

Application No: 22/00018/FULL Full Application

Site: Little Hayes, 43 Romsey Road, Lyndhurst, SO43 7AR

Proposal: Change of Use to residential (C3)

Applicant: Hammersley Homes

Case Officer: Liz Marsden

Parish: LYNDHURST

1. REASON FOR COMMITTEE CONSIDERATION

Significant local interest.

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
SP16 The historic and built environment
SP17 Local distinctiveness
SP46 Sustainable tourism development

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

Cllr Heron (HCC) – objection.

Fully support the provision of this much needed type of facility within the local community; this cannot be at the expense of valuable tourism facilities, which are vital to the economy of Lyndhurst and the wider New Forest.

Current application is contrary to SP46(b). Insufficient evidence has been provided to demonstrate that the property's current use is unviable or that there is a surplus of this type of accommodation within the market area.

Furthermore, having reviewed the submitted documentation and description of the proposed use, I would question whether the application correctly seeks a change of use to Class C3, as the details appear to correspond with use Class C4.

7. PARISH COUNCIL COMMENTS

Lyndhurst Parish Council: Recommend refusal but would leave the final decision to NFNPA Officers (previous comments of 01 February 2022 withdrawn). Recommendation followed consideration of additional information and representations which have come forward since the January Parish Council meeting, summarised as follows:

Appropriateness of the class of use applied for. It has been suggested that it should be Class C4 Houses in Multiple Occupation.

Article on the applicants website indicated that the premises would be open to other non-residents in the form of a day centre. This would raise further issues in respect of increase traffic movements and parking.

Whilst a site notice was posted, only one resident was formally notified which might be considered inappropriate given the location of the property.

Several anomalies/ inaccuracies on the application form.

Increased concerns about the nature of the proposed residents and the appropriateness of the site to accommodate them.

The applicants appear to be premature in including the property on their website as their first home, when it has not been purchased by them.

The spokesperson for the applicant stated that prospective residents would be referred by the local health authority as suitable for the home and the charity also have their own criteria. The property was considered suitable for people who are unable to live on their own as they have learning difficulties and fairly mild problems.

Note: The full Parish Council comments are available to view on the Authority's website.

8. CONSULTEES

8.1 Planning Policy Officer: The site is located within the defined village boundary where the principle of appropriate development is supported.

Policy SP46 seeks to retain existing serviced accommodation where it contributes towards the sustainability of local communities. Where it is argued that the existing guest house use is unviable, information should be submitted to evidence this or there is a conflict with Policy SP46.

The case is made that the provision of this form of accommodation helps to meet identified local needs and that the change of use would support local residents. Policy SP39 relates to essential local facilities that are of clear and direct benefit to the local village rather than catering for wider needs that could be met elsewhere.

Overall suggest that further information is required to:

- (a) justify the loss of the existing guest house use; and
- (b) evidence the case that the change of use would support the local communities of the New Forest National Park.

9. REPRESENTATIONS

9.1 60 letters of objection from 46 households on the grounds of:

- Contrary to policy.
- Loss of guest house use not good for tourism.
- Not a proper residential use.
- Site not suitable for those with mental health problems.
- Lack of detail about selection and supervision of residents and health provision.
- Lack of consultation and public engagement.
- Insufficient care and supervision likely to result in anti-social behaviour, which could adversely affect the safety of neighbours and others going past the site.
- Negative economic impact on the High Street and National Park.
- Limited access to public transport and lack of jobs within the village would hinder the development of occupants.
- No strategy to deal with the additional traffic and hazards from car parking. Increased noise and disturbance from vehicle movements.
- Proposal unsuitable for this area which is located in an area of holiday accommodation and opposite a pub. Also adjacent to traffic jams and fumes which are not good for mental health.
- Long-term upkeep of the property in doubt and deterioration would be detrimental to this prominent location.
- Occupation by 5 or 6 residents more disruptive than B and B use which is less intensive due to seasonality and pattern of holiday makers.
- No guarantee that it will be for local need.
- Supporters mainly not local.
- Inaccurate information on applicant.
- Changes to the charity website suggest that it could become a drop-in centre for non-residents.

- 9.2 13 letters of support for the following reasons:
- Good location to facilitate the rehabilitation of vulnerable people in a safe and welcoming location.
 - Public benefit, providing safe home to the vulnerable and reassurance to their families.
 - Urgent need for such facilities in the area.
 - Most supported accommodation is only temporary and inadequate.
 - Building looks suitable.
 - Benefits of the use outweigh any loss of tourism.
 - Remove some pressure on public sector finances.
- 9.3 Two neutral comments:
- Needs fair consideration.
 - Proposal supported by mental health team.
 - Need more information as to actual impact.

10. RELEVANT HISTORY

- 10.1 Change of use to residential (C3) (22/00150)- under consideration.
- 10.2 Use as guest house and form additional car parking (NFDC/98/63787) granted on 01 June 1998

11. ASSESSMENT

- 11.1 Little Hayes is a detached, two-storey building with further accommodation in the roof space. Permission was granted for its use as a guest house in 1998 and remains the lawful use of the building. Plans submitted with a previous application for an extension to the building show that there are seven bedrooms in total, with five ensuite guest bedrooms, two of which are at second floor level, and two smaller ensuite bedrooms for use by the owners.
- The site is in a prominent location between Romsey Road to the east and a narrow lane that provides access to properties to the west of the site. To the north there is an open green area, beyond which there are further dwellings and to the east there is the car park and grounds of the White Rabbit public house. It is within the defined village and designated conservation area.
- 11.2 The proposal is for the change of use of the guest house to a dwelling, within Class C3 of the Use Classes Order. The application has been submitted by a charity which is proposing to use it to accommodate five residents, with provision for a support worker. This would fall within the definition of Class C3(b) which relates to use of a dwellinghouse by 'not more than six residents living together as a single household where care is provided for

residents'. There are no physical alterations proposed to the building and therefore no impact on the character and appearance of the conservation area or direct impact on the residential amenities of occupants of neighbouring properties through loss of light, outlook or privacy. The key consideration is therefore whether the use of the building as a single dwelling would be acceptable in this location, having regard to Local Plan policies.

- 11.3 With regard to the use as a house, it should be noted that, until 1998, the building was a single private dwelling and the site is located within the defined village where the provision of new residential properties are generally acceptable under Policy SP19. Whilst the size of the building is larger than would be acceptable under Policy SP21, the fact remains that it would be reverting to its original use and would contribute to the range of size of properties available in the National Park, providing a larger property and potentially reducing pressure for the extension of a more modest dwelling.
- 11.4 Local Plan Policy SP46 relates to sustainable tourism development. New tourist development is directed to the defined villages and the policy seeks to retain existing serviced accommodation where it contributes to the sustainability of the local community. In this case, it has been argued by the applicants that the guest house use is no longer viable and, given the number of other guest houses and hotels within Lyndhurst, the loss of five bedspaces is not significant and would not result in harm to the tourism industry. Limited information has been provided about the reasons as to why the guest house is no longer viable though it is understood that the guest house is not currently operational. Whilst the initial closure may be directly attributed to Covid restrictions, the trend during the last two years has been towards Airbnb accommodation rather than shared facilities, which has added significantly to the market competition. There are, for example, around 170 Airbnb units in the Lyndhurst area on the official website. In these circumstances, and given the small scale of the guest house, it is not considered that it would be possible to sustain an objection to the change of use on the grounds of Policy SP46.
- 11.5 Although the proposed change of use would result in the loss of guest accommodation, the applicants are seeking to use the property as shared accommodation for vulnerable adults and could therefore be considered to provide a local community facility. Policy SP39 states that such facilities will be supported where the proposal is of clear and direct benefit to the local village or rural community. Additional information has been provided by the applicants as to the nature of this use, including confirmation of the need for such facilities and that the residents would be, if not solely from Lyndhurst, from the New Forest area. The residents would be selected by the New Forest West

Community Health Trust and would therefore be restricted to people within their area. The property would therefore continue to provide some employment and some social benefit that would contribute to the wellbeing of both the residents and potentially the services in the village that they would use and would therefore be in accordance with Policy SP39.

- 11.6 However, it is recognised that, if permission is granted for the Class C3 residential use, there would be no restriction on the building being occupied as a single family dwelling. This would not then be considered as a community facility and there would be no policy support for the proposal. However, it is considered that the use of the building as a dwelling would be appropriate and that it would not be possible to sustain a refusal on the grounds that it would result in loss of tourism. In these circumstances, it would not be reasonable to require a legal agreement for the building to be used for the purposes set out in the application, though it is noted that the applicant is willing to accept a condition or enter into an agreement to this effect.
- 11.7 It is noted that there is a significant level of objection to the proposal from local residents for a variety of reasons, some of which, such as the loss of the tourist accommodation, have already been addressed. Other concerns are based on the nature of health or social issues of future occupants of the building, which it is feared will lead to public order offences and potential disruption to and conflict with the occupants of neighbouring properties. The nature of residents is not, however, a material planning consideration when determining the application. Furthermore, the legislation specifically classifies the scale and type of the proposed use as falling within the definition of a dwelling. Therefore, even if the building was currently a single family dwelling, permission would not be required to use the premises in the way that is currently proposed. Should circumstances alter and a greater level of care be required for the residents so that the use no longer falls with Class C3, then it would be necessary for a further application to be made.
- 11.8 There is also some dispute that C3 is the correct use class; information on the applicant's website suggesting that the building could be open during the day to other people with mental health problems, resulting in a meeting place that would not fall within C3. Further information has been received from the applicants' agent, confirming that such visits would be on an informal basis, such as any friends visiting a household. It has also been suggested that the correct use class would be C4 (houses in multiple occupation), but this is applicable to properties where residents, whilst sharing some facilities, live more independently, not forming a single household and there is no element of care. Additional concerns relate to the future management of the property and that it could fall into disrepair which would be detrimental to the visual amenities of this prominent location in

the conservation area. A statement has been submitted which sets out the management and the maintenance of the property going forward.

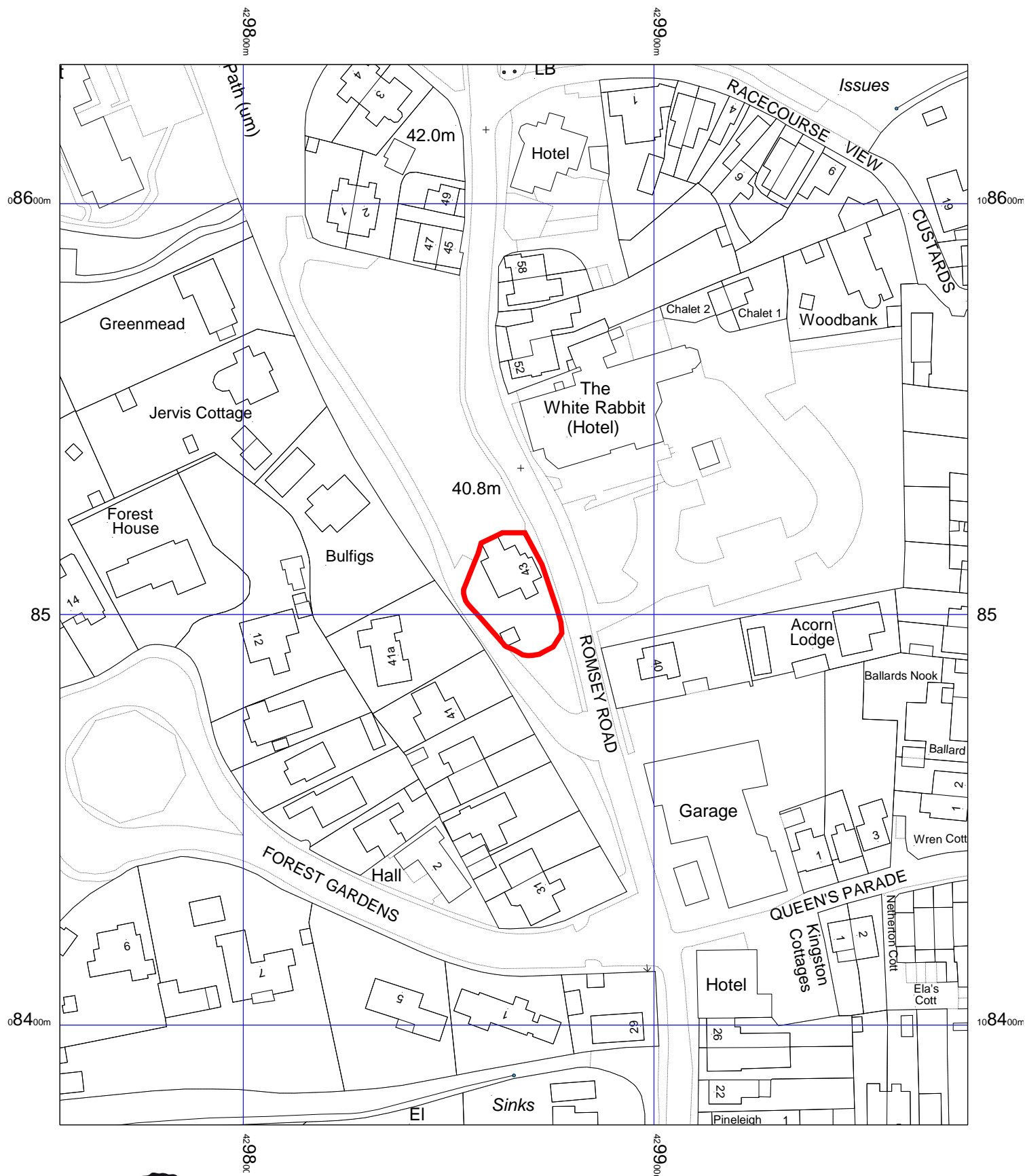
- 11.9 With regard to increased traffic movements and parking issues, it is not considered that the proposed use would result in a greater level of traffic than the guest house, where there is the potential for all guest rooms to be occupied, resulting in at least five cars in addition to the owners vehicles. Even if the proposed residents all had vehicles, this would not result in an increased number on site, though in fact it has been confirmed that the residents are unlikely to have cars and the proposal would therefore result in a decrease in traffic movements.
- 11.10 In conclusion, the proposal would result in the loss of a guest house and the building reverting to its original use as a dwelling. Whilst it is not considered that it would be possible to sustain an objection to the loss of tourist accommodation, there is some policy support for the proposal in terms of its benefit to the local community. In these circumstances, the application is recommended for permission.

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: 01, TQRQM22010161728361.
- 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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST
NATIONAL PARK

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Date: 13/04/2022

Ref: 22/00018

Scale: 1:1250

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