

**Application No: 18/00525/FULL Full Application**

**Site:** New Forest Centre, High Street, Lyndhurst, SO43 7NY

**Proposal:** Continued use of former Visitor information Centre as Cafe (Use Class A3)

**Applicant:** Ms H Marshall, NEW FOREST NINTH CENTENARY TRUST

**Case Officer:** Carly Cochrane

**Parish:** LYNDHURST

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**1. REASON FOR COMMITTEE CONSIDERATION**

The Authority has an interest in the application building

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area  
Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
CP9 Defined Villages  
CP8 Local Distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Ensuring the vitality of town centres  
Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend permission, but would be happy to accept the decision reached by the National Park Authority's Officers under their delegated powers. It was considered that the siting of a cafe in this position was appropriate and the fact that there was limited accommodation prevented any detrimental effect on similar facilities in the neighbouring High Street.

## **8. CONSULTEES**

8.1 Planning Policy Officer: Support

## **9. REPRESENTATIONS**

9.1 Six letters of representation have been received, in support of the application.

## **10. RELEVANT HISTORY**

10.1 Application under the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017 in respect of the proposed flexible Change of Use of former Visitor Information Centre to Use Class A3 (Cafe) (17/00405) Details Not Required 13 June 2017

## **11. ASSESSMENT**

11.1 The application site is sited within the former Visitor Information Centre, within the New Forest Centre building located to the eastern side of the public car park, to the south of Lyndhurst High Street. The site has operated as a cafe (Tip, Leaf & Bean Cafe) since 22<sup>nd</sup> May 2017, having made use of the flexible change of use permitted under Class D of Part 4 of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017, which allows a temporary change of use for a period of up to 2 years.

11.2 This application seeks to make the use of the site as a cafe (A3) permanent. The cafe area measures approximately 60m<sup>2</sup>, and comprises an office and storage area, food preparation area, service counter and seating area. No internal alterations were necessary when implementing the flexible change of use, and no additional alterations are proposed now. Arrangements for the storage, collection and disposal of waste are as existing, and as such are incorporated into the existing arrangements for the wider building.

11.3 Whilst the site is located within the defined village boundaries, it is not a unit which comprises part of the defined shopping frontage of Lyndhurst. As such, the considerations of Policy DP7 with regard to ensuring that 50% of retail units within the defined shopping frontage are retained, is not applicable in this instance. Further, the original use of the site was for D1 (non-residential institutions) and therefore its change to any use would not impact upon the number of A1 retail units available.

11.4 Policy CP9 of the Core Strategy sets out that the Authority will support small-scale development proposals to meet local needs, including employment, retail and community facilities within the defined villages. Whilst the use of the site as a cafe does not

necessarily fit within the definition of an 'employment, retail or community' facility, the former use of the site had ceased, and the site was vacant prior to the flexible change of use being implemented. The cafe now forms part of the New Forest Centre, with its gift shop and museum, and therefore is considered a compatible and complimentary use. The site is located within the public car parking area, and on a pedestrian route which leads to Lyndhurst High Street; as such, there is a high level of footfall passing by. It is therefore considered to be located within a sustainable location. There are a significant number of cafes along the High Street, but it is not considered that the presence of a further cafe, outside of the defined shopping frontage and of a relatively small scale, would have any adverse impact upon the viability or vitality of the business upon the High Street.

11.5 It is proposed that the cafe would be open from 09:00 until 17:00, 7 days per week. This is broadly in line with the opening times of the Visitor Centre, and of cafes along the High Street. The closest residential properties are located to the rear, at The Boltons. The cafe occupies an area to the front of the building, and there is no ventilation system or access to the rear which would be used on a regular basis that may result in loss of amenity to the residents within the flats behind. As such, it is not considered that the change of use would result in any adverse impact upon neighbouring amenity. To ensure that the cafe does not remain open in unsociable hours, it is considered reasonable and necessary to restrict the opening times to those stated.

11.6 It is therefore recommended that the application be approved, as it complies with policies DP1, CP9 and CP8 of the Core Strategy.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Development shall only be carried out in accordance with

Drawing nos: 001, 002, 004.

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

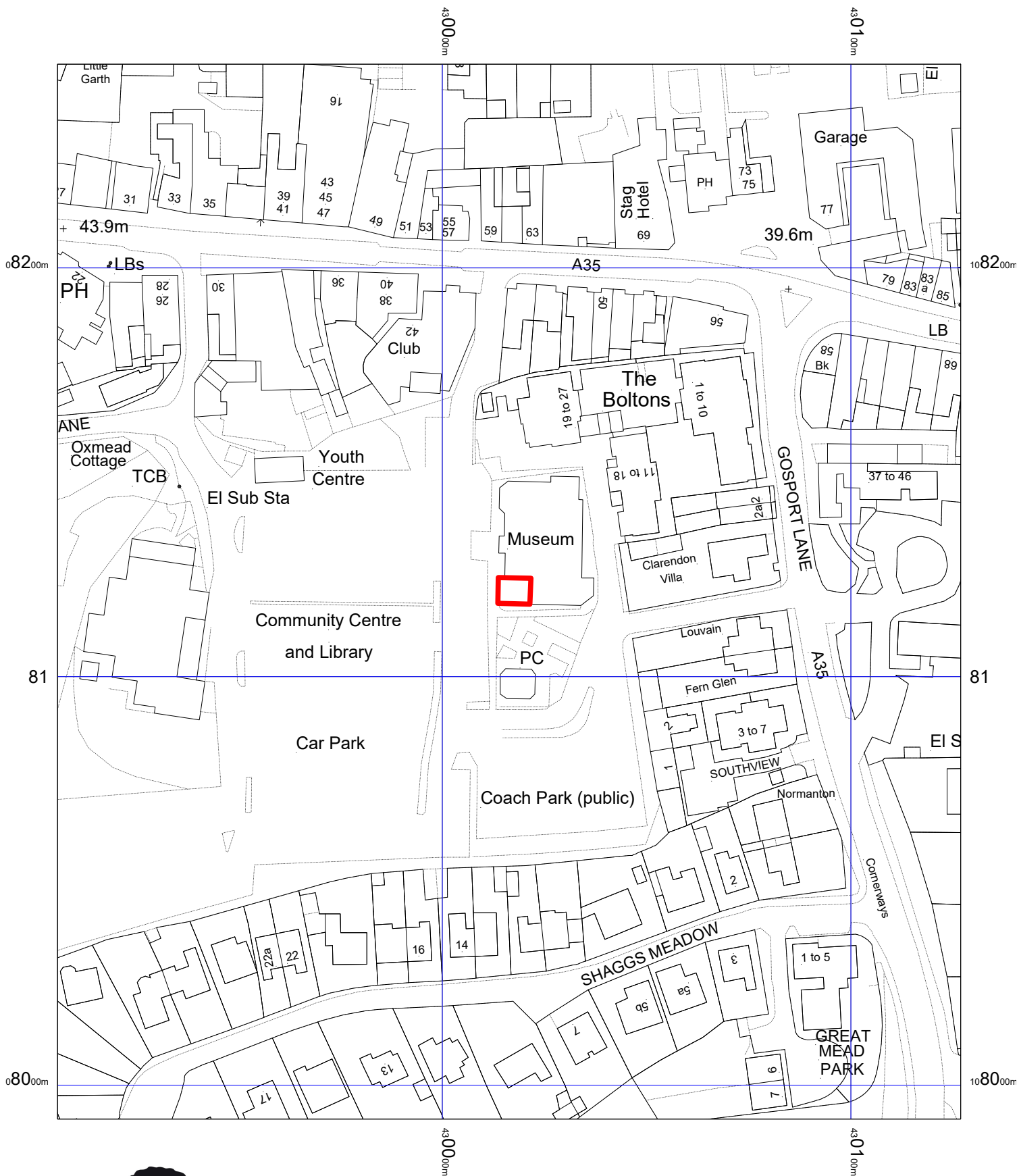
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 No mechanical ventilation equipment/extraction units, flues or other plant shall be installed on or within the building without the prior written approval of the New Forest National Park Authority.

Reason: To protect the amenities of the surrounding residential properties in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 No activity shall take place on the site in connection with the approved use other than between the hours of 09:00 and 17:00 Monday to Sunday.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



NEW FOREST  
NATIONAL PARK

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Date: 30/08/2018

**Ref: 18/00525/FULL**

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