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# Stanford Hill, Lymington, Hampshire

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**PINS REF: APP/D2320/W/20/3265785**

**LPA REF: 20/10481**

Heritage Rebuttal to Proof of  
Evidence of Mr Warren Lever

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# Rebuttal points - Heritage

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## Introduction

This rebuttal has been prepared in response to the Proof of Evidence submitted by Mr Lever, representing New Forest District Council. I have reviewed and considered Mr Lever's evidence in respect to heritage matters.

My proof sets out my assessment of the appeal scheme and its impact on identified heritage assets. I have undertaken my assessment on the basis of my professional expertise and experience. I respectfully disagree with Mr Lever's position.

I set out below a summary of the key points in Mr Lever's evidence which I consider it would be helpful to the Inspector if I set out my response at this stage. This is not an exhaustive list of matters. Other matters raised within Mr Lever's evidence have been addressed separately by the respective experts within the appeal team.

## Point 1 - Para.1.3.1

Point: The Lymington Local Distinctiveness SPD (2011) postdates the Conservation Area Appraisal (CAA)(2002) and so its character analysis is the most up to date in terms of the appraisal of the town.

Response: That may be the case when looking at the town of Lymington as a whole, but the character areas in the SPD do not tie up with the conservation area boundary and therefore its use is limited to that of general design and does not help to inform any heritage consideration or replace the CAA in terms of identifying the character and appearance of the conservation area.

## Point 2 - Paras.1.4.1, 1.4.5, 1.4.7

Point: Lymington Conservation Area Appraisal – multi-layered and number of sub areas that have differing and unique characteristics. Importance of peripheral areas of the CA (para.1.4.5). The CAA identifies areas of high archaeological importance and how these might be addressed when developing within the important [sic] heritage context (para.1.4.7).

Response: Remember – when considering impact, it is to the CA as a whole, not to a sub area (NPPF. Para.201). The guidance relates to the peripheral areas of the land within the CA and how development of it can have an impact on the wider area. This does not relate to land outside of the CA boundary. Again, the CAA identifies areas of high archaeological importance within the CA boundary and not beyond it.

**Point 3 - Para. 2.2**

Point: The site is adjacent to an important character zone directly against the boundary of the CA and is noted as a change within the SPD.

Response: Whilst there may be a change in character either side of the boundary in some locations, that change in itself does not automatically contribute to the significance of the CA. The change in character noted in the SPD is part of a descriptive characterisation of the whole town and it doesn't necessarily correspond to the boundary of the CA. It is necessary to consider whether the land in question makes a contribution to the significance of the CA or identified listed buildings, having regard to what comprises the significance of the relevant heritage asset.

**Point 4 - Para.3.2.9 & 3.2.10**

Point: The site now occupied by Buckler Court and Bucklers Mews was, prior to its redevelopment, redundant land that was previously a Malthouse, a collection of later sheds and structures to the south and the large early 20<sup>th</sup> century building called Wykeham (3.2.9). From the cartographic evidence this part of the CA has some clear contributing features..... (3.2.10).

Response: The form and character of the land now occupied by Bucklers Court and Buckler Mews is very different to that which predated. Previously, the land was much less densely developed and had greater visual permeability into and out of the CA. As developed, the site has a much denser form of development that creates a much stronger building line to Stanford Hill. This development forms a hard line to the southern boundary of the CA and effectively cuts off intervisibility between appeal site and the rest of the CA to the north.

**Point 5 - Para. 3.7.1.1**

Point: Development of the suburban form to the south of Bucklers Court illustrates a key change in character and historic development of the town. The ability to still visually read and understand this historic extent is a key value of the significance of the CA.

Response: The significance of the CA is contained primarily within the CA, where its significance can be experienced. It is not possible to experience and appreciate the significance of the CA within the site or viewing the site from within the CA. Its different character is simply that, it is different. To argue that the appeal site contributes to the significance of the CA is a tortuous argument that this change reflects an earlier historic change from undeveloped to developed land. It is the ability to experience significance that is key to whether it arises from its setting. The existing suburban form of the site does not in any way convey a positive contribution to significance. Furthermore, the significance of the CA is experienced primarily within the CA itself or in close proximity to it along public corridors and public spaces, not across existing developed sites.

**Point 6 - Para: 3.7.1.5**

Point: These are two perceptible visual changes....Bucklers Court makes a definitive full stop of higher density development.....the space formed by the smaller dwellings within the proposed site help to define this edge condition and contribute to the setting to the CA.

Response: Bucklers Court does not reflect the historic pattern or form of development in the CA at this location as set out in the historic mapping. Prior to this development there was a much softer edge to the CA boundary. Bucklers Court has created a visual full stop, which marks the entrance and exit to the CA. It also visually divorces the site from the rest of the CA to the north of Bucklers Court. As such, the ability to experience the significance of the CA is now reduced as one approaches from the south until Bucklers Court has been reached and then passed.

**Point 7 - Para.3.12.4**

Point: The building will result in a highly discordant structure at what is defined to be a.....contextual setting for the Lymington CA.

Response: The development of Bucklers Court has introduced a continual line of building that is inconsistent with the relatively open character of that which preceded it. The argument by the witness that this current abrupt change in character has some historical bearing or significance is clearly incorrect and is contrived to now resist a form of development which the Council has previously considered acceptable on land immediately adjacent to it.

**Point 8 - Para.3.14.6**

Point: The CAA sets out design guidance for new development which the appeal scheme conflicts with.

Response: Para 1.2 of the CAA: "this conservation area appraisal provides supplementary planning guidance on the subject of the design of development *in* Lymington's central conservation area"[my emphasis]. The CAA is not intended to be applied to land outside of the CA. This is then commensurate with the statutory duty of Section 72 of the Act which only applies to land within conservation areas.



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