

PLANNING APPLICATION REPORT

REF NO: LU/5/11/

LOCATION: Seating Shelter
The Promenade
Sea Road Littlehampton

PROPOSAL: Conversion of shelter to kite surfing centre (D2) including cafe facilities (Revision of LU/173/10)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The existing shelter would be demolished and replaced by a timber clad building to form a kite surfing centre, D2 Class Use which is also to include cafe facilities. The building would be single storey and measure approximately 13.2m in width x 5.3m in depth x 3.4m in height.
SITE AREA	Approximately 82 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Site stepped up slightly from highway.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Area open to highway and beach.
SITE CHARACTERISTICS	Existing covered seating shelter. Flat roof, brick and render facade. Covered seating areas to all sides of shelter.
CHARACTER OF LOCALITY	Sited on Littlehampton Seafront, shelter abuts promenade. Skateboard ramps and sewage works opposite (north) of the site. Littlehampton Swimming and Sports Centre and residential flats to the north-east of the site. Row of beach huts to west of site. Area to the south of site allocated for the use of kite surfers.

RELEVANT SITE HISTORY

LU/173/10/	Conversion of shelter to kite surfing centre (D2)	Approve Cond 08-10-2010
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REPRESENTATIONS

Representations received:
Littlehampton Town Council
No objection

3 Letters of objection:

- Loss of a public shelter.
- Windsurfers have previously provided their own business accommodation for which they should encouraged to do so again.
- Why is another cafe facility needed with 2 nearby and a 3rd advertising its lease.
- Application contradicts the advertised concession tender.
- Question adequacy of the kitchen area which could service a large amount of people.
- Plans do not give enough detail of the relationship between changing facilities and cafe.
- Will add pressure to the environment and vegetated shingle.
- The proposal may allow the premises to be turned into a commercial/retail use which has been advertised by the applicant.
- Cafe facilities goes against vision of the Littlehampton Regeneration Programme.
- Addition of another cafe is not sustainable and would be detrimental to the Littlehampton and the wider Arun District.

Comments on Representations received:

Comments on Littlehampton Town Council Response:
Noted.

Comment on other representations:

The previous application relating to this site LU/173/10 agreed the loss of the seating shelter with the provision for public seating maintained to the north elevation and shelter to the south. The proposed cafe will be an ancillary use to the kite surfing centre and the will not be the primary use of the building. The types of food served and use of the building will be restricted to that applied by way of conditions to any approval, which does not include a retail or commercial use. Environmental Health are satisfied with the internal layout for the building. No ecological objection has been made to the proposal and therefore it is not considered to impact upon the vegetated shingle. The issue of competition is not a material planning consideration.

CONSULTATIONS

WSCC Local Development Divis.
Property Services Manager
Environmental Health
Concessions Officer

Consultations responses received:

Concessions Officer:

To change this rather dilapidated Kiosk into an Kite Surfing School and to provide light refreshments will be a great improvement, and at no cost to the tax payer.

County Highways:

This part of the B2140 (Sea Road) and nearby roads are subject to significant levels of on street parking at peak time. Whilst it is likely that the proposal could add to on street parking in the area, the scale of the development is not such that a highway safety concern would result.

Ecology:

No ecological objection.

Comments on Consultation responses:

Comments on Consultations received:
Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside the built-up area boundary
Class B Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	DEV1	Conversion of Rural Buildings for Industrial or Business Use

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPG17	Sport and Recreation

SUPPLEMENTARY POLICY GUIDANCE

XXX3	Good Planning Practice Guide on Tourism
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POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

HISTORY

The seating shelter was the subject of a previously approved application for its change of use and conversion to form a Kite Surfing Centre, LU/173/10/ refers. The use and conversion of the building as a Kite Surfing Centre has therefore been previously accepted as an appropriate use for the building and the location.

PRINCIPLE

The proposed application seeks permission for an amendment to the previously approved

application (LU/173/10) for the change of use and redevelopment of an existing seating shelter along Littlehampton Seafront to a Kite Surfing Centre, D2 Class Use which includes cafe facilities. The appearance and design of the building remains unchanged, therefore the cafe use and extension of opening hours is the only change to the previous application.

The site is located outside the built-up area boundary. Existing Leisure facilities such as the skate boarding ramps and Littlehampton Swimming and Sports Centre are within close proximity to the site and to the west of the site are two existing cafe uses.

CHANGE OF USE

The proposed change of use would form a Kite Surfing Centre and cafe facilities within the existing shelter, which would be converted for use by members of the public. The application proposes the hours of use to be 08.00-21-30 7 days a week to include Bank Holidays, which is an increase to opening hours to the previous approval to allow for later evening opening. Although the proposal includes an increase to the opening hours and a cafe use within the building, given that the Kite Surfing Centre is previously approved, the introduction of an ancillary cafe use and an extension to opening times would be acceptable. The site being located within a designated Kite Surfing area together with its distance from residential properties would ensure that the uses proposed would not detract from the amenity of the locality.

The loss of a covered public seating shelter has previously been considered, and subject to seating being maintained to the north elevation providing public seating albeit without a shelter over is acceptable. The covered area to the south elevation of the building is also maintained which ensures a sheltered area for the public in this location.

SUMMARY

The proposed site is acceptable to accommodate both the kite surfing centre and the ancillary cafe satisfactorily without a demonstrable impact upon the amenity of the locality given the existing designation of the area for kite surfing use. Whilst the uses may lead to an intensification of the use of the area, the designated area has no restrictions to the hours of use and given its distance from the nearest residential areas it is not considered to impact upon private amenity. The impact of the centre and cafe upon the other users of the seafront such as the occupiers of the beach huts to the west would be minimised.

It is therefore recommended that the application be approved subject to the following conditions.

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 This permission relates to the following approved plans:
Existing Floor Plans and Elevations; Proposed Floor Plans and Elevations (dated 02-03-11) and 1:100 Roof Plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The external walls of the proposed building shall be clad in a coloured material, details and samples of which shall be submitted to and approved by the Local Planning Authority before development is commenced and the materials so approved shall be used in the construction of the building.

Reason: In the interests of amenity to achieve a reasonable visible quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The building shall be used as a Kite Surfing Centre and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun District Local Plan policy GEN7.

- 5 The servery/cafe within the development hereby permitted shall be operated solely as an ancillary use to the Kite Surfing Centre and shall only provide light refreshments outlined within the agents email dated 6th April 2011.

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun District Local Plan policies GEN7 (GEN32 and GEN33).

- 6 No ventilation flue for the extraction and disposal of cooking odours shall be constructed upon or attached to the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun District Local Plan policy GEN7.

- 7 **INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010**

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV1

NATIONAL POLICIES: PPS1, PPG17

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 8 INFORMATIVE: This application does not purport to grant consent for any advertisement displayed upon the building which would require Advertisement Consent in its own right.