



Appeal Statement:

HERITAGE

For

**Site of the Former Police Station,
Lymington**

**Demolition of existing building and erect 32no.
retirement apartments including communal facilities,
access, car parking and landscaping.**

Appeal by Churchill Retirement Living

Planning Application: 21/10938

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1. Introduction

1.1 Qualifications and Experience

1.1.1 My name is Paul White. Since 2013 I have been employed as Head of Heritage at Ecus Ltd, an independent, multi-disciplinary environmental consultancy providing professional environmental management advice and services to a variety of public sector and private clients in the UK.

1.1.2 I graduated with a Bachelor of the Arts (Special Honours) degree in Archaeology from the University of York in 1995, and a Masters of Philosophy in Geographic Information Systems and Remote Sensing from the University of Cambridge in 1999.

1.1.3 Since 1995, I have worked as a professional archaeologist and heritage consultant which has included: (i) six years as a Landscape Archaeologist with Herefordshire Council, leading projects on recording and analysing local distinctiveness of the non-designated built heritage of the county; and (ii) eight years with Wessex Archaeology where I was part of the Conservation Management team specialising in built heritage and historic landscapes.

1.1.4 I am a Professional Member of the Chartered Institute for Archaeologists' (MCIfA), a Practitioner of the Institute for Environmental Management and Assessment (PIEMA) and an Affiliate member of the Institute of Historic Building Conservation (IHBC).

1.1.5 In 2015 I project managed a national strategic study of purpose-built police and fire stations in England constructed between 1850-1995. The study was commissioned by Historic England with the aim to deliver a broad contextual understanding of the history and development of the police station as a building type in order to help stakeholders make informed decisions on the future of their historic buildings and potential for designation.

1.1.6 As such I have a thorough understanding of this building type and its relative heritage significance in terms of development and how architectural design responds to how policing has changed over time.

1.1.7 Since 2015 I have worked with Churchill Retirement Living on multiple schemes advising on heritage issues from initial due diligence appraisals, planning application support and expert witness at appeals. This has included successful planning applications within World Heritage Site of the Cornwall and West Devon Mining Landscape in Tavistock along with sites within Conservation Areas and within the setting of listed buildings. Where planning applications have proceeded to appeal the

assessment of heritage is often endorsed by the inspector, even if the scheme is quashed for other reasons.

1.1.8 Recent appeal examples include schemes where I have assessed the setting of listed buildings and character and appearance of conservation areas at the former livestock market in Honiton¹ and the former police station in Basingstoke².

1.1.9 I can confirm that the evidence which I have prepared and provide for the appeal (reference number APP/B1740/W/21/3289313) is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

1.2 Statement of Involvement

1.2.1 I have been involved with the design of the scheme and advising the appellant on the heritage constraints on the appeal site since January 2020. I can confirm that consideration of the historic environment around the appeal site have been at the forefront of the design of the appeal scheme from the outset and as such has ensured that there is no harm to the heritage significance of the designated heritage assets.

1.3 Scope of Statement

1.3.1 This evidence is submitted on behalf of Churchill Retirement Living Ltd (the Appellant) in support of its appeal against the refusal to grant planning permission (21/10938) by New Forest District Council (the Council) in December 2021 for the redevelopment of land at the former Police Station, Southampton Road, Lymington for the demolition of the existing building and redevelopment to form 32no retirement living apartments for older persons including communal facilities, access, parking and landscaping.

1.3.2 Within the Officer's Report (OR) Reason 2 for Refusal (RfR) relates to heritage and states:

The proposed development is of a scale and mass that is considered to be inappropriate and out of keeping with the area resulting in an adverse impact on the character of the surrounding area and the existing character of the adjacent Conservation Area. In these respects the proposal is

¹ APP/U1105/W/21/3270077

² APP/H1705/W/20/3248204 (CD-44)

considered discordant with local plan policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy and saved policy DM1 of the Local Plan Part 2: Sites and Development Management.

1.3.3 It is clear that the Conservation Area is the heritage issue for RfR2. However it is noted within the Council's Statement of Case (para 3.4) that this has expanded to include the former Police Station. Therefore the two heritage issues to be considered is whether there is any harm to the adjacent conservation area and whether the police station should be considered as a NDHA.

1.3.4 Harm to the setting of listed buildings is not given as a reason for refusal. It is noted the Senior Conservation and Building Design Officer within the summary section of their consultee response on the planning application states,

'While there are some changes in the longer views it is not felt that this causes any meaningful degree of harm to the setting of the listed buildings which forms part of their significance.'

1.3.5 This is a position that I am in agreement with, as there will be no harm to listed buildings. As such the statutory duty set out at s66 of the Planning (Listed Buildings and Conservation Areas) Act is therefore not engaged.

1.3.6 It is my professional opinion that the scheme would not result in harm to the heritage significance of the adjacent Conservation Area as a result of the proposed changes within its setting. Within the Officer's Report it is noted that the Senior Conservation and Building Design Officer considered there to be *less than substantial harm* to the setting of the conservation area and its significance.

1.3.7 He goes on to note within his detailed consultation response that *'the northern and eastern surroundings of the site are varied and have other large developments within the context.'* The identified harm was considered by the Senior Conservation and Building Design Officer to be mitigated by tree screening and even lower when considered in light of the wider overall significance of the conservation area, stating that the harm was at the lower end of the scale [my emphasis].

1.3.8 If the Inspector is minded to consider that there is less than substantial harm, then in accordance with NPPF 202 that harm should be weighed against the public benefits of the proposal. The public benefits of the proposal are provided within Mr. Shellum's planning evidence.

1.3.9 This statement refers to supporting documentation submitted as part of the planning application:

- Ecus Ltd, May 2021, Heritage Statement (HS)- (CD14)

1.3.10 The heritage significance of the conservation area and the contribution of the settings to its heritage significance is detailed in the Ecus Ltd Heritage Statement (Section 4 of the HS).

2. Planning Context

2.1 Planning Policy, Legislation and Guidance

2.1.1 Those policies, legislation and guidance that are considered relevant to heritage are:

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework, revised February 2019, Section 16 Conserving and enhancing the historic environment (CD-21)
- National Planning Practice Guidance. Updated July 2019, Historic Environment Conserving and enhancing the historic environment (CD-22)
- New Forest District Council Local Plan 2016-2036 Part 1: Planning Strategy Saved Policy DM1 (CD-27)
- New Forest District Council. (2002). Lymington. A Conservation Area Appraisal. (CD-33)
- Historic England The Setting of Heritage Assets Good Practice Advice in Planning Note 3 (2nd edition, December 2017) (CD-42)

2.2 National Planning Framework and Planning Policy Guidance

The Planning (LBCA) Act 1990 and NPPF

2.2.1 Section 16 of the NPPF relates to the conservation and enhancement of the historic environment within the planning regime. This is informed by the statutory duties as established in the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.2.2 Of relevance to listed buildings is s.66 (1) of the Act where there is the need to '*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.*' As noted in the *Barnwell Manor* judgement this regard should be given '*considerable importance and weight*' (CD-48). As noted at paragraphs 1.3.4-1.35 both the Senior Conservation Officer and I are in agreement that there would be no harm to the heritage significance of the listed buildings due to changes within their wider settings.

2.2.3 Of relevance to Conservation Areas, Section 72 imposes a duty in relation to developments on land within Conservation Areas. With respect to any building or other land in a conservation area the decision maker must pay special regard to the desirability of preserving or enhancing the character

or appearance of a conservation area. The statutory provision is exercised on the basis of the impact of the development as a whole on the conservation area and for land within the conservation area. Any harm is weighted harm.

2.2.4 As demonstrated in Figures 1 and 2 of this proof the appeal site is not located within the conservation area, but the southern boundary of the appeal site shares same boundary wall with the conservation areas. As such s.72 is not engaged as part of this appeal and this statutory duty falls away. The setting of a conservation area as a part of its heritage significance is considered under the Framework (para 199-202).

2.2.5 The application of these provisions in relation to the Framework have been tested in the Court of Appeal and noted in other appeal decisions (CD-49). If the decision-maker properly follows the line set out in the Framework, then they can be said to have discharged the statutory duties imposed by the Act.

The Framework

2.2.6 Paragraph 194 of the Framework establishes the starting point to assessing harm that the significance of the heritage assets affected should be identified and assessed. Heritage significance is defined as *'the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'*.³

Designated Heritage Assets

2.2.7 Paragraphs 199 to 202 considers the assessment of potential impacts to designated heritage assets. Paragraph 199 states:

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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

2.2.8 In addressing harm to heritage assets, the Framework makes a distinction between 'substantial harm' and 'less than substantial' harm. Paragraphs 200 and 201 of the NPPF relate to the

³ CD-21 Annex 2 Glossary NPPF

assessment of substantial harm to designated heritage assets, These state:

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: (a) the nature of the heritage asset prevents all reasonable uses of the site; and (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

2.2.9 Paragraph 202 of the NPPF relates to less than substantial harm and states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

2.2.10 The NPPG notes that within each category of harm the extent of the harm may vary and should be clearly articulated (CD-22, Paragraph 18, Historic Environment). Recent appeal decisions including that at Land at Citroen Site⁴ have agreed the less than substantial category comprises a sliding scale, spectrum or gradient that ranges from (at the bottom) the merest trace of harm, to at the top a very significant degree of harm near to substantial harm. A clear definition of substantial harm is provided in the Barnwell case (CD-48) and it is very clear that substantial harm is so serious that very much, if not all, of heritage significance is drained away.

⁴ CD-50 para 6.28

- 2.2.11 The Bramshill Court of Appeal judgement⁵ has provided clarity on the provision of ‘great weight’ within NPPF 200. The concept in NPPF 200 does not predetermine the appropriate amount of weight to be given to the conservation of a heritage asset in a particular case⁶. The judgement continues that the imperative of giving ‘considerable weight’ to harm to the setting of a listed building does not mean that the weight to be given to the desirability of preserving it or its setting is ‘uniform’. That will depend on the extent of the assessed harm and the heritage value of the asset in question⁷.
- 2.2.12 Therefore to apply the policy contained in those paragraph 199 - 202 correctly, an initial establishment of the extent and nature of the harm to the significance of a designated heritage asset as a consequence of what is proposed needs to be established and whether in fact there is any harm.
- 2.2.13 Paragraph 202 of the Framework states less than substantial harm needs to be weighed against the public benefits of the scheme. The Bramshill judgement has confirmed that, in light of previous cases, such as *Palmer*⁸, there is no prescribed single, correct approach to the balancing of such harm against any likely benefits.
- 2.2.14 In terms of public benefits these do not need to be heritage benefits and all types of public benefits can be taken together and weighed against harm. Cases will vary and that the balancing exercise under policies 201 and 202 of the NPPF is not the whole decision-making process but only part of it.⁹

Non-designated Heritage Assets

- 2.2.15 Paragraph 203 of the Framework relates to the effect a proposal will have on a non-designated heritage asset. In weighing applications a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 2.2.16 Paragraph 39 of the PPG defines non-designated heritage assets as:

Buildings, monuments, sites, places areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

⁵ CD51- City & Country Bramshill Ltd v SoS for Housing, Communities and Local Government, Hart District Council, Historic England and National Trust [2021] EWCA Civ 320

⁶ *Ibid*, paragraph 73

⁷ *Ibid*, paragraph 75

⁸ *Palmer v Herefordshire Council* [2016] EWCA Civ 1061

⁹ *Ibid*, paragraphs 76-79

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets.

- 2.2.17 A recent appeal decision has demonstrated that it is relatively easy but perhaps incorrect to consider a building as a NDHA. The appeal decision for The Heights, Haselmere indicates that although a building may be considered to be attractive or well proportioned, associated with a local architect and a local landmark of sorts, ultimately due to it being unremarkable, subject to extensions and alterations which effect its integrity and the historic association with the architect is better understood through the written record following assessment by Historic England the Inspector in line with para 203 considered the building not to be a NDHA .

Former Lymington Police Station

- 2.2.18 Taking the above into consideration, the former police station within the appeal site is not defined by the local planning authority as a locally listed building, nor is it identified as an important unlisted building in the conservation area appraisal (CD-33- Map 7) or within the Lymington Local Distinctiveness SPD (CD-32- Character Area 1: Town Centre Map) as part of an important building group or street frontage. This raises the question as to whether the building should be considered a non-designated heritage asset.
- 2.2.19 Historic England in October 2021 rejected the building at the initial review stage for consideration to be included on the statutory list (CD-61). Within their decision notice it is noted that the building is not of high architectural interest, only of local historic interest and does not contribute to any group value as it does not hold a strong visual relationship with any other designated assets in the immediate vicinity.
- 2.2.20 The Heritage Statement (CD-14) considered the building to hold low local heritage significance due to its associative historic interest as a former civic building and its relatively attractive and well-proportioned but largely unremarkable architecture.

2.3 Local Plan Policy

- 2.3.1 The relevant local plan policy is Saved Policy DM1 (Heritage and Conservation) from the New Forest District (outside the National Park) Local Plan Part 2: Sites and Development Management Adopted April 2014.

2.4 Consideration of Heritage Significance and the Setting of Heritage Assets

- 2.4.1 The significance of heritage assets is defined in terms of their value to this and future generations because of their heritage interest, deriving not only from their physical presence, but also from their setting. This interest may be archaeological, architectural, artistic or historic.¹⁰
- 2.4.2 The setting of a heritage asset is defined within the NPPF as: *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*¹¹
- 2.4.3 As Historic England state within their widely adopted professional guidance on assessing the setting of heritage assets that setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.¹² Therefore the contribution made by the setting to their significance will vary and what is required to be considered is the capacity the appeal site has to accommodate change without harm to the significance of the heritage asset or the ability to appreciate it.
- 2.4.4 The setting assessment undertaken as part of the original heritage statement and within my evidence has followed Historic England's staged approach to assessing setting:
- Step 1: Identify which heritage assets and their settings are affected
 - Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated
 - Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it.
 - Step 4: Explore ways to maximise enhancement and avoid or minimise harm¹³

¹⁰ (NPPF, Annex 2: Glossary)

¹¹ *Ibid*

¹² CD-42 Historic England, The Setting of Heritage Assets (2nd edition, December 2017), page 4, paragraph 9

¹³ Historic England, The Setting of Heritage Assets (2nd edition, December 2017), page 8, paragraph 19

3. Baseline Assessment

3.1 Introduction

3.1.1 This section summarises the detailed assessment of heritage significance of the Conservation Area identified heritage assets with the Heritage Statement (Ecus 2021). The setting of the Conservation Area is also described and its contribution to the heritage significance of the assets. The contribution of the appeal site is also assessed. This is in accordance with Historic England's Guidance Steps 1 and 2 for the Setting of Heritage Assets.

3.2 Lymington Conservation Area

Heritage Significance

3.2.1 The land encompassed within Lymington Conservation Area was first designated in 1977. There have been three subsequent amendments to the boundary were made in 1988, 1992 and 1999. At no point was the police station building included within the area.

3.2.2 A Conservation Area Appraisal (CD-33) was produced for Lymington by New Forest District Council in 2002. Within the CAA it notes that the Conservation Area contains areas beyond the medieval borough, that are either extensions of the medieval plan or are closely associated with the life of the town (e.g. the boatyards) or which act as buffers to the medieval town at its edges (CD-33, p6). The characteristics of the area presented below are based on the information supplied in those documents and observations made during site visits.

3.2.3 Although there is some uncertainty over the sequence of phases of growth of the medieval town of Lymington, largely due to the absence of tangible archaeological evidence, although it is suggested that the earliest settlement would have been located near the Grade II* Listed Parish Church of St Thomas the Apostle (NHLE: 1217370) c. 460 m south east of the Site (New Forest District Council 2002, CD-33). This correlates with evidence that the town developed along the High Street between the late twelfth and early thirteenth century at the lowest bridging point of Lymington River (New Forest District Council n.d.).

3.2.4 The location of the settlement immediately west of the River Lymington, ensured its importance as a port and also a major centre for the salt industry until the end of the eighteenth century.

3.2.5 The special interest of the Conservation Area derives from the historic core of the town, which

comprises the medieval centre. It is characterised by the wide straight High Street orientated east to west. This area retains historic, architectural and artistic interest demonstrable through its layout, architecture and historic links. The area's archaeological and historic interest is heightened through the known and potential surviving remains relating to early settlement.

3.2.6 The following elements contribute to the special character and appearance of the Conservation Area:

- History: the historic, unchanged street pattern which dates from the thirteenth century and the layout of lanes and medieval burgage plots;
- Buildings:
 - Georgian buildings, their outbuildings and boundary treatments aligned on the burgage plots including the walls which separate them;
 - Terraces; and
 - Architectural materials including Lymington brick, mathematical tiles, canted bay windows etc.;
- Archaeology: the remains of earlier medieval timber-framed buildings hidden by later brick facades;
- Landscape/Townscape: the network of narrow alleys and courtyards and the experience/atmosphere along them. Other features include surface treatments, the relationship of building form and walled rear gardens; and
- Setting: skyline vistas of built form as topography rises as well as views of Walhampton, the Solent and the Isle of Wight (CD 33- New Forest District Council n.d., p. 1-2).

Area Zones

3.2.7 The closest to the Site is Conservation Area Zone D – Western. This encompasses Queen Street, Priestlands Place, Belamore Lane, St Thomas Park, Stanford Road and part of Southampton Road.

The area derives its character and appearance from:

- The presence of built form, both designated and non-designated, varying in ages, styles, materials and uses which range from villas on Highfield to terraced housing on the western side of Southampton Road and small brick cottages;

- Significant areas of housing redevelopment which results in contrasting built form (i.e. eastern and western sides of Southampton Road);
- Residential activity being the predominant building type and function in this area;
- Areas of High Archaeological Importance (between St Thomas Park and St Thomas Street) and Areas of Low Archaeological Importance (between Stanford Road, Priestlands Place and Queen Street and south of Priestlands Place);
- Open green space restricted to private gardens and Lymington Sports Ground. The Conservation Area Appraisal has not identified an important open spaces within this zone;
- Groups of trees important for their townscape value (i.e. north of Highfield and along Stanford Road and St Thomas Park); and
- activity caused by movement through the area along the road network, some of which predates to the medieval period.

3.2.8 Although several important views have been identified within the Conservation Area Appraisal, there are none within this character area.

3.3 Contribution of Setting to the Heritage Significance

3.3.1 It is the topographical location of the historic settlement on the edge of Lymington River that contributes positively to the heritage significance of the conservation area and enables an understanding of the origins of the settlement as a riverside town. Views are limited into and out of the conservation area apart from the area around the quay and waterfront and views back towards the town from Walhampton from the other side of the river. The physical relationship of the town to the river is the key element that positively contributes to the setting of the conservation area.

3.4 Contribution of the Site to Heritage Significance

3.4.1 The Site lies outside but adjacent to the boundary of Lymington Conservation Area. The Site forms part of the wider modern urban setting and townscape to the Conservation Area.

3.4.2 The Site is located beyond the main areas of historic settlement between two separate character areas, created through the extant built form along Southampton Road. To the south of Buckland House lies a built form of tighter grain whilst that to the north, beyond Queen Elizabeth Avenue, is more dispersed. Buckland House and Farringford Court form distinctive buildings demarcating these

areas, and the boundary of the Conservation Area. The Site, in its current character and appearance, forms part of this townscape situated between the two. The Site is considered to demonstrate the twentieth century expansion and infill of the town and as such is considered make a neutral, and not a meaningful or specifically positive, contribution to the heritage significance of Lymington Conservation Area.

3.5 Lymington Police Station

- 3.5.1 Lymington Police Station is situated within the appeal site. It comprises a two-storey red brick building with a hipped, red clay pan-tile roof. The building is L-shape in plan and situated back from the street frontage, behind a tree-lined, hedge boundary. To the rear of the primary police station building is a carpark and a garage. The building appears to have received little alteration over the years and the current plan form suggests that only minor alterations such as the addition of internal partition walls has occurred.
- 3.5.2 The building holds some illustrative historic interest as part of the later development of the Hampshire Constabulary and the history of policing in Lymington. Although the existing police station dates to 1952, the police service in Lymington was formed in 1836. The Lymington Borough force joined Hampshire in 1852 (Hampshire Constabulary History Society 2017-2010).
- 3.5.3 The Southampton Road police station was constructed in response to an update in policing techniques. A larger site was required to accommodate both a larger police force with an increased administration responsibility and motorised vehicles. The Southampton Road development provided both of these with the construction of the large administration block, the surrounding car parking and garage. The building was positioned to have easy access into and out of the town as well as into the surrounding countryside by vehicle.
- 3.5.4 Architecturally the building is of some interest as it is an example of a purpose built mid-century police station. It is a late example of the inter-war 1914-1950 purpose built-station (Ecus 2015). The architect for the building is unknown, although it is considered likely that plans were undertaken on behalf of the County Architect's office. From a review of modern plans it appears that the interior of the police station has received relatively little alteration, with the administration block forming the north-south aligned wing, with the cell block and exercise situated to the rear.
- 3.5.5 Although only two floors the building has a dominating façade with larger windows on the first floor

which gives the impression of increased height and sense of civic authority. The simple façade of the building and the utilitarian nature of the cell block and buildings to the rear of administration block is representative of the programme of modernisation expansion which took place in the 1950s, with the strict national regulations giving little room for architectural experimentation, but in turn hark back to an earlier architectural reference, resulting in these streamlined designs (HE 2017b). Similar examples of varying sizes can be found across the country including Worcester Station, Worcestershire; Gerrards Cross, Buckinghamshire; Salisbury Station, Wiltshire; Southam Police Station, Warwickshire; the Former Maderia Road Police Station Bournemouth, and Dover Station, Kent to name a few (Ecus 2015).

- 3.5.6 A feature of the former Lymington Police Station comprises its principal administrative block which occupies the central part of the appeal site and comprises the largest building on site overlooking Southampton Road. Comprising a two-storey front range with single-storey extension to the rear, the building is constructed of brick with hipped roof and central doorway with a ramp which provides access into the building. Sash windows set in window surrounds are present on the eastern elevation. The first floor comprises of over-scaled windows which contribute to the sense of civic authority. The rear flat roofed extension and alterations to the western elevation are constructed of similar materials although there are variations in window type. The buildings' guttering is painted a police blue and a police mast is present on top of an extension to the building to the west.
- 3.5.7 Access into the police station is afforded via a break in the picket fencing along the appeal site boundary, in the north eastern corner. An area of hardstanding extends around the front of the building to police yard in the west. A single-storey flat roofed building in the south western corner of the appeal site was utilised as garages. The remainder of the plot comprises an area of amenity grass to the north and east, populated by trees, and boundary wall to the south and west.
- 3.5.8 The immediate setting of the building is characterised by the surrounding yards, ancillary buildings such as the garage to the rear of the appeal site and the public facing green space situated between the Police Station and Southampton Road. The position of the building back from the road frontage sets this building apart from the surrounding streetscape emphasising its difference in purpose and function from the surrounding residential properties. The yards and garages contribute to the understanding of the operation of the police station whilst the public face space indicates the

importance of creating an imposing but publically accessible building.

- 3.5.9 The position on Southampton Road also contributes to the understanding of the operation of the building, by demonstrating the importance of ease of access to a key road into and out of the town. This aspect is best appreciated when on Southampton Road, directly opposite the police station building. It is not considered that long views to or from the building form a key part of its setting, many of these potential views being screened either by trees or the surrounding built environment. There are views towards the upper storeys of the rear of the police station from Eastern Road and Cardinal Mews this is not a designed or intentional view and as such is not considered to contribute towards the heritage significance of the building.
- 3.5.10 As a result of the buildings illustrative historic and architectural interest as described above, alongside the contribution made to its understanding and appreciation of its setting, it is considered that the Lymington Police Station is of low (local) heritage significance. It is considered to be a late example of the Neo-Georgian style of inter-war purpose built police station that is typical of its type and which can be seen in a variety of locations across the country.
- 3.5.11 The building is not identified as important within the Conservation Area Appraisal or the Lymington Design SPD. In addition Historic England in October 2021 rejected the building to be included on the statutory list (CD-61). Within their decision notice it is noted that the building is not of high architectural interest, only of local historic interest and does not contribute to any group value as it does not hold a strong visual relationship with any other designated assets in the immediate vicinity.

4. Analysis of the Appeal Scheme and Reason for Refusal

4.1 The Appeal Scheme

4.1.1 The scheme is for the redevelopment of the former police station to construct 32 retirement living apartments. The proposals comprise the construction of a three storey building, with an L-shaped footprint, with associated car parking and landscaping. The proposed use of the appeal site as residential is in my opinion in keeping with the setting of this part of the Conservation Area.

4.2 Context of the Appeal Site

4.2.1 The Appeal Site is located outside of the conservation area beyond the historic core of the settlement at Lymington. As noted in Historic England's listing assessment of the police station, and the consultation response of the Senior Conservation and Urban Design Officer the existing building within the Appeal Site makes no meaningful contribution to neighbouring designated heritage assets.

4.2.2 The Appeal Site is situated at a transition point within the townscape with the older finer-grain, two and two-and-half storey buildings to the south whilst the development near to the Appeal Site is characterised by three storey buildings of larger footprint and coarser grain plan form. This latter character is most obviously expressed by the three storey forms and larger mass and bulk of Buckland House and Farringford Court. Both of these development were subject to planning appeals and consideration was given to the impacts to the conservation area in both decisions.

4.2.3 Although dismissed on other grounds (relating to provision of tress), the Inspector for the Buckland House appeal (CD-46) the height and massing of the proposed building would not [be] at odds with its neighbours (para 14 of CD-46). The Inspector continued to note that the scale of the building complemented the scale of the building on the opposite corner of Southampton Road/ Avenue Road (i.e. Farringford Court). Buckland House is located closer to the road frontage than the proposed scheme in the Appeal Site and in relation to the frontage and views from various directions was satisfied that the scale and mass of the building would not be unduly prominent or of excessive bulk especially in comparison to the older three storey properties at 46/48 Eastern Street. (para 16 of CD-46).

4.2.4 On the opposite side of the Southampton Road is Faringford Court which was subject to an allowed planning appeal in 2008 (CD-47). This building comprises of a large, single footprint building of three storey height directly opposite the Appeal site that wraps around the corner of Avenue Road and

Southampton Road. As the Inspector noted within their decision it is not the scale of the ground footprint of the building in terms of grain which is an issue but how the building will look in the streetscape (para 11 of CD-47). Visualisations of how the building within the Appeal Site will sit in the townscape are provided as part of Mr Jackson's evidence. The proposed scheme is described in further detail below respects and responds to the height and mass of the neighbouring Buckland House to ensure that it is not discordant in the streetscape and resulting in harm to the

4.3 Reason for Refusal No.2

4.3.1 The OR states that the Appeal Scheme would lead to less than substantial at the lower end of the scale to the Conservation Area. The RfR specifically states that the scale and mass is considered inappropriate resulting in an adverse impact on the existing character of the adjacent Conservation Area. These aspects of the RfR are considered below and it will be demonstrated that these do not result in harm to the designated heritage assets.

Analysis

4.3.2 The building will comprise a single building, the footprint of which will encompass that of the former police station. Although of larger plan than the existing built form within the Appeal Site, larger footprint buildings are not uncommon in this area as evidenced by Buckland House immediately to the south and Farringford Court to the east.

4.3.3 The building is more residential and human in scale as opposed to the over-scaled civic appearance of the current police station and along Southampton Road reflects the ridge and eaves height of the adjacent Buckland House whilst the mass of the building sets down along Queen Elizabeth Avenue. In order to avoid the appearance of a monolithic structure, the development is designed with elements, notably the variations in roof height, setbacks and mixture of elevation finishes, which break up the perceived scale and mass.

4.3.4 The scheme will comprise of a double width building which does result in a larger bulk than the current building. Although larger than the current building on the Appeal Site due to the siting of the building that mass will not be readily perceived from the public realm along Southampton Road or Queen Elizabeth Avenue. Where the mass of the building might be seen it would be within the context and screened by the bulk of Buckland House to the south and set back elevations from the west. Observing the building would not result in harm to the heritage significance of the conservation area

due to this change within its setting.

- 4.3.5 The mass and scale of the proposed redevelopment is not considered inappropriate on this Site as it would be visible in the context of surrounding large built form, i.e. Buckland House and Farringford Court to the east. It would not challenge the focal point role Buckland House plays within the streetscape or appear over dominant.
- 4.3.6 The overall positioning of the building, setback within the Appeal Site with areas of soft landscaping is considered positive and respectful to existing views and character along Southampton Road. The variation in rooflines and styles is also considered positive and responsive to the townscape. The orientation of the building to the public realm of Southampton Road and its setback position ensures that the majority of the building would be screened, similar to the existing building. As such, the proposed location softens the appearance of the building and ensures it is not prominent in the streetscape thus blends into the urban environment.
- 4.3.7 Although closer to the road than the existing building the proposed scheme is set back within the Appeal Site and the verdant tree screen will be retained. The setback position of the proposed building also ensures that it would not dominate views from within Lymington Conservation Area.
- 4.3.8 Attention has been paid to the surrounding urban environment and the design has sought to introduce a building which reflects and harmonises with its surroundings. Given its location outside and away from the historic core, the architecture is considered appropriate and the materials used reflect the residential built form (which comprises varying design and material) in the area.
- 4.3.9 The building utilises varying roof heights and introduces brick detailing as quoins and window and header details. The use of dormers within the roofspace is not unprecedented within the surrounding streetscape.
- 4.3.10 Whilst the proposed redevelopment would result in the introduction of balconies, attention has been paid to their locations and they are not included on the principal (eastern) elevation which will provide the greatest contribution to the streetscape of Southampton Road. The avoidance of balconies on this elevation and on the north, overlooking Queen Elizabeth Avenue, is considered positive and ensures they do not impact upon the views along Southampton Road. The balconies would therefore be restricted to the south and west elevation and in limited number. This assessment has concluded that their presence on such elevations would not impact upon the surrounding landscape and would

be in keeping with those on Buckland House.

4.3.11 The elevational treatments comprise several different materials in order to break up the perceived massing of the proposed building. The materials are chosen to be respectful, sympathetic and complement the surrounding built form. The proposed materials include brick and render, both common materials present along Southampton Road, with architectural detailing comprising detailed quoins and decorative lintels. The materials and colour palate reflect that already present in the townscape of Lymington and would complement Buckland House, Farringford Court and residential development to along Queen Elizabeth Avenue.

4.4 Impact upon the Identified Heritage Assets

Lymington Conservation Area

4.4.1 In its current character and appearance the Site forms part of the wider urban townscape of Lymington. It does not make any meaningful contribution to the Lymington Conservation Area. Its historical association as a former civic and administrative building serving the local community has diminished somewhat as a result of its closure and the relocation of the police service elsewhere.

4.4.2 The change posed to the Appeal Site as a result of the proposed redevelopment would not physically harm the heritage significance of the Conservation Area, the positive elements of its setting or hinder the ability to understand, experience and appreciate its heritage significance. Although the built form within the Appeal Site would result in a change, the residential character of this area and urban setting of the assets would be retained and it would continue to form part of the wider townscape.

4.4.3 Visibility of the proposed redevelopment within Lymington is not considered to result in harm to the conservation area and where visible it would appear as a modern building which responds to its surroundings. The presence of the proposed redevelopment in any views is therefore not considered to result in a degradation of our ability to understand, experience or appreciate the townscape of Lymington or the experience along Southampton Road within the Conservation Area.

4.4.4 During the site visit it was also noted that the Appeal Site lies adjacent to an area of Lymington Conservation Area and its immediate setting which has been subject to relatively recent development. This includes Farringford Court and the new residential development along Eastern Road/Cardinal Mews. Redevelopment of the Appeal Site would therefore not appear alien in this context, would be in keeping with the character of the area and contribute to the historic development

and continued growth of Lymington.

4.4.5 Whilst the proposed redevelopment will result in a change, change does not necessarily equate to harm, in heritage terms, unless a level of harm has been identified. Taking into account the comments above, and the neutral contribution the Appeal Site currently makes to the setting of designated and non-designated heritage assets, the proposed redevelopment is not considered to result in harm to Lymington Conservation Area.

Lymington Police Station

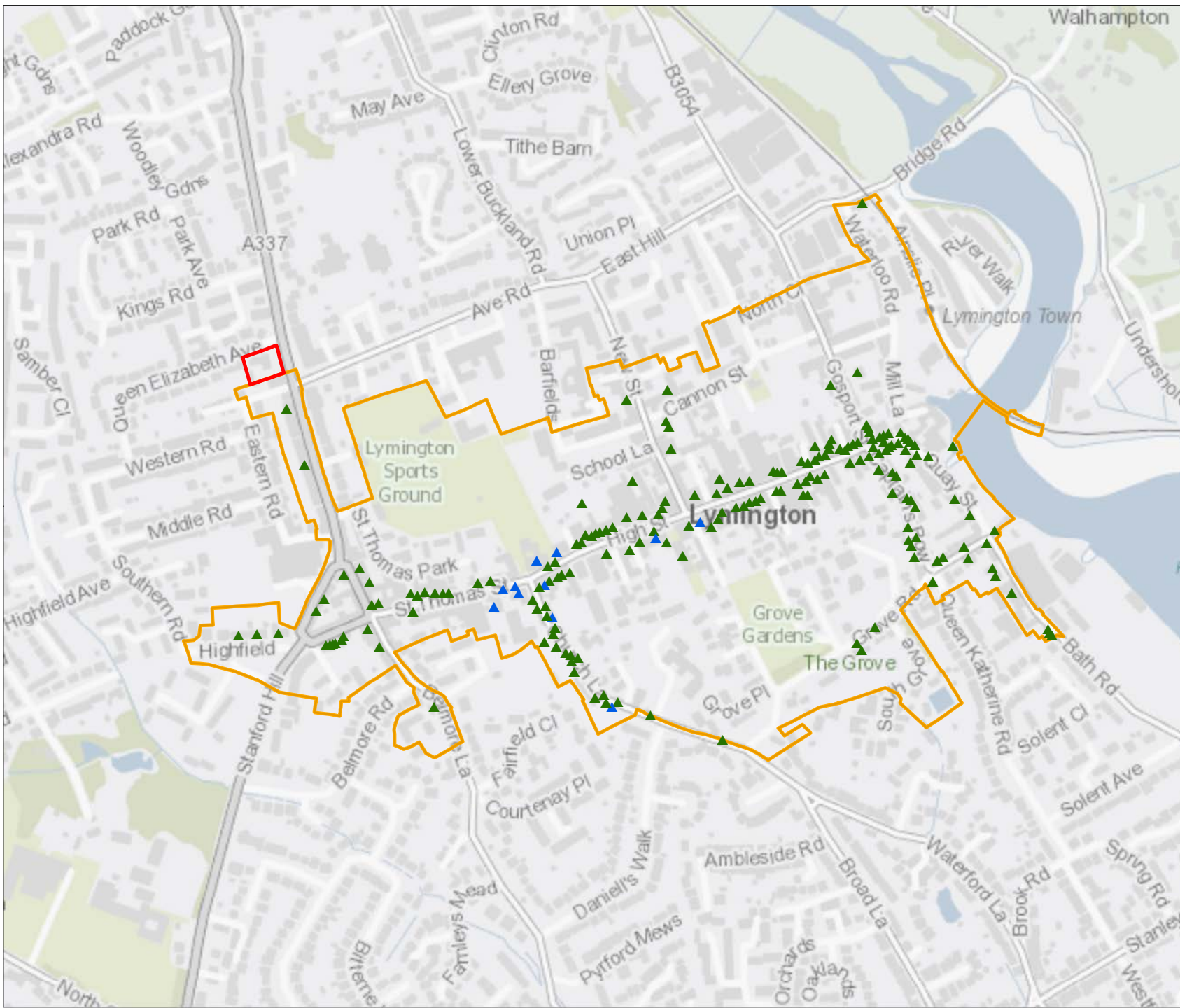
4.4.6 With regard to the former Lymington Police Station within the Appeal Site, the built form is not considered to be of sufficient architectural merit as to be worthy of national designation or identification as a Locally Listed Building. It is proposed to be replaced with a high quality designed retirement living apartments that are sympathetic to the streetscape and surrounding built form.

4.4.7 Whilst the loss of significance from the demolition of any historic building cannot be fully mitigated, it is recommended that a programme of building recording (in accordance with Historic England's (2006b) *Understanding Historic Buildings: A Guide to Good Recording Practice*) would ensure the building is preserved by record. Any programme of historic building recording should be agreed in consultation with the Local Planning Authority.

5. Conclusion

5.1 Summary

5.1.1 It is my professional opinion that the site has the capacity to accommodate the new development without resulting in harm to the heritage significance of the adjacent conservation area due to changes within its setting. I do not share the opinion of the Council that the scheme would result in less than substantial harm and NPPF 202 is not engaged. If the Inspector is minded to consider there is less than substantial harm, in line with NPPF 202 then the public benefits of the appeal scheme are set out within Mr. Shellum's evidence.



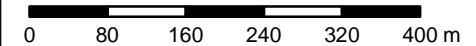
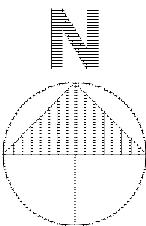
KEY

- Site
- ▲ Grade II* Listed Building
- ▲ Grade II Listed Building
- Lymington Conservation Area

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The Conservation Area boundary was supplied by Hampshire Historic Environment Record (HER) and has been cross compared with the Historic England Conservation Areas database and the New Forest District Council Lymington Conservation Area Appraisal (2002).

Only Listed Buildings within the Conservation Area boundary are illustrated on this figure.



Churchill Retirement Living Ltd
 Site of the Former Police
 Station, Lymington

Figure 1: Site Location and Lymington Conservation Area

Brook Holt 3 Blackburn Road Sheffield S61 2DW
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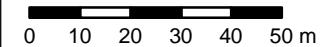
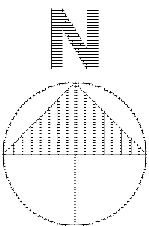
KEY

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Figure 2: Site Location and Lymington Conservation Area

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