

Application No: 24/01158FULL Full Application

Site: Rufus House Hotel, Southampton Road, Lyndhurst SO43 7BQ

Proposal: Extensions and alterations to form 7no. flats; cycle store; fence & gates; patio with privacy screening; associated parking & landscaping

Applicant: Smart Group Property Ltd

Case Officer: Liz Marsden

Parish: Lyndhurst Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Development Plan Designations

Defined New Forest Village Lyndhurst
Conservation Area

Principal Development Plan Policies

DP2 General development principles
DP18 Design principles
DP34 Residential character of the Defined Villages
DP44 Redevelopment of existing employment sites
SP4 Spatial strategy
SP15 Tranquillity
SP16 The historic and built environment
SP17 Local distinctiveness
SP19 New residential development in the National Park
SP21 The size of new dwellings

Supplementary Planning Documents

Design Guide SPD

NPPF

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

Sec 15 - Conserving and enhancing the natural environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Lyndhurst Parish Council: Recommend refusal for the following reasons:

- Lack of parking for the Rufus and Rexteth Cottages.
- No visitor parking shown on plans.
- Surrounding roads already saturated with residential parking and visitors to the village.
- Lack of affordable housing. Note the viability assessment but do not accept the conclusions as other similar conversions have provided affordable housing with local connections.

5. CONSULTEES

Conservation Officer: The overall principle and design of the proposed alterations and extensions are considered acceptable and will conserve and enhance the locally listed building and the wider conservation area. However, there are a few design issues that need to be addressed, before the application can be supported, particularly in relation to the landscaping scheme.

Ecologist: No objection subject to conditions to secure the appropriate level of ecological mitigation and enhancement measures that are required.

Highway Authority (HCC): On the grounds that there are no changes to the existing access there is no highways objection to the proposal. Parking is a matter to be considered by the National Park Authority to ensure conformity with standards

Natural England: No objection subject to securing appropriate mitigation

6. REPRESENTATIONS

Four letters of objection on the following grounds:

- Inadequate parking provision leading to parking on the road and highway safety issues caused by cars parked on both sides and problems with emergency services gaining access.
- Already too many cars on the road from other B and B uses.
- Overdevelopment of the site – there have already been two units created and this will result in a total of nine units on the site which is excessive for a plot of this size in a prominent corner location in the conservation area.

- Concerns about number of flats that are being created at the expense of family homes.
- Proposed gable extension will not preserve or enhance the rear of the building and is inappropriate to the locally listed building.

Three letters of support/ no objection on the following grounds:

- The hotel is no longer trading and has been on and off the market for years with no one prepared to maintain it.
- The proposed use will provide the management and care required.
- The recognisable front and side will be retained whilst the unsightly rear elevation will be improved.
- There will be less parking from the hotel tourists and fewer bedrooms than the former hotel – parking provision is in accordance with standards.
- Sustainable location within walking distance of village shops and amenities and close to bus stop.
- Provides lower cost non-retirement focused living accommodation.

7. RELEVANT HISTORY

Change of use to C3 (residential) (23/00029FULL) granted on 09 August 2023

Conversion of owners' accommodation to create 2no. separate units of accommodation (Use C3); associated works (15/00763) granted on 14 February 2017

Application to vary condition 5 of PP 90851 for use of holiday flat as permanent residence. (10/94886) granted on 22 March 2010

Single-storey extensions to form holiday flat; first-floor to existing single-storey side extension (06/90851) granted on 10 April 2007

Change of use to guest house (Class C1) and extend fire escape (98/64548) granted on 02 October 1998

Single storey addition to rest home (NFDC/89/43926) refused on 16 February 1990

Extension to dining room (NFDC/84/26618) granted on 01 June 1984

Addition of a kitchen (NFDC/79/14152) granted on 13 September 1979

Change of use from elderly rest home to private hotel (NFDC/76/04653) refused on 30 April 1976

Change of use of existing dwelling to guest house (NFR/XX/14056) granted on 17 March 1965

8. ASSESSMENT

Application Site

8.1 The application site is located to the northern side of Southampton Road, on a corner plot with Queens Road from which there is access to a car parking area. It comprises a former 11-bedroom guesthouse, over two and three storeys, though permission has recently been obtained to convert it to a single dwelling. The site is within the defined New Forest village boundary and conservation area, and the property has been identified as a non-designated heritage asset (NDHA), with a design characteristic of Lyndhurst.

Proposed Development

8.2 The application seeks consent to convert the building into 5 x 1 and 2 x 2 bedroomed flats, with extensions to the rear of the building. The key considerations are:

- Whether the proposal accords with policies for new residential development in the National Park (SP19 and SP21);
- Compliance with SP27 (Affordable housing provision);
- Whether the alterations and extensions to the building are appropriate to the NDHA;
- The impact on the character and appearance of the conservation area;
- The impact on neighbour amenity;
- The impact on parking and traffic; and
- The impact on ecology.

Consideration

8.3 The site lies within the defined New Forest village of Lyndhurst where, under Policy DP19(c), the development of previously unallocated or unidentified land may be acceptable, subject to it being appropriate and sympathetic to the local character of the village in terms of its scale, appearance, form and siting (discussed in subsequent paragraphs). The adopted New Forest National Park Local Plan (2019) includes a windfall allowance of 20 net new dwellings per annum and a key source of this housing supply to meet local housing needs is the re-use of previously developed sites within the defined villages. In response to the identified local housing need arising from communities within the National Park for smaller dwellings (1-3-bed), Policy SP21 requires all new dwellings to have a maximum total internal floorspace of 100 sq. m. In this case, the seven flats created by the application have varying floor areas of between 45sq.m as the smallest and 87sq.m as the largest and are therefore within policy limitations. The smaller units all have a single bedroom and exceed the minimum area (39sq.m) set out in the statutory guidance 'Technical Housing Standards' for a single bedroom, single person unit. With the exception of unit 4, adequate storage space is also provided, but there is sufficient room in the spacious lounge/kitchen room to allow for additional storage.

8.4 The number of open market dwellings that would result from the proposed development triggers a requirement for either on-site affordable housing or, in the case of smaller sites such as this one, financial contributions in lieu of such provision, as set out in Policy SP27. Development viability is a material planning consideration and a viability assessment was submitted with the application which concluded that it would not be financially viable, in this case, to comply with the policy requirements, based on the cost of the works associated with the conversion and alterations. The report has been independently assessed by the Valuation Office Agency who have confirmed that it would not be viable to make any contribution to affordable housing. They have also raised some concerns about the deliverability of the proposals, even without such a contribution.

8.5 It has been suggested that the proposal would result in the overdevelopment of the site, though the increase in the footprint of the building would be very modest (approximately 6 sq. m), effectively infilling between two wings. There is additional floor space at first and second floor level, created by extensions above an existing single storey section of the building and the introduction of a gable end above a two-storey flat roofed section. These additions would result in an increase in the total floor space of around 15% of the existing and is not considered to be disproportionate to either the building or the site as a whole. The proposal does include the provision of bicycle and bin storage buildings, which are both modest in size and height and would generally be acceptable in a curtilage of this size.

8.6 The 'over-development' concerns raised are therefore more in terms of the intensification of the use of the site. The number of residential units that are to be accommodated, in terms of overall density, would be greater than the surrounding pattern of development with detached and semi-detached houses in the vicinity. However, where the increase in the density can be achieved without a material impact on the character and appearance of either the building or the surrounding conservation area, then it would be difficult to sustain an objection on this basis. There is a finite supply of previously developed land within the New Forest National Park and therefore it is important that effective use is made of sites that do come forward for redevelopment. Furthermore, in terms of the intensity of the use of the site, it must be noted that, until relatively recently, the property was a hotel with eleven bedrooms (two more than are currently proposed) and would have generated a considerable level of activity, equivalent to the current proposal.

8.7 The National Planning Policy Framework (NPPF), in paragraph 124, sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 125 (c) states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. The adopted New Forest National Park Local Plan (2019) sets a target of delivering 800 net new dwellings in the National Park by 2036 and 'windfall development' makes up 50% of this planned supply. Monitoring indicates that the windfall estimate set out in the adopted Local Plan of 20 net new dwellings per annum is being achieved. The proposal would provide a modest increase in

the housing stock and contribute to the range of size of properties that are available which would be in accordance with the NPPF.

8.8 The building has been identified as a non-designated heritage asset (NDHA) and the design of the proposals is important in ensuring that they do not adversely affect its character and appearance. In this case, it has been confirmed by the Authority's Building Design and Conservation Officer, that the proposed alterations to the existing fenestration are minor and, together with the removal of the metal fire escape, will improve the overall aesthetic and appearance of the building and its impact in the conservation area. The proposed rear extensions are sympathetic in form and style and will replace the poorly designed dormer and previous additions to the rear, resulting in a more attractive and coherent appearance to the NDHA. It is recognised that the extensions and the introduction of new gable over the flat roof of the canted bay window would increase the bulk of the building but, given its existing imposing scale, the proposals would not be disproportionate or out of keeping with them. Some concerns were raised over the use of materials and the relationship between windows and doors. These have been addressed through the submission of amended plans.

8.9 The site is located in the conservation area and, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area and this is reflected in Policy SP16 of the Local Plan. As set out above, it is considered that the alterations to the NDHA serve to improve its appearance and off-set any additional impact that the increased bulk of the building may have on the conservation area. Concern was raised about the original appearance of the proposed bin store, which was effectively an area enclosed by a close boarded fence, and this has been revised to a brick building with a tiled roof and would more closely resemble a garage, that would be more appropriate to a rear garden area and would not be unduly intrusive in the surrounding conservation area. Other concerns about the height of the fences dividing the two amenity areas for the ground floor flats, which are set on a raised patio area, have been addressed by reducing the height to a metre, ensuring that they would not be intrusive in views from outside of the site.

8.10 In terms of impact on neighbouring amenity, the extension to the rear would still be at a sufficient distance from the boundaries with neighbours to ensure that there would not be an adverse effect through loss of light, outlook or privacy. The northern and eastern boundaries are screened in part by mature trees, which are to be retained.

8.11 As noted above, there are trees along the eastern boundary of the site, which are protected by reason of their location within the conservation area. The alterations to the main hotel building will not have any additional impact on these trees as there is no addition at ground level. The proposed bin and bike stores are located outside of the root protection areas of the trees and the bike store in particular is a lightweight structure that would be set on a base of porous block paviours and capable of being accommodated without an adverse impact on the trees.

8.12 Considerable concerns have been raised about inadequate parking provision to serve the new units, with resultant problems arising from parking on the adjacent residential road, exacerbating the existing congestion in the area. The Parish Council have also referred to the loss of parking to the two existing cottages that have been previously severed from the site (Rufus and Roxeth Cottages). One of these cottages has two bedrooms and the other is a single bedroom property and therefore three spaces are required under the adopted residential parking standards. In this case, the spaces for these properties are provided on the northern part of their site, where there is a garage and room for two further cars. Access to this area is provided through the application site, as at present, and can be conditioned to be retained. Nine spaces are provided on the site to serve the flats, with two spaces each for the two bed units and one space for each of the single bed units. This is in accordance with the residential parking standards and it would not be possible to sustain a reason for refusal on this basis. Furthermore, it should be noted that the site is in a sustainable location, within walking distance of the village centre facilities and close to a bus stop.

8.13 A comprehensive ecological survey has been undertaken and identifies the presence of bat roosts within the dwelling and that a European Protected Species licence will be required. The Authority must therefore be satisfied that the three tests for obtaining such a licence would be met. The first and second tests relate to the work being in the public interest (this is met by its being in compliance with adopted Policy) and there being no satisfactory alternative (the development is an appropriate use of the building which would not be achieved elsewhere). The third test relates to the maintenance of the conservation status of the population of protected species. The Authority's Ecologist confirms that if the works are carried out in accordance with the recommendations of the ecology report and the requirements of a licence, this test is capable of being met. The report also sets out enhancement measures to be undertaken but these are not reflected in the submitted plans and therefore it may not be possible to ensure their delivery and retention. Conditions to secure the details of wildlife mitigation, compensation and enhancement measures together with the requirement for a post development report to be submitted to the Authority are therefore appropriate to ensure that the proposed development is in accordance with Policy SP6.

8.14 The frontage of the site lies approximately 2 metres from the New Forest Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar site and Site of Special Scientific Interest (SSSI). The HRA of the adopted New Forest National Park Local Plan confirmed that small-scale development close to the designated sites is not precluded. The nature of the development proposed is such that there appears there would be no direct impact arising from the development upon these designations as the overall extent of built development would be modest and there is sufficient scope to accommodate vehicles, materials and equipment on site during construction. A Construction Management Statement has been included with the application and subject to the proposed measures being implemented, which can be controlled by condition, the development is capable of being completed without adverse impact on the designated sites.

8.15 Prior to mitigation, the Habitat Regulations Assessment of the Local Plan could not rule out the recreational impacts of any net new residential and visitor accommodation throughout the National Park having a likely significant in combination effect on the New Forest SPA and SAC sites. Consequently, mitigation is required for all proposals of these types of development for their recreational impacts on these New Forest designated sites. The site lies in close proximity to the New Forest European designated sites and therefore it would be necessary to mitigate the adverse effects of new residential development on these sites as a result of increased recreational pressures. Policy SP5 of the Local Plan explains that a contribution to the Authority's Habitat Mitigation Scheme will enable developers to ensure that mitigation measures are secured for the recreational impacts of their development. The application site is outside the defined 5.6km 'zone of influence' for the Solent's internationally designated sites and therefore mitigation for recreational impacts on the Solent is not required. The applicant has confirmed a willingness to make a financial contribution of the agreed amount via a Unilateral Undertaking (UU) to secure the mitigation for recreational impacts on the New Forest's designated sites.

8.16 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in an appropriate assessment in assessing this application. A nutrient statement has been submitted, confirming the neutrality of the scheme due to the overall reduction in the number of bedrooms from the previous hotel use (9 instead of 11) and no further mitigation is therefore required.

Conclusion

8.17 The site is located within the defined village where new residential development is acceptable in principle. Small-scale windfall sites such as this make an important contribution towards meeting identified local housing needs on previously developed land. The alterations and extensions to the building to facilitate the proposed units can be accommodated without harm to the character and appearance of the NDHA, the conservation area, neighbour amenity or ecology. Permission is recommended subject to conditions as the proposal would comply with Policies DP2, DP18, DP19, DP34, SP4, SP5, SP6, SP16, SP17 and SP21 and of the Local Plan 2016-2036 and the NPPF.

9. 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 plans:

WR-Sht-6 Rev. D - Location and block plans

WR-Sht-7 Rev. D - Proposed topographical site plan

WR-Sht-8 Rev. D - Fence, patio, cycle and bin store plans and elevations

WR-Sht-3 Rev. B - Proposed floor plans

WR-Sht-4 Rev. A - Proposed elevations

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).

3. No development shall take place until samples or exact details of:
- The facing and roofing materials (to match the existing building as closely as possible)
 - Joinery details, to include bargeboards, at a scale of 1:10 elevation and 1:5 sections

have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. Prior to the commencement of development details of wildlife mitigation, compensation and enhancement measures, to include:

- Bat method statement and locations and specification of replacement roost opportunities during and post construction (as there is disturbance and loss of a variety of roosting features; compensation should be proportionate and provide for a level of enhancement);
- Measures to ensure new fencing is permeable to the movement of small mammals;
- Habitat features such as small trees, wildlife friendly shrubs and garden planting to offset the loss of garden area and provide a degree of enhancement in accordance with the submitted

Biodiversity Net Gain statement; and

- A minimum of 5 swift bricks/woodcrete boxes and at least two other bird/ insect structures.

Shall be submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. Within three months of the completion of the development the approved ecological mitigation and enhancement measures shall be inspected by an appropriately qualified Ecologist to ensure that they are functional and in accordance with the requirements of the submitted reports. Written confirmation of these measures shall be provided to the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

6. Prior to the commencement of development ecological mitigation for the New Forest Special Protection Areas, Special Areas of Conservation and/or Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), the Authority's Habitat Mitigation Scheme.

7. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

8. The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

9. The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in plan ref. WR sht 8 rev. D and the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

10. All construction works and associated activities, including the parking of vehicles and storage of materials, shall take place in accordance with the submitted construction management plan

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

11. No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local

Plan 2016 - 2036 (August 2019).

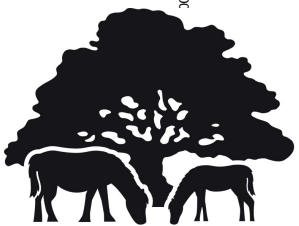
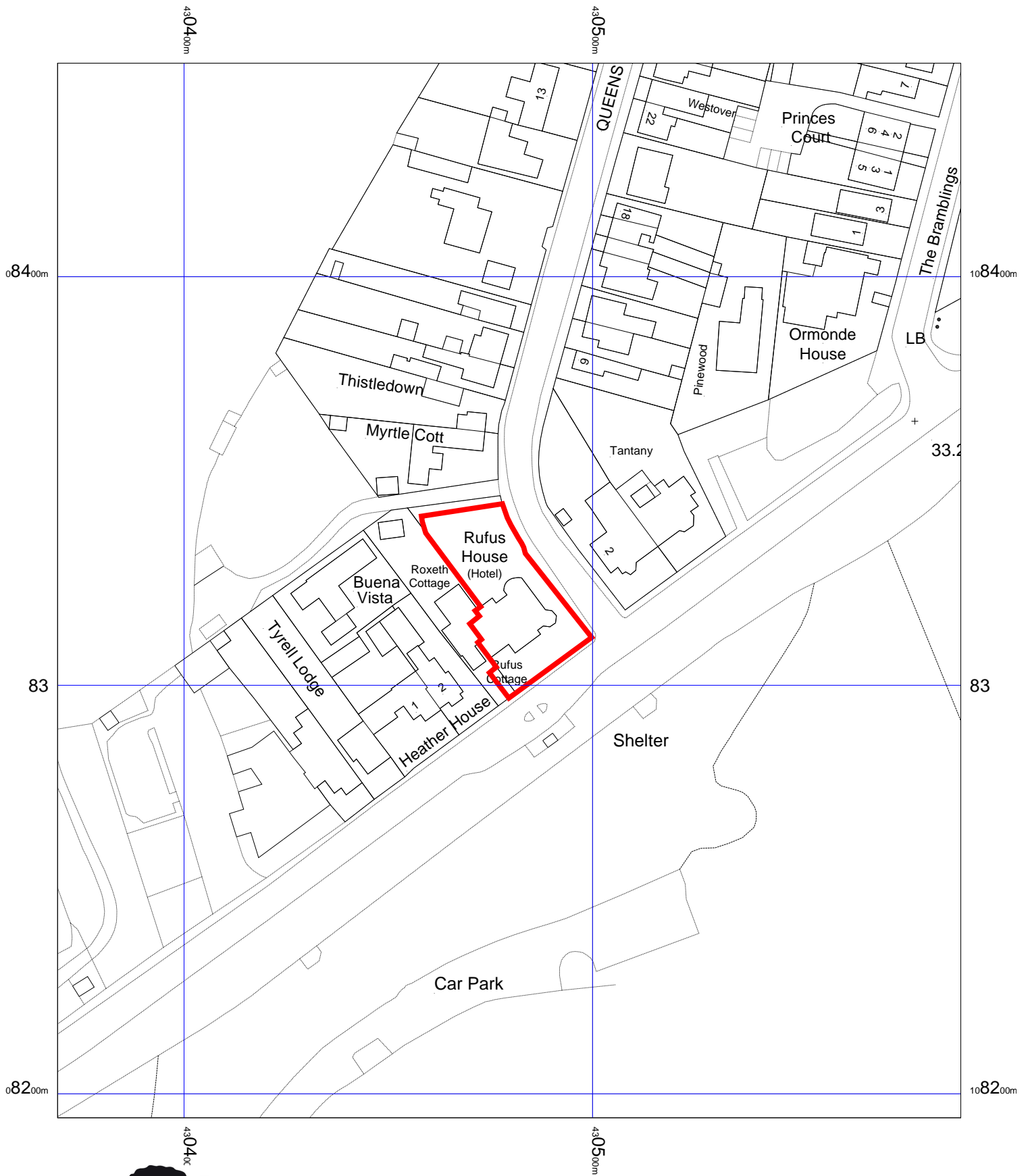
12. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

13. Access to the existing parking areas for Rufus Cottage and Roxeth Cottage, which is provided through the application site, shall be retained in perpetuity.

Reason: In the interests of amenity and highway safety.



NEW FOREST
NATIONAL PARK

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