

Application No: 18/00686/FULL Full Application

Site: Lyndhurst Park Hotel, 78 High Street, Lyndhurst, SO43 7NL

Proposal: Erection of 2.6 metre high hoardings and gates

Applicant: Ms C McNulty, Pegasus Life

Case Officer: Clare Ings

Parish: LYNDHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Lyndhurst Parish Council: Recommend refusal:

- Works have been started before planning permission has been granted in that upright support posts have been put up that are higher than the 2.6m described in the application.
- The Fire Officer should be consulted as the proposals appear to indicate that it would be difficult for fire engines to gain entry once the

hoardings have been erected. It would not appear possible to manoeuvre a fire engine between the hoardings and the building thus creating an additional fire hazard.

- The colour suggested for the hoardings (black) is not complimentary to the surroundings and white hoardings would be more appropriate.
- The Enforcement Team should serve a Section 215 Notice to ensure that the building is put into, and kept, in reasonable order.

8. CONSULTEES

- 8.1 Tree Officer: No objection
- 8.2 Hampshire Fire and Rescue Service: Response awaited - Members will be updated at Committee
- 8.3 New Forest District Council - Community Safety Officer: No objection.
- 8.4 Crime Reduction Officer: Response awaited - Members will be updated at Committee

9. REPRESENTATIONS

- 9.1 Nine objections and one comment which raise the following concerns:
- The hoardings have already been erected;
 - Invalid application - the hoardings erected are higher than those stated on the application form;
 - The hoardings are an 'eyesore' and would neither enhance nor preserve the character and appearance of the conservation area;
 - A Section 215 notice should be served to tidy up the site;
 - The hoardings are not necessary;
 - Fire hazard and increase anti-social behaviour; and
 - No time frame.

10. RELEVANT HISTORY

- 10.1 Application for Prior Notification under Part 11 (Class B) Town and Country Planning (General Permitted Development) (England) Order 2016 for demolition of single storey rear extension (18/00687) approved on 19 September 2018.
- 10.2 Creation of 75 age restricted residential units integrated with communal, wellness and support facilities; 15 no. affordable dwellings; associated car and cycle parking; landscaping; refuse store; substation; alteration of existing vehicular and pedestrian

access; demolition of existing hotel and buildings (17/00732) refused on 12 December 2017. Appeal in the form of an Inquiry to be heard in January 2018.

- 10.3 Creation of 74 age restricted residential units integrated with communal, wellness and support facilities; 12 no. holiday lets; associated car and cycle parking; landscaping; refuse store; substation; alteration of existing vehicular and pedestrian access; demolition of existing hotel and buildings (16/01000) refused on 15 February 2017.
- 10.4 Erection of 2.4m high hoardings and gates (15/00256) withdrawn.

11. ASSESSMENT

- 11.1 The application site lies within a larger area of some 1.6ha, lying at the junction of the High Street and Beaulieu Road in Lyndhurst. The site itself comprises the hotel building (vacant since 2015) and margins. The existing hotel building, which is of white render, is between three and four storeys high, with extensive areas of flat roof and elements of pitches behind parapet walls. To the front of the building (not all which is within this application site) is an area of car parking (tarmac), but the majority of the wider site to the rear comprises open grounds with areas of mature vegetation. The east, south and west boundaries are all formed by mature tall trees and dense rhododendron and laurel understorey.
- 11.2 To the west of the application site is the High Street with three storey terraces on the south side comprising retail on the ground floor and offices/residential above, and lower buildings on the north side. Immediately opposite is a looser-knit form of development, including a small listed building (B&B). To the south are the District Council's offices (Appletree Court), whilst to the east is the iconic 'Bolton's Bench' - an area of rising land with the open forest beyond (SSSI, SPA, SAC, Ramsar).
- 11.3 This proposal, which is now retrospective, is to erect hoardings around the hotel building. Whilst the application form states that they will be 2.6m high, now that they have been erected it is clear that they are much higher than this. The applicant has been asked to provide (i) a written explanation for this apparent blatant breach of planning control and (ii) a written undertaking to reduce the height of the hoardings to 2.6m (in the event that the current application is approved). The current application has to be determined on the basis on which it was submitted, i.e. 2.6m high hoardings. The application also proposes painting the hoardings black.
- 11.4 The need for the hoardings followed police reports, neighbour and Parish complaints of trespass and break-ins, many of which took place over the summer. Meetings were held with the relevant parties (the Police, NFNPA and NFDC) to discuss the most

appropriate means of preventing further unauthorised access to the building. In addition to the hoardings it is proposed to install motion and CCTV cameras (which do not require planning permission).

- 11.5 The key considerations therefore are the need for the hoardings, whether they would be appropriate and whether they would preserve the character and appearance of the conservation area.
- 11.6 The need for the hoardings has been described above, and the relevant parties, together with the Hampshire Fire Service, have been consulted on this application. Responses are awaited from the Policy and Fire Service, but the Community Safety Officer at NFDC has responded emphasising the need for measures to be taken to prevent unlawful entry, stating that the 2.6m high hoardings will impede access to the site preventing injury and risk to any person trying to enter unlawfully and preventing further deterioration or damage to the premises.
- 11.7 Whilst hoardings within a conservation area would not normally be considered appropriate, it is considered that the erection of 2.6m hoardings close to the actual building such that they would be seen in that context would be acceptable. Their impact on the wider conservation area would therefore be reduced by this positioning away from immediate public views. It should be noted that an application for 2.4m high hoardings to be erected at the pavement edge was subsequently withdrawn, as that position was not acceptable, being harmful to the conservation area.
- 11.8 A number of objectors have referred to the need to serve a Section 215 notice on the site. This is a mechanism by which owners are required to "tidy up" a site in the interests of the public amenity of the area. This is a matter for separate consideration outside the scope of this application.
- 11.9 In summary, the retention of the hoardings at a height of 2.6m is considered appropriate and necessary to deter further trespass and anti-social behaviour in the short term pending the future development of the site / use of the building being agreed. For this reason, the recommendation is for a temporary planning permission (18 months).

12. RECOMMENDATIONS

Grant Subject to Conditions

Condition(s)

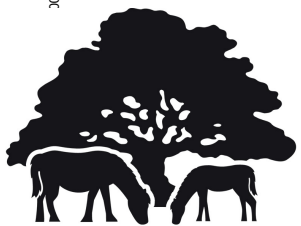
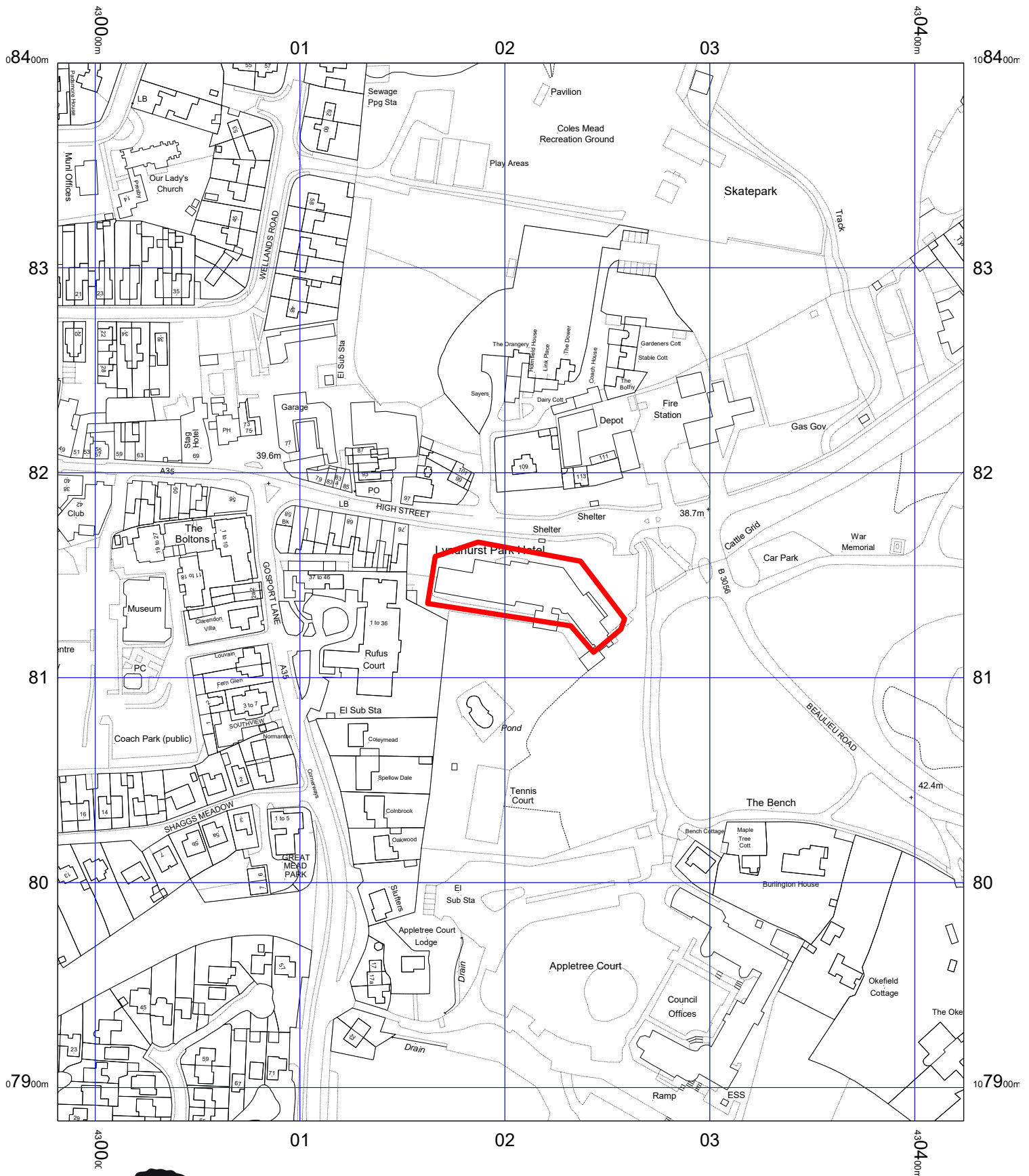
- 1 The hoardings shall be retained at a height of 2.6m and painted black, unless otherwise agreed in writing by the National Park Authority.

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

- 2 The hoardings shall be removed on or before 18 April 2020 and the land restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: The hoardings are only approved as a short term security measure pending the future development of the site / use of the building being agreed.

B. Commence enforcement action to secure a reduction in the height of the hoardings to 2.6m in the absence of an appropriate written undertaking from the applicant to do the same being received by the Authority on or before the day of the meeting (16 October).



NEW FOREST
NATIONAL PARK

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