Extensions are not proposed to the southern barn. The internal works would include a full height element. Two rooflights are proposed on the north-east elevation, a window at first floor on the south-east elevation and an amendment to the fenestration/ openings on the north-west elevation. There would be no changes to openings on the south-west elevation facing Moses Dock.

Planning Background

8.9 By way of background, the application has been submitted following a pre-application submission in 2022. The pre-application advice set out that the physical condition of the barns was of concern; that they are vulnerable and at risk; and that extensive works would be required in order to ensure their retention. It set

out the key relevant policy considerations and the policy position was summarised as:

"...the conversion of buildings to residential in the countryside is not generally acceptable, though their use as holiday accommodation may be supported. Any application along these lines would therefore need to demonstrate that there are no other viable and more appropriate, policy compliant, uses for the buildings and that the level of development proposed is the minimum required to secure their restoration and long-term conservation."

8.10 It then detailed other matters which would require consideration should an application be pursued following the receipt of the advice, including flood risk considerations.

Consideration

8.11 The key consideration in this Listed Building application is the impact of the proposal on the listed buildings and their setting.

8.12 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.13 Comments received from the Authority's Building Design and Conservation Team set out that the salt barns at Creek Cottage are thought to be the last remaining built structures associated with the salt boiling industry of Lymington. The barns are considered to provide high evidential, historic, architectural, and communal value as possibly the only surviving buildings relating to Lymington's Salt industry, a rare survival in their national context too, and through illustrating past construction techniques using local, vernacular materials. The salt barns are considered to be prominent local landmarks and form an important part of the cultural heritage of the National Park (linked to the first statutory Park purpose).

8.14 It is noted that the salt barns have been deteriorating over many years and are now considered vulnerable and at risk.

8.15 Paragraph 202 of the NPPF sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 210 states that in determining applications, local planning authorities should take account of:

(a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) The desirability of new development making a positive contribution to local character and distinctiveness.

8.16 In addition, paragraph 221 of the NPPF sets out that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

8.17 Policy SP16 of the adopted Local Plan reflects NPPF policies and requires proposals to protect, maintain or enhance features of the historic and built environment and, where appropriate, help secure a sustainable future for those heritage assets at risk.

8.18 The principle of the change of use has been assessed in the corresponding full planning application. Conflict with planning policies has been identified and this has been weighed against the benefits of the proposal for enabling development, concluding that overall the benefits are not outweighed and planning permission should be refused.

8.19 Having regard to the specific impact of the proposal on the listed buildings and their setting, in respect of the proposed works to facilitate the proposed conversion of the barns and the extension of the northern barn, the applicant's design, access and heritage statement concludes that the overall impact of the proposed works to the barns will be significant but positive, and will therefore not have an adverse effect on the significance of the property or its surroundings.

8.20 The Authority's Building Design and Conservation Team note that conversion of the barns will require extensive works to overcome structural and historic fabric defects. Following two site meetings and a number of discussions with the applicant and their agent, amended plans were received which responded to concerns over the internal floor plans, openings and design. The adaptive reuse of the buildings is therefore supported in principle from a conservation perspective.

8.21 In relation to the proposed use of the barns, the applicant's planning statement sets out that the current proposal focuses on the preservation and security of the salt barns for the future. It references previous applications, such as office use, which have been found not to be viable. The proposed residential use is stated to be the most viable way forward. No specific up to date viability report is provided. However, reference is made to application 06/90881 which explored agricultural, office and residential options, although it should be noted that this application and viability report was 20 years ago. The planning statement acknowledges areas of compliance and non-compliance with policy and states that the current application has learnt from what has gone before as follows:

- 1) The alterations and repairs to the listed buildings to enable residential use are sympathetic and considered with the building and setting first in mind.
- 2) The previously approved office use has shown that other uses have been considered but are not as viable.
- 3) The flood risk is still Flood Zone 3 as before but extra steps have now been proposed that will make occupants safer.

8.22 Notwithstanding the lack of detailed viability information, the Authority's Building Design and Conservation Team set out that, noting the planning history of

the site and the applicant's supporting statements, residential use does appear to be their optimum viable use. Support from the Town Council, Georgian Group and the Lymington Society to the principle of the conversion is also noted.

8.23 However, consideration is also required to structural matters and whether the buildings are capable of conversion without significant detriment to the buildings and their surroundings (as this would impact on the significance of the heritage assets and their setting).

8.24 The application includes a structural survey report and preliminary structural appraisal for first floor support drawing. The report states that the barns have been inspected from time to time since 1993 with the latest inspection undertaken in October 2021. It concludes that the temporary repairs that were put in place more than 30 years ago have been effective in supporting the main structural elements, even if they are inappropriate in scale, manner of support and materials. However, the repairs recommended to the previous owners in 2009 were never carried out because the development given planning consent was never acted upon. This has left the barns vulnerable because the roofs are now in a much worse condition than in 2009 and the rate of deterioration is increasing. It recommends that the repairs specified in 1999 that were reiterated in 2009 be carried out in full, in conjunction with protecting the buildings by finding a purpose for them that makes such investment in their repairs worthwhile.

8.25 The Authority's Building Design and Conservation Team set out that, as noted by the British Archaeology Society, the internal structures should be self-supporting and cross section/elevation drawings should be provided to confirm this. Self-supporting structures would minimise the need for alterations to the fabric of the barns and prevent stresses on the historic structures, as well as maximising the reversibility of the new subdivisions and upper floors.

8.26 Additional comments have been provided by the Building Design and Conservation Team in relation to structural matters in early February 2026. Whilst the applicant has provided two preliminary structural appraisal plans, which has been welcomed, cross-section/elevation details are still required in order to understand how the new structural supports will interact with the historic fabric and hold the load of the first-floor accommodation. This is particularly important as the proposals following receipt of amended plans now significantly differ from the original proposal set out in the structural report and design, access and heritage statement, for example internal brick piers that appeared to provide structural support to the South Barn are now proposed to be removed. In addition, clarification is required in relation to the overall approach, which appears to differ between the design, access and heritage statement and the construction environmental management plan. Reference is made to the Environment Agency's concerns in relation to the structural stability of the buildings in relation to flooding and whether additional measures are required.

8.27 Overall, it is concluded that, given the significance of the grade II listed buildings, there is a strong case for the proposed conversion in heritage terms. However, this is dependent upon structural information and an acceptable approach in relation to historic fabric and full details on this matter have not been provided to date. In addition, there is an absence of detail of any additional measures are required to increase the structural stability of the buildings, above

that set out in the initial flood risk assessment, or if flood doors/barriers/gates are proposed for the occupants as these measures will require consent.

Conclusion

8.28 The historic significance of the barns is recognised and it has been put forward that residual use is the optimum viable use. Support from the Town Council, the Lymington Society and Council for British Archaeology is noted. However, as set out above, whilst residential use would appear to be the optimum viable use of the buildings and the adaptive reuse of the buildings set out in the amended information is supported from a conservation perspective, there is an absence of structural information and clarifications have not been provided to date on the approach to the historic fabric.

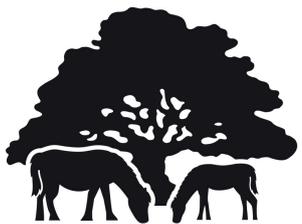
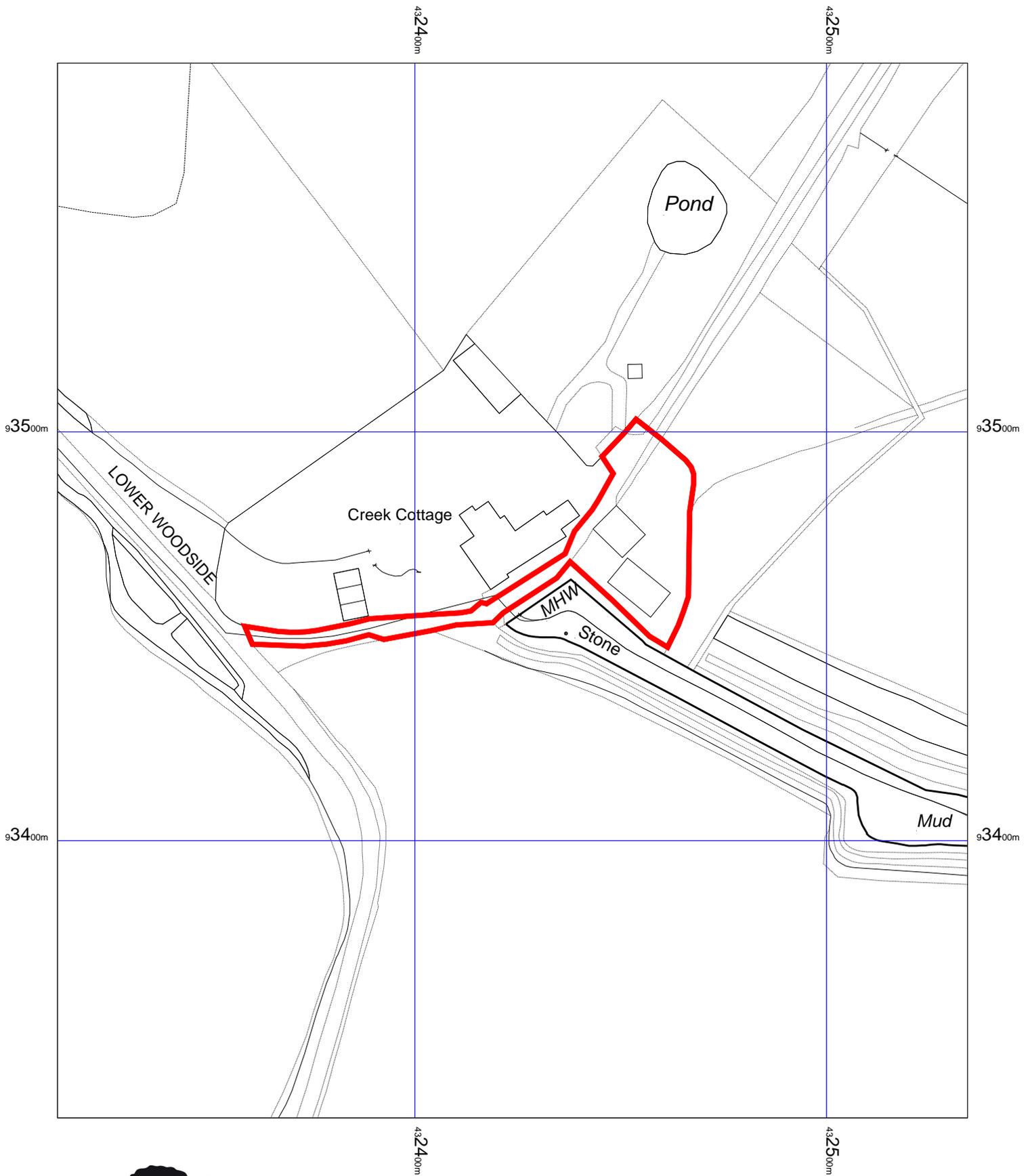
8.29 Having regard to this, a full assessment of the impact of the proposals on the features of special architectural or historic interest which the buildings possess cannot be made or whether the proposal would preserve the buildings and their setting, given the location within Flood Zone 3 (high probability of flooding) and potential impacts from this.

9. RECOMMENDATION

Refuse

Reason(s):

1. It has not been demonstrated that the grade II listed buildings are capable of conversion without significant detriment to themselves or their surroundings, contrary to Policies DP49(c) and SP16 of the New Forest National Park Local Plan 2016- 2036 (August 2019)s and the National Planning Policy Framework. Furthermore, the proposed development would not seek to further the purposes of the National Park, contrary to the requirement of Section 245 of the Levelling Up and Regeneration Act 2023, which amended Section 11A of the National Parks and Access to the Countryside Act 1949.



NEW FOREST
NATIONAL PARK

New Forest National Park Authority
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Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 05/02/2026

Ref: 25/00189LBC

Scale: 1:1250

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Application No: 25/01234FULL Full Application

Site: 11, Fleur-de-lys Park Homes, Pilley Hill, Pilley, Lymington SO41 5QJ

Proposal: Outbuilding; demolition of existing; hardsurfacing

Applicant: Mr & Mrs Fitzgerald

Case Officer: Liz Young

Parish: Boldre Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Development Plan Designations

Conservation Area
Listed Building (adjacent)

Principal Development Plan Policies

Policy SP1 Supporting sustainable development
Policy DP2 General development principles
Policy SP6 The natural environment
Policy SP16 The historic and built environment
Policy SP17 Local distinctiveness
Policy DP18 Design principles
Policy DP37 Outbuildings

Supplementary Planning Documents

Design Guide (2022)
Boldre Parish Design Statement (2013)

National Planning Policy Framework (2024) (NPPF)

Sec 2 Achieving sustainable development
Sec 4 Decision-making
Sec 12 Achieving well-designed places
Sec 15 Conserving and enhancing the natural environment
Sec 16 Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal (two responses) for the following reasons (summarised):

- Retrospective Application.
- Contrary to New Forest NPA and NFDC Licensing regulations.
- Concerns over commercial use.
- Noise disturbance.
- Inadequate provision for dog waste.
- Inappropriate materials.
- Fire risk.
- Lack of visitor parking.
- Proposed use is unclear.
- Harmful impact upon the living conditions of park home residents.
- Does not comply with DP2, DP8, DP18, SP6, SP15 and SP17.
- Request that the application should be determined at Planning Committee.

5. CONSULTEES

Building Design and Conservation Officer: No objections raised.

New Forest District Council (NFDC) Environmental Protection: No adverse comments:

NFDC – Environmental Health (Commercial): Comments:

- In its current location the dog kennel does not comply with the licence conditions attached to the Fleur de Lys Park caravan site.
- There should be a 4.5 metre clear distance between a combustible structure and any adjacent caravan. The distance from the kennels to 10 Fleur de Lys Park is 3.2 metres.
- The kennel is very close to the site boundary. The licence states that no caravan or combustible structure shall be positioned within 3 metres of the boundary of the site without prior written approval of the local authority.
- It is possible that with relocation, and permission being granted, compliance with the site licence could be achieved.
- Whilst not a licencing issue, it is also noted that the kennel does not comply with site rules for the site, which are rules set by the site owner, which apply to all site residents.

6. REPRESENTATIONS

Seven objections received on the following grounds:

- Contrary to Policies DP2 and SP15.

- Mobile home parks do not benefit from permitted development rights.
- Risk of intensification or commercial use (dog breeding and boarding) which would materially increase noise, activity, and waste and would be difficult to monitor, control or enforce.
- No waste, hygiene, drainage, or environmental management details have been provided.
- The siting and use of a kennel also cumulatively harms the character of the park home site, contrary to SP17 (Local Distinctiveness) and DP18 (Design Principles).
- The requirement for outbuildings to be modest is not relevant to a dog kennel use – and DP37 is therefore not relevant
- If permission is granted conditions should be imposed in relation to non-commercial use, number of dogs, noise management, waste management and drainage and restrictions on further structures being introduced.
- The development lies close to neighbouring properties.
- Noise disturbance associated with the kennel use has already occurred.
- Dogs within the kennel are typically left unattended for long periods and cause a persistent noise nuisance.
- No scope for noise mitigation.
- The development has reduced the saleability of the adjacent plot.

7. RELEVANT HISTORY

Retention of 12 caravans (NFR/XX/01323/3) granted on 17 Mar 1960

8. ASSESSMENT

Application Site

8.1 The Application Site (just under 200 square metres in size) comprises a residential caravan plot and its curtilage. The unit lies within a residential park home site which lies immediately to the rear of the Fleur-de-llys Public House, a Grade II listed building. The units all share a single point of access from Pilley Hill which lies to the north of the site. The site lies within the Forest South East Conservation Area. The rear boundary of the site is adjoined by the public house garden along with the garden of a private dwelling which lies immediately to the east. Neighbouring caravans lie to the north and south of the site. For the purposes of planning policy, the site lies within open countryside.

Proposed Development

8.2 Consent is sought to retain an outbuilding which replaces a pre-existing structure which lies to the rear of the site. Based upon the submitted plans, the pre-existing building (which appears to have been in place since at least 2014) had an external footprint of just over 10 square metres and an overall height of just under three metres. The replacement building has an external footprint of 15 square metres and an overall height of just under three metres. The majority of the building would be

used as a kennel, with a small area intended to be used as a garden shed.

8.3 By way of background, an amended site plan was received on 29 January adjusting the orientation of the building. It was not considered necessary to re-publicise the amendment as it did not alter the relationship between the development and neighbouring residential uses. The current position of the building on the site is as indicated on the previously submitted drawing and so in the event that consent is forthcoming it would be necessary to impose a condition to ensure the revised orientation as indicated on the latest drawing would be implemented within three months of any approval. The amendment was made so as to ensure the development would be more closely aligned to site licencing requirements and to ensure a greater degree of separation from the neighbouring park home plot.

Consideration

Development Principle

8.4 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.5 Policy DP37 supports the general principle of domestic outbuildings where they:

- are proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing;
- are located within the residential curtilage of an existing dwelling;
- are required for purposes incidental to the use of the main dwelling;
- are not providing additional habitable accommodation; and
- will not reduce private amenity space – including parking provision – around the dwelling to an unacceptable level

8.6 It is recognised that third party comments suggest that Policy DP37 is not relevant owing to the fact that the building is used as a dog kennel. It should be highlighted, however that Part 1, Class E of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GDPO") permits amongst other things any building or enclosure required for a purpose incidental to the enjoyment of a dwellinghouse, included in the definition of which is "*the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse*". Thus, the keeping of birds and animals in gardens and the erection of buildings and enclosures to house them does not require planning permission in many instances provided that the level of activity is "*incidental*". Whilst in this case planning permission is required, it should be recognised that Policy DP37 is consistent with the provisions within the GDPO in terms of its requirement for outbuildings to be

incidental to the dwelling they are intended to serve. Therefore, there is a recognition within both the GDPO and the Development Plan of the right for householders to develop outbuildings for incidental purposes - including the purpose of keeping domestic animals. Given that the development relates to a building required for the keeping of animals in association with the residential occupation of the mobile home, it can be concluded that Policy DP37 is relevant in this case.

8.7 In considering the incidental requirement (and concerns raised in relation to the potential for commercial uses to be introduced), previous legal rulings have established that six dogs would exceed the number normally kept in domestic circumstances (although there are differing views as to how rigidly figure this should be applied) but also that, regardless of scale, a functional relationship between the use concerned and the main dwelling must exist if it is to be demonstrated that no material change of use has occurred. In this instance, the use involves just three dogs (well below the six dog threshold) which are the pets of the Applicant. Given this, there is no reason to conclude that the keeping of three dogs within the building would not be incidental to the main dwelling.

8.8 In considering the other criteria contained within Policy DP37, in this instance, the proposal would remain modest in scale, notwithstanding the slight increase in footprint compared with the pre-existing structure. It would clearly be subservient to the main mobile home as a result of its simple construction and modest overall height. The development lies wholly within the established residential curtilage of the mobile home, is used in association with the residential use on the site and does not include any form of habitable accommodation. Because the development is located to the rear of the site and would only occupy a modest proportion of the overall garden area, it would not significantly reduce amenity or parking provision. Overall, it is therefore concluded that the development is in accordance with Policy DP37 and on this basis is acceptable in principle.

Design and Character

8.9 With regards to impacts upon local character and landscape, given the modest scale of the development and its location within an established garden area to the rear of the mobile home it is considered that it is appropriate in terms its scale, appearance, form, siting and layout. For the same reason it is also considered to be contextually appropriate and does not harm key visual features, landscape setting or other valued components of the landscape.

8.10 Overall it is concluded that, as required by paragraph 89 of the NPPF, the development design is sensitive to its surroundings and would also be in accordance with Policies SP1, DP2, DP18 and SP15.

Historic Environment

8.11 As identified above, the site lies within the Forest South East Conservation Area and to the rear of the Fleur de Lys Public House (Grade II listed).

8.12 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Act requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

8.13 Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

8.14 Policy SP16 requires development to conserve and enhance the significance or special interest of designated heritage assets. It also states that proposals that would harm the significance or special interest of a heritage asset will be resisted unless any harm is outweighed by the public benefits of the proposal, proportionate to the degree of harm and significance.

8.15 Having regard to the distance between the development and the Grade II listed building, the modest scale of the development and the presence of intervening features, it is considered that the development does not have a significant harmful impact upon the setting of the Fleur de Lys Public House. Similarly, because the development lies within the confines of the existing mobile home park, is sensitively sited and is modest in scale, it does not impact significantly upon the character and appearance of the conservation area.

8.16 Overall, it is concluded that the development preserves the setting and significance of adjacent listed buildings as required by Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990). The proposal would conserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990) and Policy SP16 of the adopted Local Plan.

Amenity

8.17 Policy DP2 states that development should not result in unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading. Whilst the outbuilding is readily visible from neighbouring properties, its modest scale and the absence of any openings facing towards the boundaries with the neighbours ensures it does not give rise to significant adverse impact upon the living

conditions of neighbouring properties as a result of visual intrusion, overlooking or shading. On this basis, it is concluded that no conflict with Policy DP2 has been identified.

8.18 It is recognised that a number of third party concerns have been raised in relation to the impact of noise nuisance resulting from the development. On this issue, the NPPF in paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise (and other things).

8.19 Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, the NPPF states that they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development.

8.20 In considering the baseline situation, it is understood that the units within the mobile home park have a very limited degree of separation and also limited scope for acoustic mitigation, given the nature of their construction. Given the presence, however, of domestic / vehicular activity in the locality, alongside the adjacent public house it is recognised that the immediate sound environment is already influenced by certain noise sources to some degree.

8.21 As identified above, the application building is intended to be used as a dog kennel. Its overall size measures 15 square metres and it has been designed to accommodate three dogs. Whilst the external footprint is larger than the pre-existing structure, the internal configuration (three separate dog kennels) has not changed from the pre-existing structure based upon the submitted plans (with the additional footprint now accommodating a shed as opposed to additional accommodation for dogs). Having regard to this, alongside the fact that there would be nothing preventing dogs from being kept on the site in the absence of the development, it is considered that the development would not directly give rise to or facilitate a harmful or significant increase in noise levels.

8.22 In having regard to the Explanatory Note to the Noise Policy Statement for England (NPSE) (Department for Environment, Food & Rural Affairs, 2010) (see NPPF footnote 72), there is no available evidence in this case which indicates that noise levels resulting from the development have resulted in a material change in behaviour due to noise on the part of local residents, which would suggest the development does not result in Significant Observed Adverse Effect Level (SOAEL) being reached.

8.23 Overall, it is concluded that the development does not result in unacceptable adverse impacts associated with noise pollution, that it adequately avoids unacceptable environmental impacts on the National

Park and its special qualities and that it is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. The development is therefore in accordance with Policies DP2, SP15 and paragraphs 187 and 198 of the NPPF.

Natural Environment

8.24 With regards to impacts upon the natural environment, the location of the development is such that it would not necessitate the removal of or compromise the long-term retention of any notable trees or hedgerows. The development also does not lie within or adjacent to any nature conservation sites and, given that it replaces a pre-existing outbuilding within the curtilage, it is unlikely to impact significantly upon any local ecological interests.

8.25 It is recognised that biodiversity net gain is now required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. In this instance, it has been established that the proposal is exempt from mandatory BNG under Regulation 4(1) of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 as it comprises development that does not impact an onsite priority habitat, impacts upon less than 25 square metres of onsite habitat and impacts on less than 5 metres in length of onsite linear habitat.

Licencing

8.26 It is recognised that concerns have been raised that the development is in breach of site licencing requirements. As a foremost it should be recognised, however, that planning and pollution control systems are separate but complementary in that they are designed to protect the environment from potential harm caused by development and operations. The planning system is not designed to duplicate controls which are the statutory responsibility of other bodies.

8.27 Accordingly, the NPPF makes it clear that the focus of planning decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes (where these are subject to separate regimes) – and that planning decisions should assume that these regimes will operate effectively - a point emphasised in the Government's proposed changes to the NPPF (December 2025). Having regard to this, the concerns raised in relation to licencing would not amount to a material planning consideration in this case. Aside from this, as identified above, the orientation of the building as applied for would be compliant with NFDC licencing requirements. It is important to emphasise that any conflicts with the Site Licence are for New Forest District Council to address as the statutory licensing authority for this area of the National Park. The National Park Authority's remit is focused on assessing the planning merits of the application. In doing so we must assume that other regulatory regimes and processes (e.g Environmental Health and noise abatement controls) that are delivered by other statutory bodies operate effectively.

Other Considerations

8.28 It is recognised that concerns have been raised in relation to dog waste and visitor parking. However, a refusal on the grounds of these concerns would not be sustainable given the nature and scale of the development. Furthermore, the provision of visitor parking would not be of direct relevance to the development concerned. Any matters relating to fire risk can reasonably be addressed under any site licencing requirements. A condition restricting the right to carry out any further development would not be reasonable or necessary given that the site comprises a mobile home and does not benefit from permitted development rights.

8.29 With regards to third party suggestions that conditions should be imposed in relation to noise management, waste management and drainage, given the very modest scale of the development, such conditions would not be reasonable or necessary as such controls are not typically in place for the keeping of domestic pets. Furthermore, in the event that any noise issues do arise, as outlined within comments from the Environmental Protection Officer, such impacts could reasonably be addressed satisfactorily through the use of powers under the Environmental Protection Act. With regards to a restriction on the number of dogs, the size and design of the building would sufficiently limit the scope to increase the overall number of dogs on site to any significant degree. However, in accordance with Policy DP37, there would be scope to impose a condition to ensure the building would be used for purposes incidental to the main dwelling on site.

8.30 Concerns raised in relation to the impact the development has had upon the marketing of the adjacent site is not a material planning consideration.

Conclusion

8.31 It is recognised that a number of third party objections have been raised in this case and the matters raised have been discussed between the parish council, New Forest District Council (as the statutory licensing authority) and the National Park Authority. However, the number of comments alone would not be determinative of the outcome of the application as it is necessary to have regard to the materiality and nature of the objections raised along with the extent to which these demonstrate a conflict with the Development Plan or overriding material planning considerations.

8.32 In this instance, it is concluded that the general principle of the proposed development is established through Policy DP37. Furthermore, having regard to the above assessment, it is concluded that in accordance with Policies SP1 and DP2 the development adequately respects, conserves and enhances the natural beauty, historic environment, landscape character and cultural heritage of the National Park and its special qualities. If there are issues relating to compliance with the Site Licence, New Forest District Council have the statutory responsibility for monitoring and enforcement.

8.33 It is therefore recommended that planning permission should be granted subject to conditions.

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

1. Development shall only be carried out in accordance with the following drawings:

Site Location Plan - Drawing Number

Site Plan - Drawing Number 04111 Rev C

Proposed Floor and Roof Plan - Drawing Number 04110 Rev A

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

2. The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms or for any commercial use.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

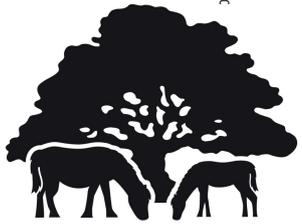
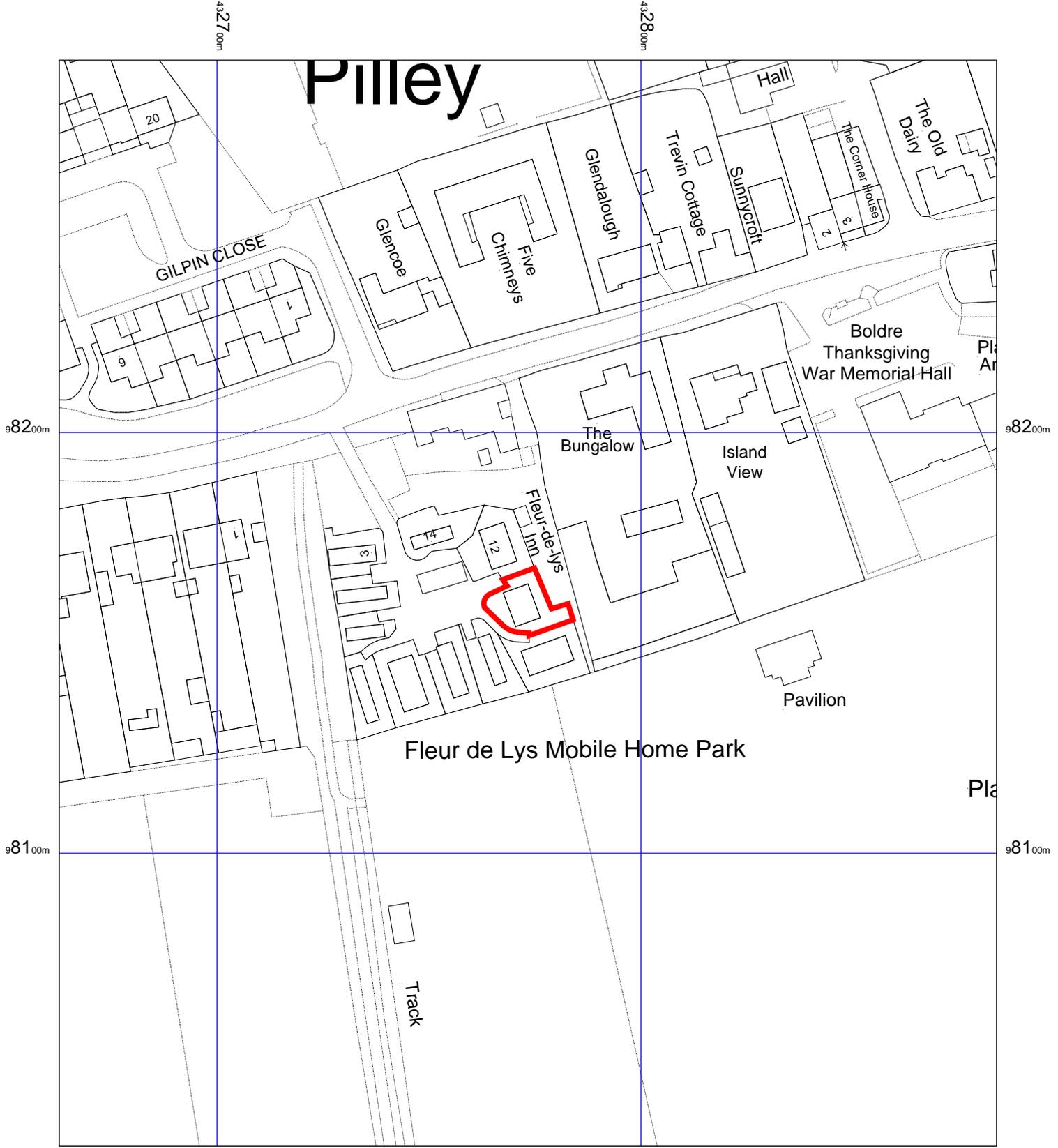
3. The approved siting of the building as indicated in Drawing 04111 Rev C shall be implemented in full within 3 months of the date of this decision and the building shall thereafter be retained in the approved position.

Reason: The current position of the building differs from the positioning applied for and it is therefore necessary to ensure development is undertaken in accordance with the submitted drawings within an appropriate timeframe.

Informative(s):

1. Should issues arise in relation to nuisance, the New Forest District Council will carry out an investigation into the matter and request any necessary actions to be taken in order to mitigate any nuisance caused by the proposed activity.

Therefore, the granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received



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New Forest National Park Authority
Lymington Town Hall, Avenue Road,
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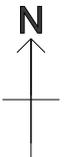
Tel: 01590 646600 Fax: 01590 646666

Date: 05/02/2026

Ref: 25/01234FULL

Scale: 1:1250

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Application No: 25/01327FULL Full Application

Site: Moorview Cottage, Winsor Road, Winsor, Southampton,
SO40 2HP

Proposal: Two storey side extensions; replacement porch

Applicant: Steven & Kenzie Waters

Case Officer: Lindsey Chamberlain

Parish: Copythorne Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Development Plan Designations

Conservation Area

Principal Development Plan Policies

DP2 General development principles
DP18 Design principles
DP36 Extensions to dwellings
SP15 Tranquillity
SP16 The historic and built environment
SP17 Local distinctiveness

Supplementary Planning Documents

Design Guide SPD
Copythorne Parish Design Statement SPD

NPPF

Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

3. PARISH COUNCIL COMMENTS

Copythorne Parish Council: Recommend permission for the reasons listed below:

- Complies with DP36.
- Improved on the current look of the property.
- No objections from neighbours.

5. CONSULTEES

Building Design and Conservation: Unable to support. Comments (summarised):

- Design appears to overwhelm the rear elevation due to its size, bulk and massing, and is considered to lack subservience to the original dwelling.
- Concerns are raised over the proposed large openings to the rear elevation.
- Overall, the proposal is not considered to be sympathetic to the architectural and historic interest of the non-designated heritage asset, nor the character and appearance of the Conservation Area causing less than substantial harm.

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

No relevant planning history.

8. ASSESSMENT

Application Site

8.1 The application site is accessed from Winsor Road in Winsor and is located opposite the village hall. The site is within the Forest North East Conservation Area and the dwelling is a building of vernacular detailing and local historic interest that is included on the National Park's Local List of Heritage Assets. It is therefore considered to be a 'non-designated heritage asset' in relation to national planning policy as set out in the NPPF (December 2024).

Proposed Development

8.2 This application seeks permission for a side and rear extensions and enlargement of the existing porch. The side extension would comprise of two storeys. To the rear, the existing conservatory would be removed and the two single storey elements replaced with two, two-storey extensions. On the rear, windows are proposed together with the middle gable at ground floor level including glazed doors with glazing either side, and

apex glazing to the eastern gable. No windows are proposed to the side elevations, only a door proposed on the north-east elevation.

8.3 The property currently has two chimney stacks at either end of the property and the proposal seeks to remove the chimney to the south-western side, the elevation where the new two storey extension is proposed.

8.4 To the front, a replacement porch is proposed to be constructed in brick to match the existing.

8.5 With regards to the materials, facing brickwork, interlocking tiles and windows are all proposed to match the existing.

Consideration

8.6 The key considerations in this case are compliance with Policy DP36; the proposed design and impact on heritage assets (designated and non-designated).

8.7 The dwelling is located outside of the defined New Forest villages and is not a small dwelling. Therefore the 30% floor space restriction contained within Policy DP36 applies. The proposal would comprise a 30% increase and would therefore meet the floor space requirements of the policy. Policy DP36 also requires extensions to be appropriate to the existing dwelling and its curtilage and the New Forest National Park Design Guide (2022) states that extensions need to be carefully considered in order to enhance and complement the existing dwelling. Extensions should be proportionate and subservient, reflecting the beauty and quality of place of the New Forest. This is consistent with the guidelines in the adopted Copythorne Parish Design Statement (2025). This is considered further in the paragraphs below.

8.8 Moorview Cottage has been identified as a building of vernacular detailing and local historic interest that is included on the National Park's Local List of Heritage Assets, and positively contributes to the character and appearance of the Forest North East Conservation Area. Comments from the Authority's Building Design and Conservation Officer consider that Moorview Cottage and the next door Inglenook Cottage were constructed as a pair. The property forms part of an important group, noted within the Conservation Area Appraisal, of late 19th/early 20th century development and is bordered to the front by a hedge marked on a character area map as a prominent hedge.

8.9 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Paragraph 189 of the National Planning Policy Framework (NPPF) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, and that the conservation and enhancement of wildlife and cultural heritage are important considerations that should be given great weight in National Parks.

8.10 Paragraph 202 of the NPPF sets out that heritage assets including sites and buildings of local historic are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Policy SP16 of the Local Plan provides stronger heritage protection than the NPPF, requiring that development within the National Park should conserve and enhance the significance or special interest of designated or non-designated heritage assets. They should: (a)(iii) make a positive contribution to, or better reveal, or enhance the appreciation of, the significance or special interest of a heritage asset or its setting. Proposals will be resisted where they would harm the significance or special interest of a heritage asset (designated or undesignated) unless any harm is outweighed by the public benefits of the proposal, proportionate to the degree of harm and significance of the asset, including securing its optimum viable use.

8.11 The Authority's Building Design and Conservation Team have been consulted and are unable to support the proposals. Although there is a single storey lean-to extension to the side of the dwelling, it does not impact the existing balanced façade which is an important New Forest Cottage characteristic replicated in many of the cottages along Windsor Road. The proposed two storey side extension, although stepped back by approximately 20cm and the ridgeline stepped down by approximately 10cm, will impact that balanced, symmetrical façade of the Cottage and see the removal of the righthand chimney, considered an important traditional feature.

8.12 To the rear, the proposal is for two open gable extensions either side of the existing two storey elevation which, although stepped back by approximately 15cm, will be approximately 20cm wider and on the same ridgeline. This design appears to overwhelm the rear elevation due to its size, bulk and massing, and is considered to lack subservience to the original dwelling.

8.13 As noted within the New Forest National Park's Design Guide in paragraph 4.11, traditional buildings were very simple in their design and the relationship between solid wall and glazing was important. Concerns have been raised by the Building Design and Conservation Team about the proposed glazing to the rear of the property in terms of size of openings and design, appearing incongruous on the dwelling and not visually cohesive with the traditional New Forest Cottage character. Of particular concern is the proposed first floor apex glazed bedroom window which, along with increased number of large windows, will increase light spill onto the tranquil countryside to the rear. The proposed design is therefore not considered to meet Policies DP2, SP15 and DP18 of the adopted Local Plan.

8.14 Furthermore, overall, the proposal is not considered to be sympathetic to the architectural and historic interest of the non-designated heritage asset, nor the character and appearance of the conservation area causing less than substantial harm. The proposal would also fail to conserve or enhance the landscape and scenic beauty, as well as the cultural heritage of the National Park. No public benefits

have been put forward to offset this harm. The proposals therefore conflict with Policy SP16 of the adopted Local Plan.

8.15 Copythorne Parish Council have reviewed the application and have recommended permission, commenting that the proposal complies with DP36; improves the look of the property and there are no objections from neighbours. However, as detailed above, the proposal does not comply fully with the requirements of Policy DP36 and would conflict with Policies DP2, SP15, DP18 and SP16 of the adopted Local Plan.

Conclusion

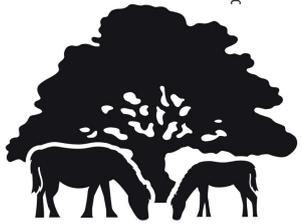
8.16 The proposed development, by virtue of its scale and design would not be in keeping with or appropriate to the existing dwelling and its setting. The proposal would cause less than substantial harm to the significance of heritage assets. It has not been sufficiently demonstrated that the harm has been outweighed by public benefit. The proposal would be contrary to the requirements of Policies DP2, DP18, SP15 and SP16 of the adopted Local Plan, the Design Guide SPD and the NPPF.

9. RECOMMENDATION

Refuse

Reason(s) for refusal:

1. The proposed development, by virtue of its scale and design would not be in keeping with or appropriate to the existing dwelling and its setting. The proposal would cause less than substantial harm to the significance of a non-designated heritage asset and it would fail to be appropriate or sympathetic to its setting within the conservation area. It has not been sufficiently demonstrated that the harm has been outweighed by public benefit. The proposal would be contrary to the requirements of Policies DP2, DP18, SP15 and SP16 of the New Forest National Park Local Plan 2016-2036 (August 2019), the National Planning Policy Framework and the Design Guide SPD. Furthermore, the proposed development would not seek to further the purposes of the National Park, contrary to the requirement of Section 245 of the Levelling Up and Regeneration Act 2023, which amended Section 11A of the National Parks and Access to the Countryside Act 1949.



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New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

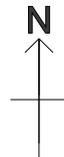
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Date: 05/02/2026

Ref: 25/01327FULL

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Application No: 25/01351VAR Variation / Removal of Condition

Site: Langley Tavern, Lepe Road, Langley, Southampton SO45 1XR

Proposal: Application to vary condition 2 of planning permission 24/01334FULL for Single storey rear extension; storage unit in designated storage area to rear of building

Applicant: Mr D Strydom

Case Officer: Julie Blake

Parish: Fawley Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Principal Development Plan Policies

DP2 General development principles
 DP18 Design principles
 DP45 Extensions to non-residential buildings and uses
 SP15 Tranquillity
 SP17 Local distinctiveness
 SP39 Local community facilities

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places
 Sec 15 - Conserving and enhancing the natural environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Fawley Parish Council: Recommend permission; the Parish Council has no comments on this application.

5. CONSULTEES

None required.

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

Single storey rear extension; storage unit in designated storage area to rear of building (24/01334FULL) granted on 21 May 2025

Single storey extension; alterations to fenestration (16/00217) granted on 11 May 2016

Retention of extension to car park (10/95678) refused on 21 December 2010

Children's Play Area; Storage Shed; Air Conditioning Unit (10/95343) granted on 16 August 2020

Two-storey side extension to provide 3 additional letting bedrooms and further restaurant space (09/94655) granted on 04 May 2010

8. ASSESSMENT

Application Site

8.1 The Langley Tavern is a public house which lies outside of any defined settlement boundary and is accessed from Lepe Road. There is an area of public parking to the front of the premises and a less formal, gravelled area of parking on its northern side. At the side and rear (south and west) of the building is a pub garden with seating and children's play apparatus. The pub is a prominent building within the residential street scene with a public footpath predominantly running along its northern boundary leading to more residential dwellings to the west of the site. This footpath diverts along the rear of the site leading to open countryside to the south.

Proposed Development

8.2 This application seeks to vary Condition 2 of planning permission reference: 24/01334FULL which reads as follows:

"Within six months of the date of this permission, all shipping containers other than the container shown on drawings 005E, 006A, 007B, 008B shall be removed from the site.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)."

It is now proposed to retain the containers for a further 18 months to allow materials relating to the pub to be stored on site whilst a new scheme is prepared and submitted.

Consideration

8.3 The key considerations are the impact of the proposal on the site, the surrounding area and on neighbour amenity.

8.4 The shipping containers, whilst designed to be temporary, are considered to be buildings due to their size and permanence. They are not a form of storage that is generally encouraged in the National Park.

8.5 By way of background, the shipping containers have been the subject of an enforcement case and were on site prior to the submission and approval of application 24/01334FULL. This application sought planning permission for an extension to the public house and included condition 2, which relates to the two containers located along the north boundary of the site within a parking area, adjacent to the footpath and required their removal within six months of the date of the permission. The extension has been completed and there are no current works taking place to which these shipping containers are connected. The date of the decision notice of planning permission reference: 24/01334FULL was 21 May 2025 therefore the containers have been on site for substantially longer than six months.

8.6 Further information was sought from the applicants in respect of the proposed 18-month time period; the nature of the items requiring storage; the relationship with the day to day running of the business; and whether any other alternative off site storage solutions had been explored. No further information has been received to justify their retention.

8.7 The application form states that the reason given for the retention of the containers for a further 18 months is to allow time for a new scheme to be prepared. Recent planning records show that there have been no pre-application enquiries or planning application submissions and there is no indication of when such enquiries or submissions will be made.

8.8 Paragraph 139 of the National Planning Policy Framework (NPPF) states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. With regards to the appearance of the containers, it appears that no measures have been taken to minimise their visual impact and they are not considered to be contextually appropriate. They are prominent from the amenity space of the public house, clearly visible from outside of the site and from the immediately adjacent residential dwellings. Their industrial appearance is out of character with the site and inappropriate to the surroundings. Retention for a further 18 months is considered contrary to Policy DP2 which requires development to be appropriate in terms of scale, appearance, form, siting and layout. It would also be contrary to Policy DP18, which requires development to enhance the built environment of the New Forest, and Policy SP17, which does not permit development which would result in a gradual

suburbanising effect within the National Park. The detrimental visual impact is not outweighed by the limited justification provided for retention.

Conclusion

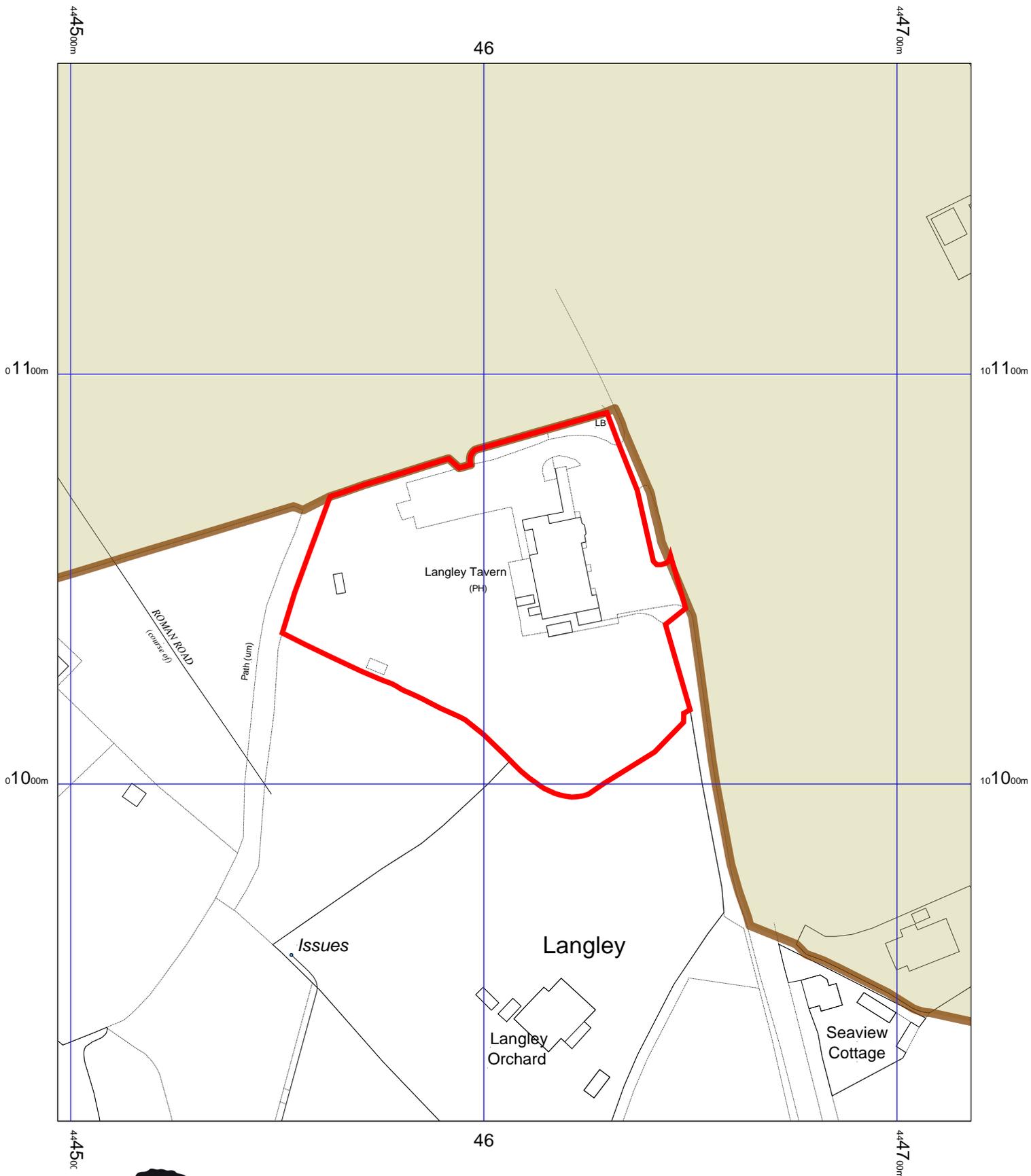
8.9 For the above reasons, refusal is recommended as the proposal would be contrary to Policies DP2, DP18 and SP17 of the New Forest National Park Authority Local Plan 2016-2036 (August 2019), the Design Guide SPD (2022) and the National Planning Policy Framework.

9. RECOMMENDATION

Refuse

Reason(s) for refusal:

1. The development, by virtue of its scale, siting and appearance is not in keeping with or contextually appropriate to the site and its surroundings. It has not been demonstrated that the proposed siting for an additional 18 months has been justified and the extended time period would result in development which would not enhance the built environment of the New Forest and would result in a gradual suburbanising effect within the National Park. The proposal is contrary to Policies DP2, DP18, and SP17 of the New Forest National Park Authority Local Plan 2016-2036 (adopted 2019), the Design Guide SPD and the National Planning Policy Framework. Furthermore, it would not further the purposes of the National Park, contrary to the requirement of Section 245 of the Levelling Up and Regeneration Act 2023, which amended Section 11A of the National Parks & Access to the Countryside Act 1949.



New Forest National Park Authority
 Lymington Town Hall, Avenue Road,
 Lymington, SO41 9ZG

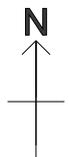
Tel: 01590 646600 Fax: 01590 646666

Date: 05/02/2026

Ref: 25/01351VAR

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Notification No: 26/00043CONS

Site: Bernards Copse within Moulands Farm, Winsor Road,
Winsor, Southampton SO40 2HN

**Conservation Area Tree
Work Notification:** Woodland management

Case Officer: Nik Gruber, Senior Tree Officer

Parish: Copythorne

1. REASON FOR COMMITTEE CONSIDERATION

NFNPA employee is the agent and son of the applicants / owners, therefore, the decision cannot be made under officers' delegated powers.

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. RELEVANT LEGISLATION/REGULATIONS

Section 211 of The Town and Country Planning (Tree Preservation)
(England) Regulations 2012

4. PARISH COUNCIL COMMENTS

None received.

5. ASSESSMENT

- 5.1 Bernards Copse is a predominantly deciduous woodland of approximately seven acres located at Moulands Farm, Winsor Road, Winsor. Access is gained through the farm and is surrounded by agricultural fields. It is approximately 250m from the nearest dwellings and is reasonably central to the A336 Southampton Road, Winsor Road, Winsor Lane and Eadens Lane. It is situated on low lying land and therefore it is difficult to obtain anything more than just glimpses from public vantage points.
- 5.2 The earliest acknowledgement of a defined area but not confirmed as woodland is shown on an 1893 map, while the later 1895 map acknowledges it as a woodland feature and includes the name of Bernards Copse.
- 5.3 The Copse lies within the Forest North East Conservation Area

(hence this Section 211 notice for tree works) and there are currently no other tree protection or specific designations affecting this site. A Felling Licence will not be required in this instance as works will not exceed the removal of 5 cubic metres of timber in a calendar quarter and include the removal of windblown trees.

5.4 The woodland composition is made up of English Oak as the dominant canopy with Silver Birch, Beech, Holly, Goat Willow and Aspen as sub-dominant species. Hazel, Hawthorn, Holly and occasional Crab Apple make up the understorey with Bluebells, Snowdrop, Ivy and Bracken making up the majority of ground cover.

5.5 The submitted management plan has identified three separate compartments for the woodland, each to undergo the proposed management listed below:

- Clear storm damaged and fallen trees leaving approximately 30% timber cut up and left as eco-piles.
- 60% of standing dead trees to be retained for ecological habitat benefit.
- Re-coppice lapsed Hazel stools leaving some 25% as standards to aid structural diversity.
- Pollard selected Goat Willow and Holly.
- Protect any suitable naturally regenerated seedlings and include planting of British native trees and shrubs where appropriate to increase diversity.

5.6 Management objectives include the following:

- Produce a low volume, sustainable source of timber for use on the farm and in the farmhouse.
- Maintain and enhance structural diversity (Oak overstorey, Hazel coppice and ground flora).
- Improve and maintain woodland health and biodiversity.
- Maintain light levels to woodland floor, to improve growing conditions for native ground fauna and flora (more specifically the native Bluebells and snowdrops).
- Re-introduce and continue traditional woodland/coppice management through the felling of select trees and the coppicing and copparding of native Hazel and Holly.
- Maintain and clear ditch of self-seeded Goat Willow.
- Control/slow the spread of Phytophthora sp.
- Retain the historic character of a traditional Oak-Hazel coppice system.

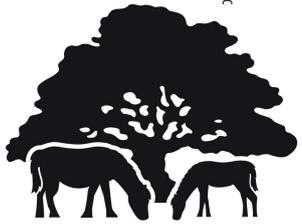
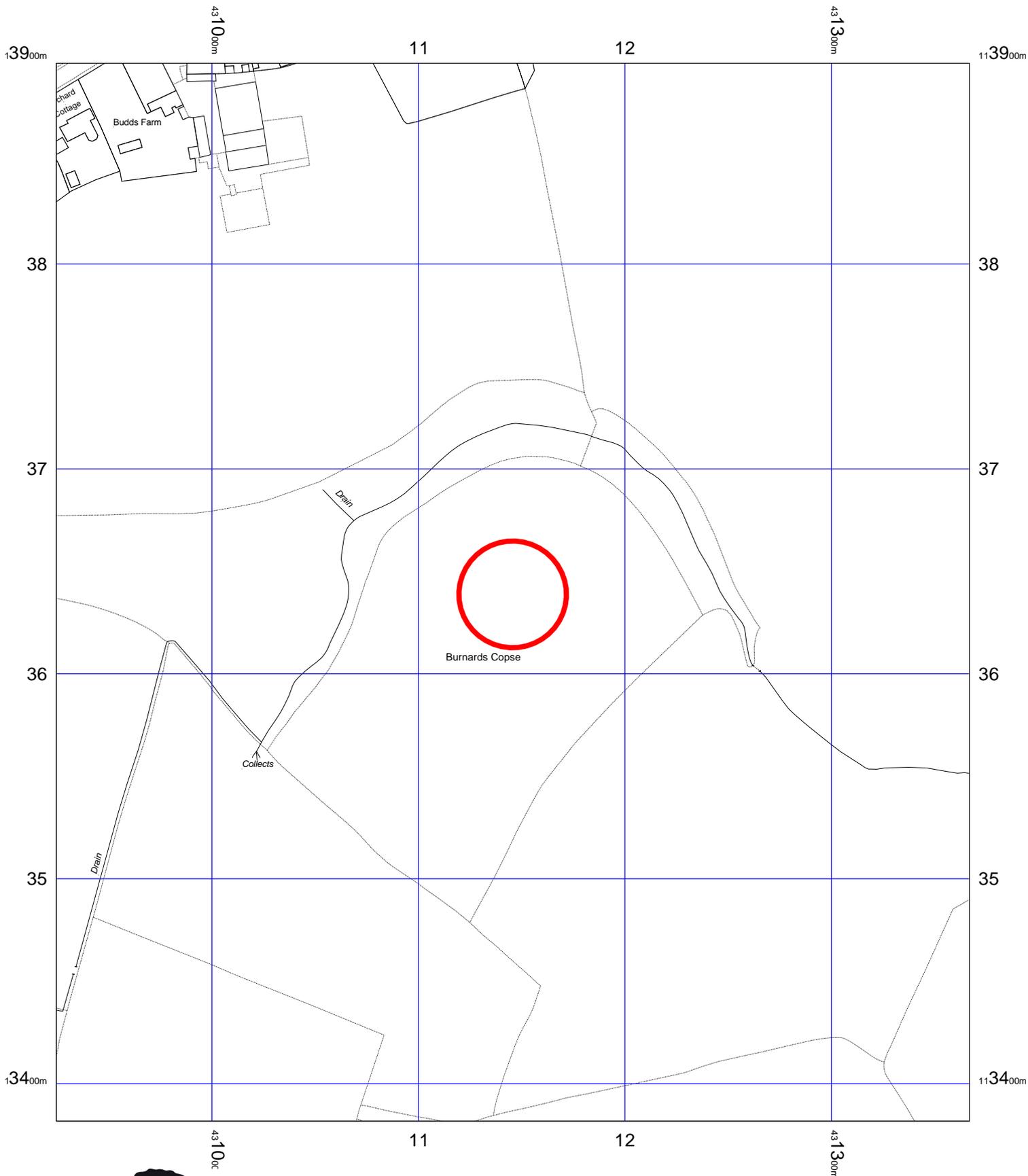
5.7 While no records are available to confirm exact past management, the structure of the copse is indicative of a traditional small holding/farm copse and would have been used as a source of fuel from firewood, woodland products and hedging

material. The site has undergone limited management over the past 30 years with works being purely reactive through the clearance of fallen trees and broken branches.

- 5.8 Part of the proposed management proposal is to review and monitor the health and regrowth of copse which can help with making any sensitive changes over the five years.
- 5.9 The proposed work is considered sound woodland management which will benefit the long-term health and diversity of the woodland and improve its nature conservation value.
- 5.10 There will be little or no change in the visual amenity of the woodland and further protection by a TPO is not considered necessary.

6. RECOMMENDATION

Raise no objections to the proposed woodland management and allow an extended five years for the consent for the works to be completed.



NEW FOREST
NATIONAL PARK

New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

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