Application No: **26/00647FULL Full Application**

Site: Lyndon, Iley Point, Keyhaven, Lymington SO41 0TR

Proposal: Two storey outbuilding; demolition of existing single storey outbuildings

Applicant: Mr H Douglas

Case Officer: Julie Blake

Parish: Milford-on-Sea Parish Council

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1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Development Plan Designations

Conservation Area
Flood Zone
Public Right of Way

Principal Development Plan Policies

DP2 General development principles
DP12 Flood risk
DP13 Coastal development
DP18 Design principles
DP37 Outbuildings
SP6 The natural environment
SP7 Landscape character
SP15 Tranquillity
SP16 The historic and built environment
SP17 Local distinctiveness

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 3 - Decision-making policies
Sec 4 - Achieving sustainable development
Sec 14 - Achieving well-designed places
Sec 18 - Managing flood risk and coastal change
Sec 19 - Conserving and enhancing the natural environment
Sec 20 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Milford on Sea Parish Council: Recommend permission.

5. CONSULTEES

Tree Officer: No objection

Building Design and Conservation Team: No in principle objection to a replacement outbuilding for a sympathetic outbuilding but raise considerable concerns over the proposed design in this highly prominent and sensitive location within the National Park and Keyhaven Conservation Area. The design has not been informed by the historic or architectural character of the conservation area or the Authority's Design Guide.

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

Garage and Store (LYB/XX/00619) granted on 04 May 1950.

8. ASSESSMENT

Application Site

8.1 The application site comprises of a detached bungalow with three single storey outbuildings to the north west of the dwelling. The wider site has desire paths mown into meadow land terminating at a small footbridge onto the public footpath. Screening of the wider site along the west and south boundaries is limited, enabling mostly uninterrupted views of Keyhaven Harbour and across to the Isle of Wight. The dwelling is clearly prominent and exposed to views to and from the Solent Way public footpath and the wider landscape including the salt marshes and seawalls. The dwelling is accessed by a gravel track. There are four other properties in the immediate vicinity with only one neighbour adjoining the site. The site lies within the Keyhaven Conservation Area and within Environment Agency Flood Zone 3.

Proposed Development

8.2 This application seeks planning permission for a two-storey outbuilding in the form of a triple-bay garage with office over and a lean-

to. It would be oak-framed with a natural slate roof and would be located on the north west side of the dwelling. The outbuilding would replace the three existing single storey outbuildings which would be demolished.

8.3 From lower ground level, the outbuilding would be around 6m high, 11.5 m long (including the lean-to) and 6.5m in width. The outbuilding would have a floor area of circa 93 sq. m.

Policy Context

8.4 Policy N4 (1) of the National Planning Policy Framework (NPPF) (August 2026) states that substantial weight should be placed on the importance of conserving and enhancing the natural beauty of Protected Landscapes, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads. The defined 'special qualities' of the New Forest National Park (listed in Annex 1 of the adopted New Forest National Park Local Plan 2016 - 2036) include, "…the New Forest's outstanding natural beauty: the sights, sounds and smells of ancient woodland with large veteran trees, heathland, bog, autumn colour and an unspoilt coastline, with views of the Solent and Isle of Wight."

8.5 Policy S5 of the NPPF refers to the principle of development outside settlements and states:

" 1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

…

c. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building[25]. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces…"

8.6 Policy HE4 of the NPPF states that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. It further states that development proposals should avoid (or if not possible, minimise) harm to the significance of heritage assets, and conserve their significance.

8.7 Policy HE5 of the NPPF sets out the requirements for a heritage statement where proposals may affect the significance, including any contribution made by their setting, and the potential effect of the proposal on their significance. The assessment should identify whether the proposals would likely have a positive effect, no effect, result in harm to the significance of a heritage asset, or the total loss of significance of a heritage asset.

8.8 Policy HE6 of the NPPF sets out that, when considering the effect of a development proposal on the significance of a designated heritage asset (such as a conservation area), substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to a designated heritage asset will be a matter of considerable importance and weight.

8.9 Policy HE9 states that development proposals within or affecting the significance of conservation areas should retain and conserve buildings or features that make a positive contribution to the character and appearance of the conservation area where possible and consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of the development.

8.10 Policy SP16 of the New Forest National Park Local Plan 2016- 2036 (herein after referred to as "the Local Plan") requires development proposals within the National Park to conserve and enhance the significance or special interest of designated or non-designated heritage assets, i.e. 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; and (iv) help secure the long-term conservation of a heritage asset. 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 Policies SP15, DP13 and DP18 of the Local Plan relate to tranquillity, coastal development and design principles within the National Park, where new development should reduce the impacts of light pollution on the dark skies of the National Park, have regard to the importance of seaward and landward views and achieve the highest standards of design with special regard to the enhancing the built and historic environment of the New Forest and providing contextually appropriate design that does not harm key visual features or landscape setting.

8.12 Policy DP37 of the Local Plan states that domestic outbuildings will be permitted where they are proportionate and clearly subservient to the dwelling they are to serve in terms of design, scale, size, height and massing; located within the residential curtilage; 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.

8.13 Policy DP12 of the Local Plan will not permit development proposals if they would increase the risk of coastal, fluvial or surface flooding. Policy F7 of the NPPF sets out that development proposals should not present a risk from flooding to potential occupiers, users or visitors, and should not increase flood risk elsewhere. Development should be safe

throughout its lifetime; with any residual risk safely managed; and the development appropriately flood resistant and resilient.

8.14 The New Forest National Park Local Plan Regulation 19 consultation stage has closed. Further details are available at Local Plan review 2025-27 - New Forest National Park. The draft Local Plan proposes the identification of a Coastal Change Management Area between Hurst Spit and Lymington in response to the likely changes to the coastline over the course of the Plan period to 2043. Policy DM4 of the NPPF (2026) confirms that relevant policies in emerging development plans may be given weight according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given). The draft plan has not yet been submitted for examination (due to take place in December 2026) and therefore, in accordance with Policy DM4 of the NPPF, limited weight can be given to its draft policies.

Consideration

8.15 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, paragraph 3 and Decision-Making Policy DM3 of the National Planning Policy Framework (NPPF, 2026) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.16 The key issues in this case are compliance with Policy DP37; the impact on heritage assets; the impact on the landscape and character of the area; the impact on neighbouring amenity; flood risk considerations; and the impact on ecology.

Principle of Development

8.17 The proposed outbuilding would be located within the residential curtilage without reducing private amenity space to an unacceptable level and would be used for purposes incidental to the dwelling. There is no objection in principle to the demolition of the existing outbuildings.

8.18 However, at circa 93 square metres the proposed scale of the outbuilding would rival that of the dwelling. Based on the plans and scaling information provided, the proposed outbuilding would have a similar footprint to the existing outbuildings, however, the outbuilding would only be circa 0.5m lower than the main ridge height of the bungalow when measured from the lower ground levels and the outbuilding would be significantly higher than the existing outbuilding structures.

8.19 The north east elevation cross section indicates that the dwelling is on land approximately 1m higher and considering the difference in land levels, the outbuilding would be visually dominant on all sides of the bungalow. This would be particularly evident on the north east elevation. The proposed outbuilding would have an external footprint of around 81.2 sqm (only 42sqm less than the dwelling) and in terms of floorspace, the proposed total floorspace would be around 93sqm, which is around 9sqm

less than the existing bungalow. Its scale and bulky appearance would be substantial. Overall, it is not considered to be "…proportionate and clearly subservient to the dwelling in terms of design, scale, size, height and massing" as required by Policy DP37. The proposed development would therefore be contrary to Policy DP37 of the Local Plan and also S5 1. c. of the NPPF.

8.20 In addition, in relation to the proposed design, the Authority's Design Guide SPD (2022) states that new garages can be extremely large and bulky. It further sets out that these are alien features in the landscape; it is far better to break up buildings rather than to have such dominating features; and they should be low-key in design and appearance (paragraph 4.17). It is considered that the proposed design does not accord with the Authority's design guidance and has produced a regimented, large and bulky outbuilding that appears incongruous within the open rural landscape.

Impact on Heritage Assets, Landscape and Character of Area

8.21 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended requires that with respect to development affecting buildings or other land in a conservation area, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

8.22 Section 4.2, paragraph 30 of the Keyhaven Conservation Character Appraisal highlights that the built environment in this part of the Keyhaven Conservation Area has developed in a sporadic and scattered manner. Lyndon is one of these dwellings. Lyndon and Saltmarsh, dating to the inter-war period, are two small, hipped roof bungalows with verandas under over-sailing roofs, which are particularly prominent in views from the long-distance Keyhaven marshes footpath to the south. Paragraph 31 continues to state that these buildings enhance the conservation area, represent good local vernacular detailing and reflect the cultural history of the area.

8.23 The Authority's Building Design and Conservation Team has been consulted and notes that the site is located in an open position on the Solent Coastline and visible from the footpath of the Solent Way (part of the England Coast Path). In addition, that the Keyhaven Conservation Area is noted for:

- Its dispersed linear pattern of development along a minor road from the small medieval port to its agricultural hinterland with 19th and 20th century infill development;
- Its strong maritime history and coastal character with salt marshes contrasted with the surrounding agricultural setting;
- The mix of vernacular workers cottages and high status farms and villas in traditional brick, thatch, tile, and slate; and
- The surrounding marshes, mudflats, and Hurst Spit with restrictive internal but expansive outward views.

8.24 Further, that the unique character of this conservation area stems from its coastal location, on the edge of the Solent. Several large open

spaces are marked which include the open area of land to the south of Saltmarsh and Lyndon that are considered important to the historic setting of the settlement.

8.25 The application has been submitted with a Design, Access, and Heritage Statement that does not appear to reference the Conservation Area Character Appraisal or any aspects of its significance. It is not clear from the document how the proposed design has considered the special qualities of the designated heritage asset and currently it is not considered that the application meets the requirements of Policy HE5 of the NPPF nor SP16 of the Local Plan.

8.26 Whilst the proposed materials would be acceptable in the context of the conservation area, and the removal of the existing buildings would be welcomed, the proposed design of the replacement outbuilding, by virtue of its design, scale and bulk, as described in earlier paragraphs, would not make a positive contribution to its sensitive surroundings and would not have a positive effect on the conservation area. Whilst the proposed outbuilding would be set back from the dwelling, and currently partially screened by vegetation, it would still be highly visible within the conservation area. The increased scale, bulk, height, and massing along with the amount of high-level glazing proposed is considered to cause harm to the character and appearance of the conservation area and its open setting, and the landscape character and tranquillity of the National Park which is not outweighed by public benefit, contrary to Policies HE5 and HE6 of the NPPF, SP7, SP15, SP16 and DP13 of the Local Plan.

Impact on Neighbour Amenity

8.27 Although set back from the rear of the dwelling, the proposed outbuilding would be visible from the public footpath and at a greater height than the existing buildings. However, in relation to potential impacts on neighbour amenity, the proposal would not give rise to unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading.

Flood Risk

8.28 The application site is located within Environment Agency Flood Zone 3 (high probability of flooding). The proposed development comprises minor development in Flood Zone 3. Whilst the applicant has indicated in the Sustainability Statement that the footprint would remain unchanged and in the Design, Access and Heritage Statement that the first floor study would be above flood levels, a Flood Risk Assessment has not been provided and details of finished floor levels, flood resistance and flood resilience have not been provided, contrary to Policy DP12 of the Local Plan and Policies F4 and F7 of the NPPF.

Natural Environment

8.29 In relation to potential impacts on trees, trees on and adjacent to the property are protected by the Keyhaven Conservation Area. There is no objection from the Authority's Tree Officer.

8.30 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. This seeks to ensure development proposals deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. In this instance, it has been established that the proposal would be exempt from mandatory BNG under Regulation 5 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 as it comprises a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

8.31 A brief construction environmental management statement has been submitted and adverse impacts on the adjacent Ramsar, SAC, SPA and SSSI designations are not anticipated.

Other

8.32 Pre-application engagement with the Authority was not undertaken. During the course of the application, due to inaccuracies in the measurements on the plans, amended plans were sought and have been received. However, scaling of the elevations and floorplans is correct at a plan size of A2 rather than A3 as noted on the plan.

Conclusion

8.33 Whilst the proposal would meet criteria b), c), d) and e) of Policy DP37, for the reasons set out above, the proposed development would not comply with Policy DP37 a) of the Local Plan or Policy S5 1. c. of the NPPF. In addition, the proposed outbuilding would not preserve or enhance the character or appearance of the conservation area and would not be an appropriate design in its sensitive landscape context. Refusal of the application is therefore recommended.

9. RECOMMENDATION

Refuse

Reason(s) for refusal:

1. The proposed replacement outbuilding by reason of its design, size, scale and massing would not be in keeping with or subservient to the main dwelling and would fail to be appropriate or sympathetic to the conservation area and coastal landscape setting within the National Park. The design has not been informed by the historic and architectural character of the conservation area and would cause harm to the heritage asset, which has not been outweighed by public benefit. The proposed development would be contrary to Policies DP2, DP13, DP18, DP37, SP7, SP15 and SP16 of the New Forest National Park Local Plan 2016-2036 (August 2019), the Design Guide SPD (2022) and sections 4, 14, 19 and 20 of the National Planning Policy Framework (2026). 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. The proposed development is located in Environment Agency Flood Zone 3. Insufficient information has been submitted to demonstrate that the proposed development would be appropriately flood resistant and resilient and would not increase flood risk elsewhere, contrary to Policy DP12 of the New Forest National Park Local Plan 2016-2036 (August 2019) and Section 18 of the National Planning Policy Framework (2026).



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