



Mr C Cox
Pegasus Planning Group Ltd
First Floor
South Wing
Equinox North
Great Park Road, Almondsbury, Bristol
BS32 4QL

Application Number: **17/00732**

12 December 2017

TOWN AND COUNTRY PLANNING ACT 1990

Applicant: N/A, PegasusLife Ltd

Date of Application: 29 August 2017

THE NEW FOREST NATIONAL PARK AUTHORITY as the Local Planning Authority
REFUSES TO GRANT PLANNING PERMISSION for the following development:

Development **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; sub station; alteration of existing vehicular and pedestrian access; demolition of existing hotel and buildings**

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

This decision has been taken in respect of the following plans:

Drawing nos: 1615-P0001 Rev 00, 1615-P0010 Rev 00, 1615-P3000 Rev 00, 1615-P3001 Rev 00, 1615-P2000 Rev 00, 1615-P2001 Rev 00, 1615-P2002 Rev 00, 1615-P2003 Rev 00, 1615-P3002 Rev 00, 1615-P3003 Rev 00, 1615-P3004 Rev 00, 1615-P3005 Rev 00, 1615-P3006 Rev 00, 1615-P1000 Rev 00, 1615-P1001 Rev 00, LL516-100-0001, LL516-100-0011, LL516-100-0041, LL516-100-0141, LL516-100-0012, LL516-100-0013, LL516-100-0101, LL516-100-0102, LL516-100-0103

New Forest National Park Authority
LYMINGTON TOWN HALL, AVENUE ROAD, LYMINGTON SO41 9ZG
Telephone 01590 646600 **Fax** 01590 646666

www.newforestnpa.gov.uk
CHAIRMAN OLIVER CROSTHWAITE-EYRE **CHIEF EXECUTIVE** ALISON BARNES

Reason(s) for refusal:

1. The application site lies outside the boundary of the defined village of Lyndhurst and close to the New Forest Special Protection Area where new development is restricted. The New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) seeks to retain existing hotel and employment uses where these contribute to the sustainability of local communities through policies CP15 and CP16. New residential development is limited to extensions, replacement dwellings and small-scale affordable housing and the development of 90 dwellings in this location would be contrary to policies CP9, CP11 and CP12 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).
2. The proposed development, by virtue of its excessive scale, massing, layout, height and cumulative impact, would fail to respond to the context of the site, the character and appearance of the Conservation Area, and the wider landscape setting of the village and adjoining open forest. The density of development, lack of open space, loss of significant boundary screening and increased light pollution would significantly and adversely alter the existing character of the site and create a dominant form of development and overly urban environment which would be entirely at odds with the sensitive more spacious edge of the village site so close to the open forest and iconic Bolton's Bench. For these reasons it would be contrary to policies CP7, CP8, CP9, DP1 and DP6 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).
3. The existing building lies within the Lyndhurst Conservation Area. The submitted Heritage Assessment has not demonstrated to the satisfaction of the National Park Authority the historic significance of the existing building (evidential, historical, aesthetic and communal) and its contribution to the Lyndhurst Conservation Area through careful analysis. In addition, no justification has been submitted to support its complete demolition through either detailed structural analysis, or consideration of alternative uses. Whilst its loss would result in less than substantial harm to the setting of adjoining listed buildings and the character and appearance of the Conservation Area, there would still be unacceptable harm of significance. The proposal would therefore be contrary to policies CP7, CP8 and DP6 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and also Section 12 (paragraph 128) of the NPPF.
4. The application site lies in close proximity to internationally and nationally designated sites (SSSI, SPA, SAC, Ramsar) and it has not been demonstrated to the satisfaction of Natural England and the National Park Authority, through adequate mitigation measures, that there would not be significant in-combination impacts on the ecological sensitivities of these areas. The proposal would therefore be contrary to policies CP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and Section 11 of the NPPF.

New Forest National Park Authority

LYMINGTON TOWN HALL, AVENUE ROAD, LYMINGTON SO41 9ZG

Telephone 01590 646600 Fax 01590 646666

www.newforestnpa.gov.uk

CHAIRMAN OLIVER CROSTHWAITE-EYRE CHIEF EXECUTIVE ALISON BARNES

5. The proposed development, by virtue of its excessive scale, layout and lack of useable open space, would result in foreseeable undue pressure to fell or reduce protected trees of high public amenity value which would significantly harm the overall existing verdant character of the site. The proposal would therefore be contrary to policies CP2 and DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

Notes to applicant:

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.

Date: 12 December 2017



Steve Avery
Executive Director (Strategy & Planning)

NOTES TO APPLICANTS / AGENTS

Fees for discharge of planning conditions

- The fee chargeable in relation to submissions for any consent, agreement or approval required by a planning condition is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. **The fee is payable for each submission made regardless of the number of conditions you are seeking approval for.**
- A fee is payable for conditions related to planning permissions and reserved matter applications only. A fee is not required for conditions attached to listed building consents and conservation area consents.
- You may wish to use the standard form to accompany your submission or set out your requests in writing clearly identifying the relevant planning application and condition(s) which you seek approval for.

Non Material Amendments

- Central Government has introduced a new application form for the submission of Non Material Amendments to approved plans. From 1 October 2009 all submissions must be on the correct application form. (Forms & guidance notes are available on the Authority's website www.newforestnpa.gov.uk).
- The fee chargeable is £195 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.

New Forest National Park Authority

LYMINGTON TOWN HALL, AVENUE ROAD, LYMINGTON SO41 9ZG

Telephone 01590 646600 **Fax** 01590 646666

www.newforestnpa.gov.uk

CHAIRMAN OLIVER CROSTHWAITE-EYRE **CHIEF EXECUTIVE** ALISON BARNES

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so:

within **12 weeks** of the date of this notice for minor commercial applications (typically only apply to an application to alter the shopfront of an A1, A2, A3, A4, or A5 property) **otherwise;** within **6 months** of the date of this notice for all other types of application.

If the application relates to a matter that is the subject of an enforcement investigation the Authority's Enforcement team will contact you again as different timescales are likely to be appropriate.

- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- If an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

New Forest National Park Authority

LYMINGTON TOWN HALL, AVENUE ROAD, LYMINGTON SO41 9ZG

Telephone 01590 646600 Fax 01590 646666

www.newforestnpa.gov.uk

CHAIRMAN OLIVER CROSTHWAITE-EYRE CHIEF EXECUTIVE ALISON BARNES