



Committee Report

Planning Committee South – 22 November 2022

Application no DC/22/3221/FUL

Location

Beach Hut Site
Manor Road
Felixstowe
Suffolk

Expiry date 16 October 2022

Application type Full Application

Applicant East Suffolk Council

Parish Felixstowe

Proposal Creation of a new row of 19 Beach Hut sites to the seaward side of an existing row at Manor Road, Felixstowe. These will provide relocation sites for the 14 displaced huts at the Spa in the row behind.

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1. Summary

- 1.1. Planning permission is sought for the creation of a row of beach hut sites in front of an existing row of beach huts at Manor End.
- 1.2. As the applicant and landowner is East Suffolk Council, the proposal is to be determined at Planning Committee in accordance with the scheme of delegation.
- 1.3. The application is recommended for approval.

2. Site Description

- 2.1. The site comprises part of the sand and shingle area between an existing row of beach huts, forward of the sea wall, and the promenade. To the rear of the sea wall is the Martello Park Picnic Area and parking that is accessed from Manor Terrace.

- 2.2. The site is located to the southwest of the Martello Tower P which is a Scheduled Ancient Monument and Grade II listed building, and the site is within Flood Zone 2, inside a 30-metre risk zone landward of an area where the intent of management is to Hold the Line (HTL).
- 2.3. An area of shingle immediately in front of the Scheduled Monument is a habitat for rare, vegetated shingle and foredune plants, and is designated as a County Wildlife Site. This is to the north of the site and the proposed siting of beach huts in this location will not directly impact the habitat further north.

3. Proposal

- 3.1. The proposal is to create a new row of beach hut sites in front of an existing row of huts at the southern part of Manor End.
- 3.2. The Supporting Information submitted explains that the existing beach huts would be brought forward to form the new row and would be positioned in a staggered arrangement to allow further beach huts sited behind to have some visibility of the sea. The Supporting Information states that the beach huts in the rear row will be relocated huts from the promenade near the Spa Pavilion. 55 huts at the Spa were not able to return to the beach in 2018 due to coastal erosion and subsequent health and safety concerns and 44 now remain on the promenade. Two recent planning applications have granted permission for 30 huts to be relocated to Clifflands and Pier South, but a further 14 sites are required.
- 3.3. Whilst the description of the proposal refers to the relocation of 14 beach huts from the Spa, in planning terms the development being considered is the provision of 19 beach hut sites in this location on the seafront. Decisions regarding the relocation of any existing beach huts would be down to the delivery management team and beach hut owners and is not for the Local Planning Authority to control or dictate.
- 3.4. Planning permission was recently refused for the siting of 16 beach huts towards the northern end of Martello Park under DC/21/4756/FUL as this would have resulted in the loss of coastal vegetated habitat shingle priority habitat, and the benefits of that scheme were not considered to outweigh the biodiversity loss. The site considered under DC/21/4756/FUL is separated from the current application site by a few hundred metres.

4. Third Party Representations

- 4.1. 59 objections have been received. A number of these are from existing beach hut owners facing potential relocation. The main concerns are summarised below.
 - Loss of views and outlook from beach huts and surroundings.
 - Increased exposure to risk of damage from storms, high tides and tidal surge flooding, particularly evident earlier this year.
 - Location particularly susceptible to flooding, risk of displacing beach huts.
 - Concerns regarding associated costs of relocation and potential damage.
 - Unsuitable location, other sites further along more preferable.
 - Health and safety concerns.
 - Accessibility concerns.

- Lack of surveillance of second row and potential for anti-social behaviour.
- Inaccurate plans.
- Insufficient parking.
- Overdevelopment of the site and cramped arrangement - insufficient spacing for owners.
- Overcrowded appearance and reduce open space and set back of the current beach huts impacting views from the promenade.
- Beach huts should be sited on the open space forward of the Martello Tower and towards the Kitchen Café.
- Setting of precedent to keep getting relocated.
- Unclear how sufficient spacing and placement will be secured.
- More disturbances from closer proximity to promenade.
- Loss of views from Martello Park and properties.
- Impact on ecology and habitat.
- Beach huts at the spa should be allowed to remain in situ or set back into the verges.
- Reduction of value of the beach huts.
- Negative impact on designated heritage assets and settings.
- Previous applications that were refused should be reconsidered.
- Similar habitat to that which was cited as the reason for nearby refusals.

4.2. 2 supporting comments have been received, with the main points summarised below.

- Less ecological impacts than previous application.
- Minimal visual impact as beach huts already present in vicinity, protecting views from the park.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	2 September 2022	29 September 2022
<p>Summary of comments:</p> <p>Committee recommended REFUSAL.</p> <p>Committee recognise that huts at this location are increasingly subject to movement and damage due to wave action. To accommodate the new row of huts would necessitate bringing the existing row forward by approximately 5.4m closer to the sea, thereby significantly increasing the risk of damage to these huts and, consequently, the new row of huts behind.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Historic England	15 September 2022	15 September 2022
Summary of comments: Historic England provides advice when our engagement can add most value. In this case we are not offering advice; suggest that you seek the views of your specialist conservation and archaeological advisers.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	2 September 2022	No response
Summary of comments: No response received; consultation period has expired.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	2 September 2022	13 September 2022
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	15 September 2022	No response
Summary of comments: No response received; consultation period has expired.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	15 September 2022	15 September 2022
Summary of comments: Holding objection. Although we do not have any detailed information about this site, from the information available, including records in the area provided by Suffolk Biodiversity Information Service (SBIS) as well as comments submitted by local people, it seems the site may lie within the UK and Suffolk Priority habitat known as Coastal Vegetated Shingle. An assessment of the ecological impacts of the proposed development at this site should therefore be undertaken.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	15 September 2022	12 October 2022
<p>Summary of comments:</p> <p>The consultation response provided by Suffolk Wildlife Trust is noted. The Ecology Team have visited the application site and, whilst there are a small number of plants present of species which are indicative of coastal vegetated shingle habitat (primarily located around the existing beach huts), the area proposed for the positioning of beach huts is predominantly bare shingle. This is most likely due to the presence of the existing beach huts and the fact that the area is heavily trafficked by pedestrians using the sea front. It is therefore not considered that the development proposed in this application will have any significant impact on any areas of coastal vegetated shingle UK Priority habitat (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). We therefore have no objection to this application on ecological grounds.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	2 September 2022	20 September 2022
<p>Summary of comments:</p> <p>The development site is outside the CCMA but is within the 30m erosion risk zone therefore a Level A CEVA is required. A Level A CEVA has been submitted and is in accordance with Local Plan requirements.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 September 2022	2 September 2022
<p>Summary of comments:</p> <p>Condition recommended regarding unexpected contamination.</p>		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 9 September 2022

Expiry date: 30 September 2022

6. Planning policy

National Planning Policy Framework 2021

SCLP9.3 - Coastal Change Management Area (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.4 - Listed Buildings (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.2 - Strategy for Felixstowe (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.14 - Spa Pavilion to Manor End (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.15 - Manor End to Landguard (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

7. Planning Considerations

- 7.1. The resort of Felixstowe, located on the coast and adjacent to the Area of Outstanding Natural Beauty (AONB), is a priority for new tourist activity, where improving the tourism potential is seen as an important element in achieving the regeneration of the town and where providing continued support in principle to the tourist industry remains a priority within the local plan. However, it is recognised that such support needs to be tailored to ensure that any expansion does not materially harm, in particular, the natural, historic and built environment assets that are the main attractions for visitors to the area and which are so important to the quality of life of local residents.
- 7.2. The site is within the settlement boundary and covered by area specific policy SCLP12.14 Spa Pavilion to Manor End, which sets out that additional beach huts in this area will be supported in locations that complement the existing resort uses and do not fill the important gaps between huts.
- 7.3. Part of the site, at the southern end, is covered by policy SCLP12.15 which seeks to protect the unique qualities of the Landguard Peninsula as a key contributor to the tourism offer in Felixstowe. The policy highlights that this is an area where visitor numbers and attractions need to be balanced with the protection of the Scheduled Monument and maintain the favourable condition of the Site of Special Scientific Interest and Local Nature Reserve. The site is however located a notable distance from the Landguard Peninsula and forms part of the continuous promenade that ends with the Suffolk Sands Caravan Park. As such, while

part of the proposal appears to fall within this policy area, it is evident that it will not impact the unique qualities of the Landguard Peninsula given the context as being surrounded by the promenade and beachside activities.

- 7.4. As noted previously, there are other beach huts present further along this part of the promenade in a single linear form. The visual impact from introducing an additional row of beach huts in this location is not considered to be detrimental to the overall character of the area and beach-scene aesthetic, with sufficient space between the sea wall and promenade to accommodate two rows.
- 7.5. The setting of the Martello Tower P has changed notably over the years following the redevelopment of the surrounding Martello Park development eroding the open space around the scheduled monument and listed building. The Martello Tower formed part of a chain to protect the coast from invasion, and the uninterrupted view of the coast is therefore important to its significance, with the open view towards the sea representing an important gap that needs to be retained to preserve the setting. The Heritage Impact Assessment submitted under DC/21/4756/FUL for the site further north (and referred to in the Supporting Information for this application) set out sightlines from Tower P to be protected, and excluded the siting of beach huts within these suggested sightlines to protect the setting of the scheduled monument from the seaward side. As this site is notably further south, it would sit outside of the identified sightlines. The proposal is not therefore considered to harm the setting of this important heritage asset.
- 7.6. Minor development such as this is unlikely to raise significant flood risk issues. Although the site does not fall within the defined Coastal Change Management Area, it is located within a 30-metre risk zone landward of areas where the intent of management is to Hold the Line (HTL) as detailed in Shoreline Management Plan 7. A Coastal Erosion Vulnerability Assessment is therefore required to ensure that access to coastal defences is not inhibited by new and replacement development. The Coastal Management Team have viewed the application and are satisfied the CEVA submitted with the application complies with the requirements of the Local Plan, with no concerns raised over the proposal.
- 7.7. The proposal is considered acceptable in ecological terms as it would not result in the loss of priority habitat, nor adversely impact other habitat given the mostly bare shingle to the front of the beach huts. Representations have made reference to the refusal of application DC/21/4756/FUL on ecological grounds, however, the contexts of the site are very different, with limited vegetation coverage on the application site. The Council's Ecologist has visited the site and advises as follows:

"The consultation response provided by Suffolk Wildlife Trust (their letter of 15th September 2022) is noted. The Ecology Team have visited the application site and, whilst there are a small number of plants present of species which are indicative of coastal vegetated shingle habitat (primarily located around the existing beach huts), the area proposed for the positioning of beach huts is predominantly bare shingle. This is most likely due to the presence of the existing beach huts and the fact that the area is heavily trafficked by pedestrians using the sea front. It is therefore not considered that the development proposed in this application will have any significant impact on any areas of coastal vegetated shingle UK Priority habitat (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). We therefore have no objection to this application on ecological grounds".

- 7.8. The proposed development on this site does not result in the loss of priority habitat, and therefore accords with local policy SCLP10.1.
- 7.9. The majority of concerns raised by the public and the Town Council relate to the increased potential for damage to the beach huts from storm damage given their closer proximity to the beach. This also follows recent events, where storms earlier this year damaged and shifted the beach huts at this end of the promenade, with photographic evidence provided with some of the representations received. Beach huts are private property, and any costs associated with their relocation or damage would be incurred by the owners with insurance open to be obtained to mitigate against such costs. This would be set out in the terms and conditions to obtain a licence in terms of uncontrolled weather events, given the likelihood of such units being impacted by storms and a known uncertainty. There are no objections to the proposals from the Coastal Management Team, with the council having the right to reinstate beach huts that are moved by storms etc. There are no material planning considerations to refuse planning permission for the siting of a further 19 beach huts in this location in terms of private costs matters.
- 7.10. Concerns have also been raised regarding overdevelopment and insufficient space to the front of the beach huts, increased disturbance, loss of views, the costs of relocation and the impact on the value of the beach huts. The overall appearance of the site as proposed is not considered to result in an overdeveloped or cramped appearance, with a 3-metre separation between the two rows. The promenade already has a degree of passing footfall, as do the public spaces at Martello Park, and as such the cumulative impact of increased activity from additional beach huts is not considered to cause a significant increase in disturbance, or to directly impact neighbouring residential amenity given the degree of separation. The loss of views from individual beach huts and the potential impact on their financial value are not material planning considerations.
- 7.11. The Environmental Protection Team has recommended a condition regarding unexpected contamination encountered during the development. Given that the site requires minimal preparation however, with the huts standing on wooden bearers, there will not be any notable ground disturbance and as such this condition is not considered necessary to make the development acceptable.

8. Conclusion

- 8.1. The site is within an area where new beach huts are generally supported subject to important spaces and gaps being retained, and this requirement has been met with the beach huts being sited south of the protected sightlines of the Martello Tower. The siting of beach huts on the shingle does not give rise to the loss of priority habitat given the limited vegetated shingle at this end of the promenade, with the shingle already impacted from footfall associated with the existing beach huts in situ. The visual impact of the proposal is considered acceptable and maintains the beach scene aesthetic. Whilst the concerns raised within third-party comments are acknowledged, a large proportion of these raise concerns that are not material planning considerations, including the loss of views from the beach huts situated in the back row. Beach huts are also susceptible to damage relating to weather conditions and it is recognised that beach huts are impacted from such events, however, the terms of the licence would ensure the beach huts are repositioned where necessary after such events, as would be the case currently.

- 8.2. The proposal is considered to accord with the local plan policies set out within this report and with the relevant provisions of the NPPF, and it is therefore recommended that planning permission is granted subject to conditions.

9. Recommendation

- 9.1. Approval subject to the conditions below.

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Application Form, Level A Coastal Erosion Vulnerability Assessment, drawings 15-12-64-01, 15-12-64-02 and elevation drawings received on 12 August 2022 and the Supporting Information document received on 1 September 2022.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The hereby approved non-habitable beach huts shall not be used for sleeping accommodation or any other habitable use.

Reason: In the interests of amenity and the protection of the local environment.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. Please note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>

or:

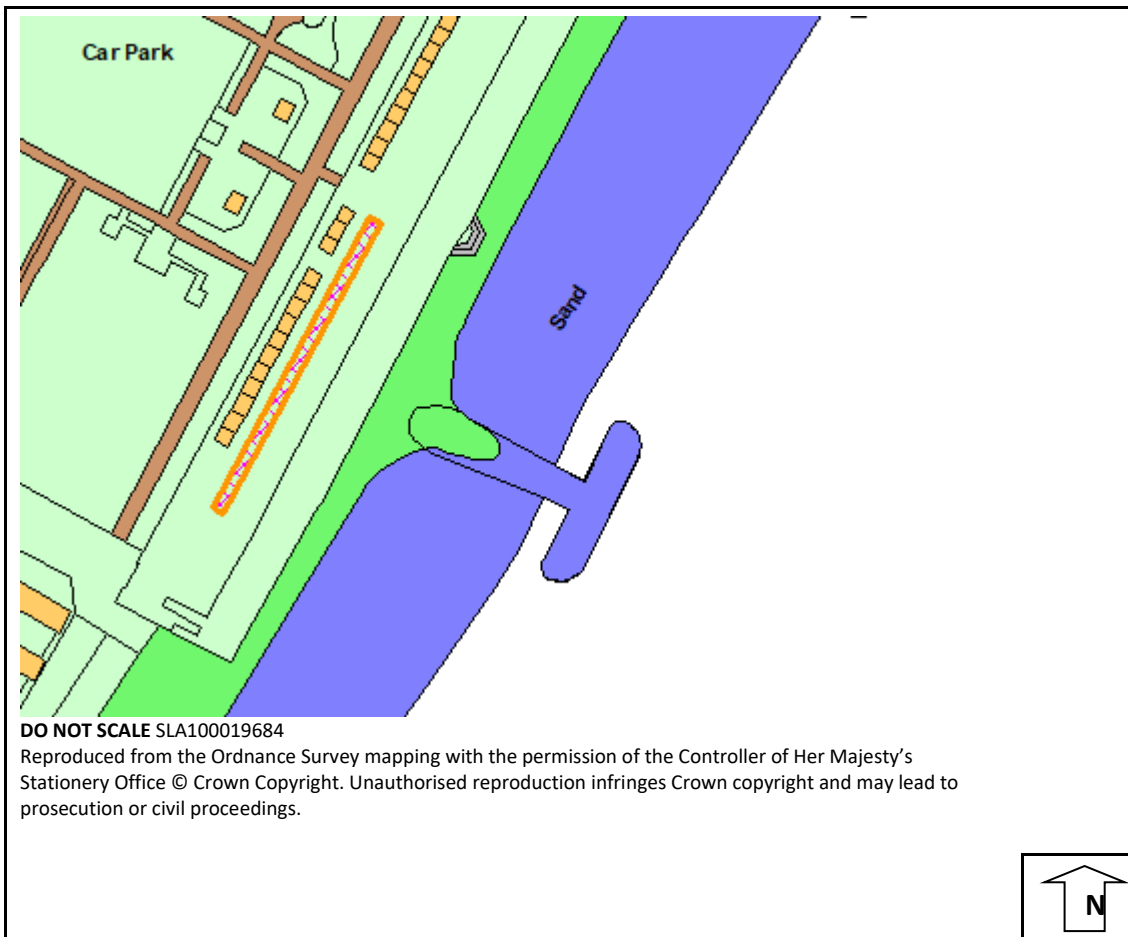
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.





Background information

See application reference DC/22/3221/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support