



Committee Report

Planning Committee South - 7 March 2022

Application no DC/21/5174/FUL

Location

Area Between Front Row Of Beach
Huts At Golf Road Car Park
Golf Road
Felixstowe
Suffolk
IP11 1NG

Expiry date 26 January 2022

Application type Full Application

Applicant East Suffolk Council

Parish Felixstowe

Proposal Formation of 18 new beach hut sites for the proposed repositioning of existing beach huts from the spa

Case Officer Mark Brands
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1. Summary

- 1.1. Full planning permission is sought for Formation of 18 new beach hut sites for the proposed repositioning of 4 existing beach huts at land to the northeast of Golf Road car park.
- 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 is outside the Felixstowe settlement boundary, but forms part of recreational / green open space between Golf Road and Cliff Road and the sea. The land drops from the

road towards the sea where there are cliffs / steep banks to the promenade below with stairs connecting to the promenade. There is an established wooded area that partly mitigates the view from Golf Road towards the beach huts from the North, with more intervisibility through the trees towards the Southern end of the green space from Golf Road.

- 2.2. The site is to the east of the Golf Road car park and toilet block. The proposed siting will be behind an existing row of beach huts, and some of the front row will be repositioned, moved further back from the edge of the cliff.

3. Proposal

- 3.1. The proposal is for the siting of 18 beach huts and repositioning of existing beach huts at land to the northeast of Golf road car park.
- 3.2. The applicant advises that the relocation of the beach huts, which currently sit 'temporarily' along the promenade near the Spa Pavilion, is due to coastal erosion and subsequent health and safety concerns that restricts the huts being placed directly back onto the beach. As noted within the supporting statement, an agreement on which huts would move to this area has not yet been made and this process will take place in consultation with the Felixstowe Beach Hut and Chalet Association.
- 3.3. Whilst the description does refer to these as relocated beach huts, this application is being considered on the basis of beach huts in general in this location. Therefore, the determination of this application would not require the huts to be used for relocations, it is not necessary to condition the application as such and effect of these huts should be considered on the basis of additional huts on the Felixstowe Seafront. Therefore, for planning purposes, there is no reason why a consent for these huts could not in future be used for new huts for sale or rent.

4. Consultees

Third Party Representations

- 4.1. 64 objections from public comments have been received. A number of these have been received from beach hut owners facing potential relocation. One objection was received from the District Councillor for the Melton Ward. Main concerns are set out below:
 - Detrimental to local wildlife and ecology the felling of trees - should be retained
 - Setting of precedent to fell trees to make way for beach huts, and infringing open space
 - Beach huts should be sited on existing hardstanding areas
 - Too far from the sea and more hazardous location, less desirable location than the Spa area
 - Site considered less accessible particularly for people with disabilities
 - Impact on views and increased disturbances for beach huts
 - Detrimental to tourism and historic resort image re-siting the beach huts
 - Detrimental to amenity space and wider landscape additional beach huts in this location
 - Insufficient parking / facility provision

- Relocation of beach huts unjustified and setting of precedent of relocating beach huts
- Alternative options not fully explored (inc replenishing and re-siting on beach, or siting these on the grassy banks by the Spa if the beach is not an option etc)
- Insufficient consultation between the beach hut owners and East Suffolk District Council
- Loss of value of beach huts following relocation
- Increased distance to facilities and services
- Waste of public money relocating the beach huts, and reputational damage to council
- Planting at Langer Park does not offset the loss of trees at the affected site, nor be to the benefit of people using the amenity space
- Location more vulnerable to vandalism based on lack of visibility of the site

4.2. 1 supporting comment from public comments

- Reasonable area to re-site beach huts

4.3. A number of informal representations (not officially logged in the absence of addresses, or not registered as a petition) have also been received objecting to the proposal on the basis of the loss of trees and detriment to the ecology and wider landscape.

4.4. Children of Fairfield Infant School and Colneis Junior School undertook a project on the planning application, their email stated:

“After finding out that there were plans to chop more trees down in Felixstowe, some of our children decided to make a stand and produce a video to explain why they believe the trees should not be felled. They believe there must be an alternative option, rather than destroying another forest area that many species rely on for their habitat. The children produced a video to express their views and asked the rest of the school to vote 'for' or 'against' the trees being chopped down. 465 children voted against felling the trees, 17 children voted for felling the trees.”

Parish/Town Council

| Consultee | Date consulted | Date reply received |
|-------------------------|-----------------|---------------------|
| Felixstowe Town Council | 9 December 2021 | 12 January 2022 |

Summary of comments:

Committee recommended REFUSAL of this application. Whilst we recognise that under policy SCLP12.2 additional beach huts are not precluded at this location, we feel that the application is in contravention of that policy for the following two reasons:

the policy states that beach huts should be kept below the level of the cliff;

the area is described in the policy as being 'characterised by the open green cliff top and undeveloped nature', and we therefore feel that additional huts are not in compliance with that policy.

We strongly object to the removal of trees at this location and question the figure of five trees quoted in the planning documents. We ask that this be clarified, as our examination of the block plan suggests that more than 5 will be required to be felled. We also recognise that these mature

trees and their root systems contribution to the stability of the cliff at this location, which may be compromised should they be removed.

We are also separately asking the East Suffolk Council Principal Trees and Landscape Officer to consider a Group TPO for this prominent and significant group of affected trees, and the small woodland at this location, which contributes to the character of the area. Therefore its overall impact and quality merits protection.

We also believe that an additional 18 huts at this site will be intrusive on the open vista at this location.

Furthermore, we also feel that this application does not comply with policy SCLP9.3, as any proposed development within 30m of the landward side of a vulnerable cliff requires a Coastal Erosion Vulnerability Assessment, which has not been submitted.

Statutory consultees

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| SCC County Archaeological Unit | 9 December 2021 | No response |
| Summary of comments: No response received, consultation period has expired | | |

| Consultee | Date consulted | Date reply received |
|---------------------------------------|-----------------|---------------------|
| SCC Highways Department | 9 December 2021 | 24 December 2021 |
| Summary of comments: No objections | | |

Non statutory consultees

| Consultee | Date consulted | Date reply received |
|---------------------------------------|-----------------|---------------------|
| East Suffolk Environmental Protection | 9 December 2021 | 23 December 2021 |
| Summary of comments: No comments | | |

| Consultee | Date consulted | Date reply received |
|--|-----------------|---------------------|
| East Suffolk Head of Coastal Management | 9 December 2021 | 21 December 2021 |
| Summary of comments: Insufficient information - requires Coastal Erosion Vulnerability Assessment (level B) | | |

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| Felixstowe Society | 9 December 2021 | No response |
| Summary of comments: No response received, consultation period has expired | | |

| Consultee | Date consulted | Date reply received |
|---|----------------|---------------------|
| East Suffolk Ecology | N/A | 24 January 2022 |
| Summary of comments: Comments received, 8th February 2022 - correspondence received deferring comments for the Landscape and Arboricultural officer | | |

| Consultee | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| East Suffolk Landscape Team | N/A | 15 February 2022 |
| Summary of comments: No objections | | |

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 17 December 2021

Expiry date: 12 January 2022

5. 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)

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

SCLP12.12 - Felixstowe Ferry Golf Club to Cobbolds Point (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Planning Considerations

- 6.1. 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.
- 6.2. The land in question is covered by local policy SCLP12.12 (Felixstowe Ferry Golf Club to Cobbolds Point), which recognises the importance of the character of the open green cliff top and undeveloped nature of the seafront, with traditional beach huts adding to the unique character. The supporting text sets out that development of such areas of the cliff top will be restricted to certain developments including beach huts to ensure the open character of the cliff top is retained and views to the sea are not obstructed.
- 6.3. The principle of siting further beach huts in this location behind the existing row is considered suitable. There will be some reduction of the open space and tree loss, but the key characteristics of the area and views to be protected from Golf and Cliff Roads towards the sea over the open green cliff top will largely be unaltered given the presence of the existing row of beach huts. The site is also adjacent to the Golf Road car park and toilet block, given the context, topography and facilities in situ this area is capable of supporting the additional beach huts in the area, the views will additionally be partly obscured by the woodland.
- 6.4. Local policy SCLP10.1 requires development to positively contribute towards biodiversity, protecting and enhancing habitat and providing environmental net gains. New development must secure ecological enhancements as part of its design and implementation, and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal. This is also set out in the NPPF (part 15 - Conserving and enhancing the natural environment), paragraph 174 emphasising the importance of recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including trees and woodland, minimising impacts and providing ecological net gains.
- 6.5. The preliminary ecological appraisal set out that the installation of the beach huts at this location will result in the loss of a small area of broadleaved woodland within the development footprint. Although it does not meet the criteria for the Priority habitat: Lowland Mixed Deciduous Woodland this loss should be addressed by enhancement of the remainder of the woodland habitat. Currently the woodland is in poor condition; its species diversity is relatively poor and it is structurally dominated by sycamore.

Consequently, selective thinning of the sycamore and white poplar to let in more light, along with additional planting of native shrub species suitable for coastal locations, including wild privet, hawthorn and blackthorn, would provide enhancement.

- 6.6. Compensatory tree planting was proposed at Langer Park to at a ratio of planting 3 trees for every tree lost. Following discussions and comments received through the consultation process the compensatory planting and habitat creation will take place by the Golf Road site. Details of this are provided in the 'proposal to mitigate for tree felling at Golf Road'. The report sets out that at least 7 trees will need to be felled and identified in the photographs, in a worst case scenario 16 trees may need to be removed. The replacement planting of native shrub species will take place on site at the same ratio of 3 to 1 (resulting in the planting of between 21 to 48 shrub plants). The trees are of limited amenity and ecological value, as such no objections have been received from the council's Ecologist and Arboricultural officer. The replacement with more appropriate native shrub species such as wild privet, hawthorn and blackthorn would help diversify the habitat and provide ecological enhancement to offset the loss of the trees and provide ecological net gains. This is considered acceptable in principle, and details of the compensatory planting will be secured by condition, and approach considered to accord with local policy SCLP10.1.
- 6.7. 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 30m of the coastal defence line and all of it is a soft cliff within 60m of the sea defence line. A Coastal Erosion Vulnerability Assessment (level B) is therefore required to ensure that access to coastal defences is not inhibited by new and replacement development, confirmed by the Coastal Management team. A completed CEVA was submitted by the applicant on 21 February 2022, an updated response from the coastal management team is still pending, and any response will be provided within the Committee Update Sheet.

7. Conclusion

- 7.1. While the proposal will result in the loss of trees there will be compensatory planting of more appropriate native species to offset this loss and provide ecological enhancements in accordance with the aforementioned policy requirements. The repositioning and siting of further beach huts in this location are considered to accord with the area policy that permits beach huts in this location subject to retaining the key characteristics of the site including protecting the open views across the green cliff top.
- 7.2. Although the principle of the proposal is considered policy compliant, it is apparent that the proposed location has its limitation/constraints that fail to achieve the long-term solution that the existing beach hut owners are seeking if these were to be relocations, comparative to that of their existing location on the spa pavilion promenade. Comments raised by third-party consultees regarding objection to the relocation of their beach huts from the spa pavilion area of the seafront are duly acknowledged but are not a material planning considerations in the context of the assessment of the policy compliance and effects of new beach huts in this location. The needs of individual beach huts owners who may be relocated in the future is purely a matter for the Council as a beach hut site provider, rather than as the Local Planning Authority.

8. Recommendation

- 8.1. Authority to approve subject to confirmation from East Suffolk Council Coastal Management team that the submitted 'Level B CEVA' satisfies their requirements

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 application form, drawings proposed block plan 15-12-55 01, 15-12-55 03, 15-12-55 04 received 16 November 2021, Preliminary Ecological Appraisal received 1 December 2021, Proposal to Mitigate for Tree Felling report received 8 February 2022.

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

3. Within 3 month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting and any clearances, earthworks, soft and hard surfacing etc, and other operations as appropriate) at a scale not less than 1:200 and landscape report shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

4. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

5. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (by SWT Trading Ltd, dated October 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

6. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided

written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

7. The development shall be carried out in accordance with the approved Level B Coastal Erosion Vulnerability Assessment, unless otherwise agreed by the local planning authority.

Reason: In the interests of coastal change management and to ensure that access to coastal defences is not inhibited by new and/or replacement development.

8. 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.

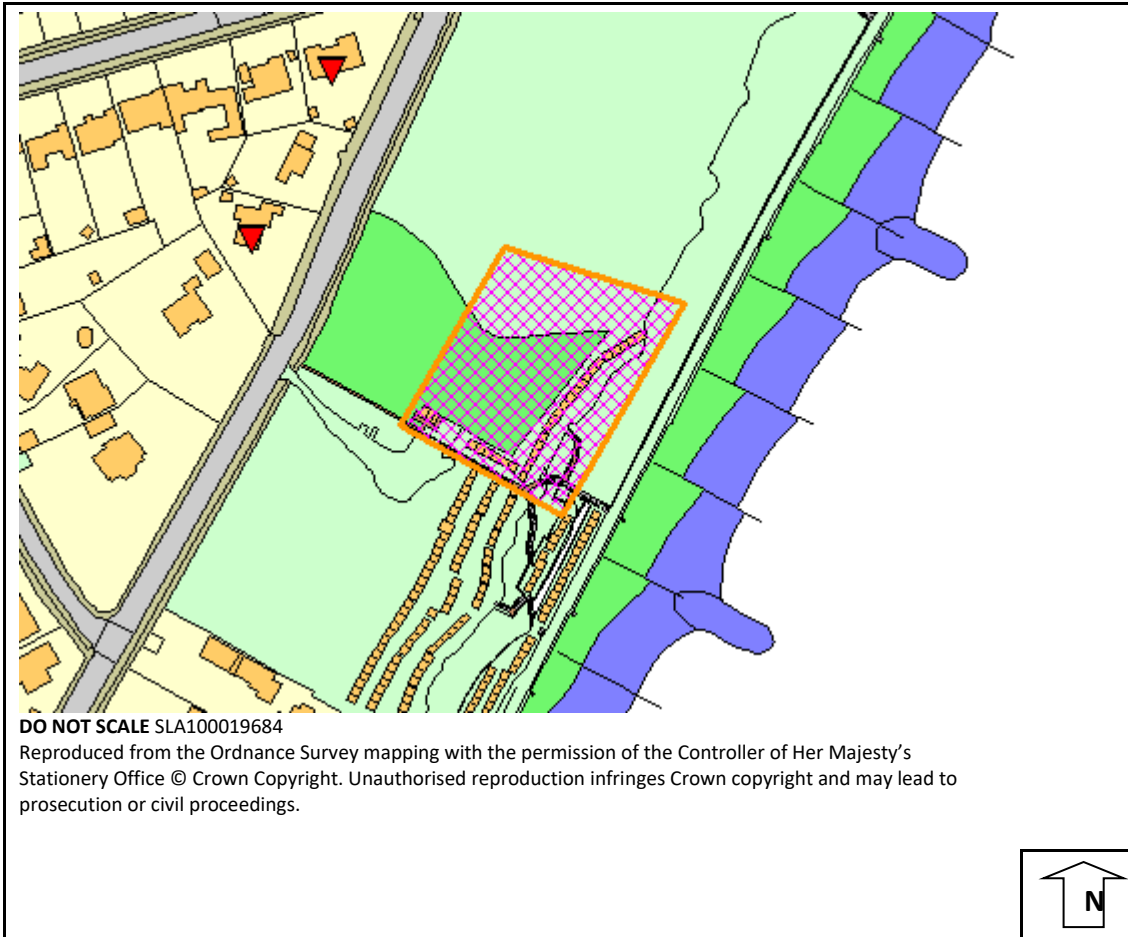
Informatives:

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.

Background information

See application reference DC/21/5174/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support