

**Application No:** 24/01379FULL Full Application

**Site:** 29, High Street, Lyndhurst SO43 7NX

**Proposal:** Conversion of first and second floors to form 4no. flats with ground floor bin and bike storage

**Applicant:** H Saidov

**Case Officer:** Liz Marsden

**Parish:** Lyndhurst Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view.

**2. POLICIES**

**Development Plan Designations**

Defined New Forest Village Lyndhurst  
Local Shop Frontages  
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  
SP16 The historic and built environment  
SP17 Local distinctiveness  
SP19 New residential development in the National Park  
SP21 The size of new dwellings

**NPPF**

Sec 11 - Making effective use of land  
Sec 12 - Achieving well-designed places  
Sec 15 - Conserving and enhancing the natural environment  
Sec 16 - Conserving and enhancing the historic environment

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal for the reasons listed.

The proposed flats have a lack of liveable floor space, they are of poor internal design with no storage space for possessions. Lack of parking available on site. The Committee prefer planning application 23/01369FULL which was approved in March 2024.

**5. CONSULTEES**

Conservation Officer: Although there is no objection from a heritage perspective as there would be no external changes to the building, there is concern that the proposal would be an overdevelopment of the site. The flats would be very small with awkward layouts. Also, a query over whether the windows, which were shown to be replaced previously, are to be retained.

Natural England: No objection subject to appropriate mitigation being secured.

**6. REPRESENTATIONS**

None received.

**7. RELEVANT HISTORY**

Alterations to former bank building to create a retail unit at ground floor; residential units on the first and second floors, to include a first and second floor rear extension; insertion of roof light; alterations to fenestration (23/01369FULL) granted on 05 March 2024.

Display various non illuminated signs. (13/98366) granted on 17 May 2013.

Non-illuminated hanging sign (07/91534) granted on 15 June 2007.

**8. ASSESSMENT**

**Application Site**

- 8.1 The application site is located towards the top of the High Street near its junction with Romsey Road (A337). The building, which is one of the largest in this part of the High Street, was formerly used as a bank (currently

vacant), with offices at first floor level and a two bed-room flat on the second floor. The building has been identified as a non-designated heritage asset (NDHA).

## **Proposed Development**

8.2 The application is a variation on a permission granted in 2024, which permitted the extension of the property to the rear and the conversion of the first and second floor to three flats. The current proposals do not include any extensions or alterations to the exterior of the building, but would result in the creation of four, single bed flats. The ground floor is to be retained in a commercial use, as approved previously. The key considerations are:

- Whether the proposal accords with policies for new residential development in the National Park (SP19 and SP21);
- Any impact on the character and appearance of the conservation area;
- Any impact on neighbour amenity; and
- Whether the lack of parking facilities is acceptable in this central location.

## **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). Policy SP21 requires all new dwellings to have a maximum total internal floorspace of 100 sq.m. In this case, the four flats created by the application would have internal floor areas of around 37 sq.m and are therefore within policy limitations.

8.4 Concern has been raised about the small size of the units and the awkward layout, in particular to flat 4. However, it has been confirmed by the applicant that all units are in compliance with Building Regulations and nationally described space standards as set out in the statutory guidance 'Technical housing standards'. These require a 1 bed, 1 person flat to have a minimum floorspace of 39 sq.m unless, as in the case of the proposed units, they are equipped with showers instead of baths. The minimum space required for a single bedroom is 7.5 sq.m with a minimum width of 2.15m wide. Again, all of the proposed flats comply with this requirement. In the absence of any adopted policies about the minimum size standards that are considered to be acceptable in the National Park, it is not considered that it would be possible to sustain a reason for refusal on this basis.

8.5 It has been suggested that the proposal would result in the overdevelopment of the site, though as there is to be no extension to the building, this would be more in terms of the intensification of the use of the existing available floor area. Whilst it is considered that the very modest size of the units would not accord with the residential character of

Lyndhurst, which predominantly comprises more spacious accommodation, it would have no impact on the character and appearance of either the building or the surrounding conservation area. It has been confirmed that there are to be no external alterations to the building as the existing windows are to be retained and repaired and in these circumstances there would be no added impact on the amenities of occupants of neighbouring properties.

- 8.6 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 New Forest National Park is not covered by the Government's Housing Delivery Test and up-to-date monitoring reports confirm that the number of 'windfall' dwellings that have been completed in the Local Plan period exceed the figure that of 20 dwellings per annum, set out in the plan (paragraphs 7.10, 7.41-7.44). The Authority also has a housing land supply of 6.6 years. Therefore, whilst there is no existing or anticipated shortage, 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.
- 8.7 It is recognised that there is no car parking provision for the properties and concern has been raised that this would place increased pressure on the surrounding roads. The site is located within easy walking distance of the village amenities and the public car parks would be easier and closer to access from the flats than the residential roads to the north of the site. It should also be noted that the parking requirement for the current proposals would be one space per unit (four), which is fewer than for the approved scheme of 3 x 2-bed flats, which would have been six spaces. The Highways Authority were consulted on the previous application and raised no objections. The proposal includes provision for the storage of bicycles, one for each flat, which again is in accordance with adopted standards.
- 8.8 Prior to mitigation, the Habitat Regulations Assessment of the Local Plan could not rule out the recreational impacts of any 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 applicant has confirmed a willingness to make a financial contribution of the agreed amount via a Unilateral Undertaking (UU) to secure the mitigation.

- 8.9 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 'budget' has been submitted and the applicant has indicated a willingness to accept a condition to secure an avoidance and mitigation package in respect of the impacts of the development. Subject to securing appropriate mitigation in order to achieve a nutrient neutral scheme, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met.

## **Conclusion**

- 8.10 The site is located within the defined village where new residential properties are acceptable in principle. Whilst the proposed units are of a very modest size and somewhat contrived layout, they comply with the criteria of the technical housing standards and can be accommodated without harm to the character and appearance of the NDHA, the conservation area or neighbour amenity. As such the development does not conflict with Policies DP2, SP17, DP18, DP19, SP21 and DP40 of the Local Plan 2016-2036 and is in accordance with 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:

PP-001 rev. B - Location plan, Block plan, Existing and proposed plans and 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. The development hereby permitted shall not be occupied until:
  - a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;
  - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
  - c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

The development shall be carried out in accordance with and subject to the above details.

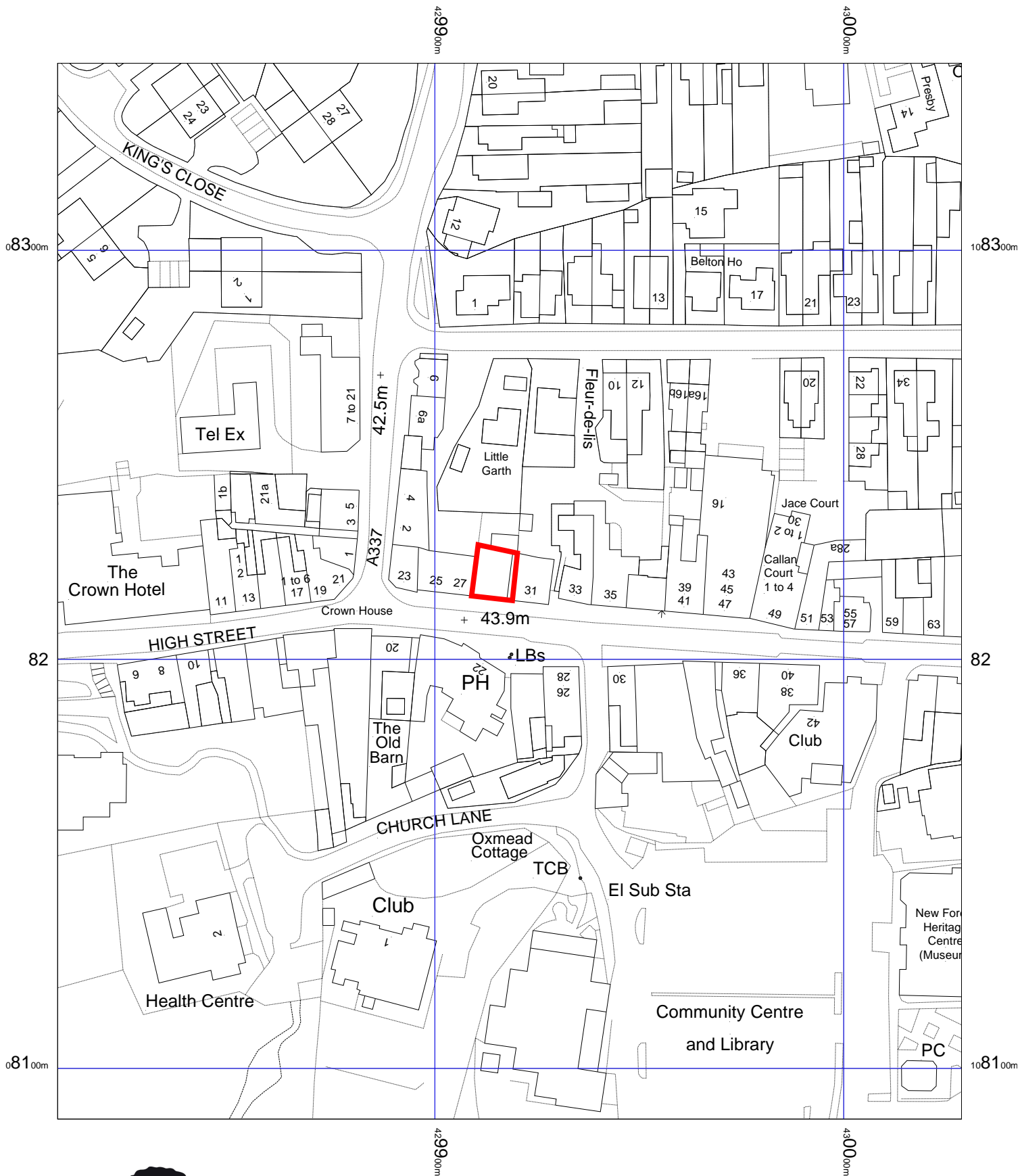
Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy SP5 of the adopted New Forest National Park Local Plan (2016 -2036)

4. 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) and the Authority's Habitat Mitigation Scheme.

5. 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).



NEW FOREST  
NATIONAL PARK

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Date: 06/03/2025

**Ref: 24/01379FULL**

**Scale: 1:1250**

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