

REPORT UPDATE

Application No: LU/50/21/PL

Reason for the Update / Changes

Reason for Update/Changes:

Additional Information from agent :

The Council currently holds a waiting list for beach huts of more than 200 expressions of interest across the District.

Whilst turnover of beach huts is consistently low (typically less than 10 huts change hands per year), demand for beach huts in the Arun District is significantly greater than the current provision.

Viable sites for Arun to install beach huts are limited. This site has been chosen following consultation with the Councils Estates, Foreshores Team and Coastal Engineering services.

The chosen site, being directly adjacent to existing huts of many years standing, provides an area of stable shingle that is least likely to suffer damage in the event of inclement tidal/weather events, without impeding or obstructing access for the wider public.

9 Additional Objections:

- Proposal does not accord with policy SCP1 because it would have a significant adverse impact upon the seascapes with no mitigation or public benefit. It will cause an unacceptable reduction in amenity for hundreds of people who walk the prom every day of the year, and similar numbers driving along Sea Road and down Norfolk Road.
- The proposal adversely affects views of the sea, sky and beachscape from the Promenade; The first glimpse and emerging view of the sea along Norfolk Road would be lost.
- Sea views should be available to all.
- The group of ten huts at the west end of the row is an act of destruction, because it will utterly ruin the only view of the sea and horizon from Street Level in the entire town.
- Demand alone is not any justification for more. The majority of the huts have extremely light use. Only a few people use their huts frequently.
- The proposal would increase the number of beach huts along Sea Road by 20 units which is more than 16% on top of the 121 existing.
- At the moment nearly 60% of the beach between the East Beach restaurant and the Skate Park is not visible, but if the project is carried through, the blockage will rise to 69%, meaning less than a third of the view is visible, and then only in the form of narrow gaps between huts.
- Some form of time-sharing and some scheme to lease huts at a suitable rate on a daily and weekly basis would result in both a higher occupancy and a greater overall income.

Officer Comment:

Even if the current beach huts and those proposed utilised a time share option there would still be a demand in excess of provision.

Beach huts are an established and accepted part of seafront vistas and would not be visually out of keeping or obtrusive.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: LU/50/21/PL

LOCATION: Littlehampton Promenade
South of Putting Green
Sea Road
Littlehampton

PROPOSAL: Provision of 20 No. new beach huts on concrete bearers to broadly match existing.
This site is in CIL Zone 5 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This is an application where Arun District Council is the applicant.

The 20 proposed beach huts would have a shallow pitched roof with a ridge height of 2.6m and floor areas of 2m by 2.7m. They would be constructed of composite panels with wood effect cladding and roofs.

The beach huts would comprise a total of 10 individual huts intermittently added to existing rows of huts. A new group of 10 beach huts is proposed to be added to the end of the existing row of huts.

SITE CHARACTERISTICS The sites are currently shingle covered spaces between and at the western end of the existing beach huts. The groups of timber beach huts arranged in half moon formations face towards the sea. The huts in each group are painted in matching vibrant colours which alternate between each group.

CHARACTER OF LOCALITY The site is located on a beach which has a pedestrian promenade running alongside its northern fringe. The promenade and beach at Littlehampton are in public use for leisure/tourism.

There are a number of crescent shaped formations of beach huts to the east of the site.

The East Beach Cafe is nearby to the west, where the promenade widens. The area benefits from an overall sense of openness due to the wide promenade and beach vista.

RELEVANT SITE HISTORY

LU/247/11/	Construct 6 No. beach huts on concrete bases.	ApproveConditionally 01-12-11
LU/280/13/	Construct 5 No beach huts on concrete bases	ApproveConditionally

Those beach huts proposed by this application are identical in appearance to those previously approved.

REPRESENTATIONS

Littlehampton Town Council - No Objection to the principle.

Provision should be made to facilitate wheel chair access. A minimum of three huts should be equipped with accessible facilities.

2 Objections

- The proposal is contrary to Arun Local Plan policy LAN DM1.
- Turning the promenade and Sea Road view into a wall of hut backs will reduce the enjoyment of sea views and will particularly adversely impact the elderly and those with mobility problems.
- Additional revenue should not be to the detriment of our chief asset as a seaside resort.

COMMENTS ON REPRESENTATIONS RECEIVED:

- The beach huts would match the existing in design and would be accessible for wheelchair users.
- There would still be gaps retained between the groups of huts allowing views of the sea and the proposal only deletes sea views of a small section of the whole promenade and Sea Road.
- The huts themselves are an important visual amenity feature as they contribute towards a traditional seaside resort appearance.
- The provision of the huts will not impair access to the beach or close it off from public use in any way.
- The proposal is compliant with policy LAN DM1 as it does not detract from the characteristics and natural features of the coastal landscape area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers - Awaited.

Economic Regeneration - Awaited.

Estates Officer - Awaited. However, the application has been submitted by the Estates Department on behalf of the Council.

Marine Plan Officer - No Objection.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:

2km Buffer for Site of Special Scientific Interest

Outside the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

REPORT_1011(ODB)

CSP1	C SP1 Countryside
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 21 Proposals to increase the recreational and tourist use of the River Arun

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies of the Littlehampton Neighbourhood Plan have been taken into account.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

OTHER STATUTORY PLANS:

[South Inshore and South Offshore Marine Plan 2018:](#)

S-TR-1

S-TR-2

S-SCP-1

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it will improve the provision of beach huts and add to the facilities available for visitors to the area and residents.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND

This application will enable Arun District Council to improve the Littlehampton seafront offer for its visitors. Additional beach huts would increase footfall and add to the vitality of the area generally and would benefit businesses located along the seafront and promenade.

PRINCIPLE

The site is located outside the built-up area where the countryside policy C SP1 of the Arun Local Plan applies. This is clearly not a countryside location where the beauty of the countryside needs to be protected and there other policies in the plan that are relevant namely policy D DM1 which seeks to protect the character and appearance of the area and create attractive places and spaces with the needs of people in mind. In this case policies TOU SP1 and TOU DM1 of the Arun Local Plan also apply.

Policy TOU SP1:

- Supports tourist growth which encourages long-term visitor interest/activity.
- Ensures a viable visitor economy.
- Expands the visitors season so as to benefit to local people.
- Protects and enhances the natural and built environment of Arun.

The proposal will allow for an increase in the number of beach huts in accordance with policy TOU SP1 of the Arun Local Plan. Policy TOU DM1 supports tourism development outside the built up area boundary where they are associated with enhancing visitor use or appreciation of a specific feature or location. The Littlehampton Seafront is a case in point and the proposal would enhance visitor use of this location and appreciation of the beach and its environs.

The huts would have a sympathetic relationship to the surrounding area and neighbouring uses providing extra facilities for the tourists and day trippers that use the area. This is further outlined below.

The proposal would allow for an extended tourist offer providing additional huts in accordance with policies TOU SP1 and TOU DM1. Policy 21 of the Littlehampton Neighbourhood Plan supports the implementation of any scheme that maximises the use of the river and encourages tourism activity along the waterway. The proposal would encourage activity and use of the seafront in an area close to the river.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable. The proposal accords with this policy in that the proposal does accord with the development plan.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development within the built up area boundary. The proposal is not in accordance with this policy due to the siting of the application site being outside the built up area boundary, but given the nature of the proposal the proposal could not be sited within the built up area boundary.

The proposed development is therefore considered acceptable in principle and in accordance with the policies outlined above.

VISUAL AMENITY

Policy D DM1 of the Arun Local Plan assesses proposals for development in terms of their character and appearance and impact on general movement to and around the site. The huts would have a traditional appearance and would reflect the design of the existing beach huts in the locality and would be readily visually assimilated into the foreshore area.

The huts would add to the facilities available to attract members of the public and in particular tourists. The effect on Littlehampton Promenade would be to add further interest and diversity to the existing street scene increasing the tourist 'offer' available. The proposed huts would have sufficient space around them when in use so as to make them accessible to users whilst still maintaining access within the promenade as a whole.

As Arun District Council is implementing these proposals, we are able to retain the distinctive colours of the groups of existing beach huts which will promote visual integration and maintain the ordered and uncluttered character which is exhibited by the existing huts and is a distinctive and valuable visual feature of the area.

The development is therefore considered to comply with policy D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The uses positively influence the offer of the seafront and due to their position within the seafront would not adversely impact the amenities of the surrounding area and occupiers of nearby properties. The nearest residential premises are at least 150m away. They would be unlikely to experience any unacceptable noise, litter, odour or light pollution. The proposal is therefore compliant with policy D DM1 of Arun Local Plan.

IMPACT ON THE MARINE ENVIRONMENT

The proposal involves minimal development on the foreshore. The beach huts would be located on the top part of the beach shingle area adjacent to the promenade. It is necessary to consider the impact of the proposal on the marine environment and the relevant policy consideration is the South Inshore and Offshore Marine Plan. Policy S-TR-1 states 'proposals supporting, promoting or facilitating tourism and recreation activities, particularly where this creates additional utilisation of related facilities beyond typical usage patterns, should be supported'.

Policy S-TR-2 'Proposals that enhance or promote tourism and recreation activities will be supported. Proposals for development must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on tourism and recreation activities'.

Policy SCP-1 refers to Proposals that may have a significant adverse impact upon the seascapes and landscapes of an area should only be supported if they demonstrate that they will, in order of preference:

- a) avoid
- b) minimise
- c) mitigate
- d) if it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascapes and landscapes of an area and its significance.

The proposal would not adversely impact on the marine environment or affect the landscape. The scale and design of the beach huts is acceptable and they would be readily assimilated into the existing row of beach huts ensuring no significant impact on the seascape or landscape. The proposal would expand an existing facility which benefits tourists/visitors in accordance with the policies outlined above.

CONCLUSION

The proposed uses would promote the long term visitor interest and activity of the Littlehampton promenade and provide benefits to local people complying with policy TOU SP1 of the Arun Local Plan.

The proposal would be compatible with the character of the area and the existing uses within it in compliance with the relevant policies of the Arun Local Plan, the Littlehampton Neighbourhood Development Plan and South Inshore and Offshore Marine Plan.

The application advertising period expires on 01-05-2021. Therefore it is requested that the decision on this application is delegated to the Group Head of Planning in consultation with the Chairman and Vice Chairman of Committee.

The proposal is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans :
 Location Plan
 Block Plan West Part
 Block Plan East Part
 Proposed Floor Plans and Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The buildings shall be used as Beach Huts only and for no other purpose and shall not be used for the provision of overnight accommodation.

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenity in accordance with policy D DM1 of Arun Local Plan.

- 4 In the event of any building for which permission is hereby granted ceasing to be used as a beach hut, it shall be demolished and removed from the site and the land restored to its former condition within 6 months of the cessation of such use or within such extended time as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policy D DM1 of Arun Local Plan.

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 6 INFORMATIVE: Any works activities taking place below the mean high water mark may require a marine licence from the Marine Management Organisation in accordance with the Marine and Coastal Access Act (MCAA) 2009. It is down to the applicant to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.