

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.

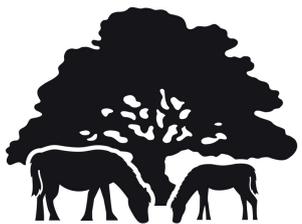
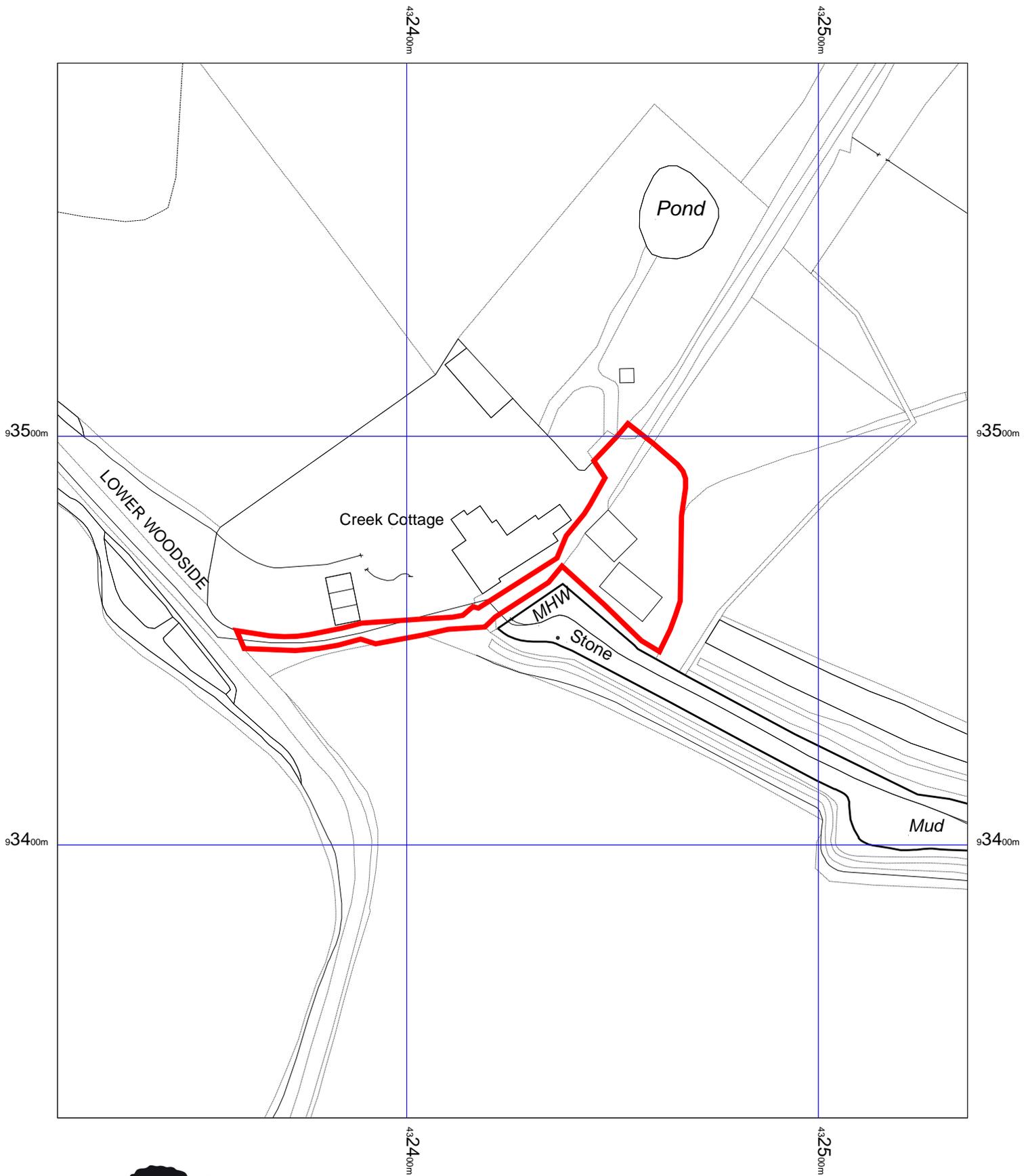
9. RECOMMENDATION

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

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