



Committee Report

Planning Committee South - 7 March 2022

Application no DC/21/5479/FUL

Location

Beach Platform
South Beach
Felixstowe
Suffolk

Expiry date 9 February 2022

Application type Full Application

Applicant East Suffolk Council

Parish Felixstowe

Proposal Beach platform repairs and extension and the provision of 6 new beach hut sites.

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1. Summary

- 1.1. The proposal is to repair and extend an existing beach platform to the southwest of Felixstowe Pier to provide six additional beach hut sites.
- 1.2. The application has come before members because the applicant and landowner is East Suffolk Council.
- 1.3. Policy SCLP 12.14 Spa Pavilion to Manor End supports additional beach huts in this area provided that they are in locations which complement the existing resort uses and do not fill important gaps between huts. The proposals comply with this policy and the application is recommended for approval subject to conditions.

2. Site Description

- 2.1. The application site is located approximately 150 metres southwest of the pier and includes the existing raised beach platform and an area of the promenade behind the platform. The platform has concrete retaining walls and is filled with beach gravel and sand. It sits between groynes numbered A58 and A61 and two groynes numbered A59 and A60 extend off the retaining wall. At this particular location the promenade is 7.5 meters wide, with the existing raised platform on the beach measuring between 7 and 7.5 metres wide.
- 2.2. The existing platform accommodates 16 beach huts which are positioned on the platform between the beginning of April and the end of September each year. They are repositioned by their owners over the winter months to the promenade, against the sea wall, to reduce the risk of damage.
- 2.3. The beach platform and the areas to be extended are adjacent to but outside of the Felixstowe South Conservation Area. The winter storage area, on the promenade, is within the Conservation Area. The site is owned and managed by East Suffolk Council and it is adjacent to the Council owned car park and events space.

3. Proposal

- 3.1. The application seeks to undertake engineering works to the existing beach platform retaining wall, including repairs to the existing wall and its extension at both the northern and southern ends to lengthen the platform. The platform would be extended by 10.5 metres at its northern end and 6 metres at its southern end. The new concrete retaining wall would match the existing wall and would remain flush with the level of the promenade and front wall. The wall would be approximately 1 metre above the level of the beach, although this would vary depending on the level of beach material. The wall would be 1.5m deep and 300mm wide.
- 3.2. The repairs and extension to the platform will enable the platform to accommodate 6 additional beach hut sites. The huts would each be a maximum of 2.4m high, 3.5m deep and 2.4m wide and constructed in painted timber with felt roofing. An area of at least 2.5m wide would be provided in front of the huts on the platform.
- 3.3. Unlike other beach hut applications considered at this same Planning Committee meeting, this application is not described as being for the relocation of existing beach huts.

4. Relevant Planning History

- 4.1. Planning permission was previously sought for the proposals in 2018, reference DC/18/0272/FUL, and that application was refused on 27 June 2019 for the following reason:
- 4.2. The proposed development is contrary to Policy FPP20 of the Felixstowe Peninsula Area Action Plan (2017), which states that "the provision of beach huts will be carefully monitored and limited to those which currently exist. Any increased provision will be directed towards other parts of the sea front (namely Felixstowe Ferry Golf Club to

Cobbolds Point Policy FPP18) as appropriate". Additional beach huts within this area would result in a loss of visual amenity, such an impact would outweigh any benefits to local tourism.

- 4.3. The Felixstowe Peninsula Area Action Plan (2017) has since been superseded by the East Suffolk Council Suffolk Coastal Local Plan (2020).

5. Consultees

Third Party Representations

- 5.1. Two representations in support of the proposals have been received making the following comments:
- Beach huts should provide access to beach. The Spa huts should have these sort of platforms AND more of these platforms should be available.
 - I am in support of these 6 new spaces for beach huts because if I have to move from the Spa Pavilion it is the only site that I can access from the ones which have been offered due to my disability needs.

Parish/Town Council

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| Felixstowe Town Council | 19 January 2022 | 26 January 2022 |
| <p>Summary of comments: Committee recommended REFUSAL. The application is contrary to policy 11.14 covering Spa Pavilion to Manor End which states that "additional beach huts in this area will be limited to locations that complement the existing resort uses and do not fill in the important gaps between huts" we feel that the proposal as presented for a row of 22 huts without significant gaps between them will not comply with this policy. We also note that the applicants submitted Flood Risk Assessment at para 1.6 incorrectly refers to SCLP12.12 which relates to the area from the Golf Club to Cobbolds Road, not this location which has a different policy with regards to beach huts.</p> | | |

Statutory consultees

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| Environment Agency - Drainage | 8 February 2022 | No response |
| <p>Summary of comments: No response received at the time of writing.</p> | | |

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| East Suffolk Head Of Coastal Management | 19 January 2022 | 3 February 2022 |

Summary of comments:

The planning application is for development of land that is within the Coastal Change Management Area and seaward of predicted 100 year shoreline position that is the seawall. The SCDC Local Plan Policy SCLP9.3: Coastal Change Management Area states: Planning applications for all development within and 30 metres landward of the Coastal Change Management Area and within and 30 metres landward of areas where the intent of management is to Hold the Line, identified on the Policies Map must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA). There is not yet guidance on a CEVA format within the Suffolk Coastal Local Plan and so reference must be made to the Waveney Local Plan equivalent document 'Development and Coastal Change Supplementary Planning Document'. A Level A (small scale) assessment is appropriate in this case and has been submitted. It is of an acceptable standard. There is a minor error in that it identifies the site as being within the 30m risk zone, it is within the CCMA, but that is not significant. The Supporting Statement includes other information that demonstrates a reasonable awareness of the risk posed to the development by coastal change and by sea action.

Non statutory consultees

| Consultee | Date consulted | Date reply received |
|------------------------|-----------------|---------------------|
| SCC Flooding Authority | 8 February 2022 | 16 February 2022 |

Summary of comments:

Suffolk County Council, as Lead Local Flood Authority (LLFA), is a statutory consultee under the Town and Country Planning Act for major applications only. Therefore, as this is a minor application we have no comment to make.

| Consultee | Date consulted | Date reply received |
|-------------------------|-----------------|---------------------|
| SCC Highways Department | 19 January 2022 | 10 February 2022 |

Summary of comments:

No objection.

| Consultee | Date consulted | Date reply received |
|--------------------|-----------------|---------------------|
| Felixstowe Society | 19 January 2022 | No response |

Summary of comments:

No response received.

| Consultee | Date consulted | Date reply received |
|--|-----------------|---------------------|
| East Suffolk Environmental Protection | 19 January 2022 | 24 January 2022 |
| Summary of comments: Recommend a condition concerning unexpected contamination. | | |

Publicity

The application has been the subject of the following press advertisement:

| Category | Published | Expiry | Publication |
|-------------------|-----------------|------------------|--------------------------|
| Conservation Area | 27 January 2022 | 17 February 2022 | East Anglian Daily Times |

Site notices

General Site Notice

Reason for site notice: Conservation Area

Date posted: 31 January 2022

Expiry date: 21 February 2022

6. Planning policy

- 6.1. National Planning Policy Framework (NPPF) 2021
- 6.2. East Suffolk Council Suffolk Coastal Local Plan 2020:
 - Policy SCLP6.1: Tourism
 - Policy SCLP6.2: Tourism Destinations
 - Policy SCLP6.4: Tourism Development outside of the AONB
 - Policy SCLP9.3: Coastal Change Management Area
 - Policy SCLP10.3: Environmental Quality
 - Policy SCLP10.4: Landscape Character
 - Policy SCLP11.2: Residential Amenity
 - Policy SCLP11.5: Conservation Areas
 - Policy SCLP12.14: Spa Pavilion to Manor End
- 6.3. Felixstowe South Conservation Area Appraisal (June 2009)
- 6.4. Historic Environment Supplementary Planning Document (2021)

7. Planning Considerations

Principle of development

- 7.1. The Suffolk Coastal Local Plan continues to recognise the importance of the tourism industry in Felixstowe primarily centred on the coastal location, resort activities and proximity of the town to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). Felixstowe is the largest tourist resort in the former Suffolk Coastal area and offers a wide range of attractions and facilities to cater for a variety of tourist needs and requirements, as well as those of local residents and businesses. The Local Plan emphasises that protecting the distinct character of various parts of the sea front is necessary, but flexibility needs to be promoted to ensure that appropriate redevelopment opportunities can be taken up at the appropriate time, to boost Felixstowe's wide ranging tourist industry. It is therefore essential that the wide range of tourism activities taking place in Felixstowe are maintained and regenerated to promote year round tourism based on the environmental, cultural and social attractions of Felixstowe.
- 7.2. The site lies within the area identified in the Local Plan as 'Spa Pavilion to Manor End' under Policy SCLP12.14. This area of Felixstowe provides a number of traditional seaside uses such as amusement arcades, crazy golf, fairground rides, eating and drinking establishments, Pier head and Leisure Centre. The mix of uses along this section of the sea front provides attractions for residents and visitors. Policy SCLP12.14 states that additional beach huts in this area will be limited to locations which complement the existing resort uses and do not fill the important gaps between huts.
- 7.3. As mentioned previously, planning permission was refused in 2019 for additional beach huts in this location (DC/18/0272/FUL). At that time the proposals were contrary to Policy FPP20 of the Felixstowe Peninsula Area Action Plan Development Plan Document (2017) which stated the following regarding beach huts:
- 7.4. *The provision of beach huts will be carefully monitored and limited to those which currently exist. Any increased provision will be directed towards other parts of the sea front (namely Felixstowe Ferry Golf Club to Cobbolds Point Policy FPP18) as appropriate.*
- 7.5. The Felixstowe Peninsula Area Action Plan has since been superseded by the East Suffolk Council Suffolk Coastal Local Plan 2020. Whilst the superseded policy for this area of Felixstowe stated that any increased provision of beach huts would be directed elsewhere, the current Local Plan policy does not preclude additional beach huts in this area, provided that they complement the existing resort uses and do not fill important gaps between huts. The principle of additional beach huts in this location is therefore considered to be acceptable when assessed against the current Local Plan. It should be noted that the reference to 'important gaps' does not relate to the small gaps between individual huts, but rather wider spaces between groups of huts. This proposal does not fill an important gap but modestly expands an existing group of huts.

Visual impact

- 7.6. The platform currently provides space for a row of 16 beach huts, and the proposal would provide space for 6 additional huts. The Town Council has objected to the

proposals on the basis that a row of 22 huts without significant gaps between them will not comply with Policy SCLP12.14 which states that proposals must not fill important gaps between huts. As per the paragraph above, this is a misinterpretation of the intent of that policy wording. However, the spacing of huts is important as too narrow gaps or excessive spacing between huts can affect their appearance on the seafront.

- 7.7. The plan submitted with the application showing the existing arrangement shows a gap between a row of 5 huts and a row of 11 huts, however, this gap does not appear to relate to any feature on the ground or in the wider area. Photographs of the site also show the 16 beach huts previously arranged on the platform as a single row without any significant gap. Officers are aware that because these existing huts are lifted on and off the beach each year, they do not have specifically arranged plots so there can be slight variances year to year.
- 7.8. The proposals are not considered to fill important gaps between groups of huts for the purposes of Policy SCLP12.14. Suitable spacing between huts will remain along with circulation movement at both ends of the row of huts. The addition of 6 additional huts to this existing row is not considered to have an adverse impact visually, and will be in keeping with the character of the area.

Impact on the Conservation Area

- 7.9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. Policy SCLP11.5 states that development within or which has potential to affect the setting of conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans. As outlined previously, the beach platform and the areas to be extended are adjacent to but outside of the Felixstowe South Conservation Area. The winter storage area, on the promenade, is within the Conservation Area.
- 7.10. The Felixstowe South Conservation Area Appraisal (June 2009) notes that the promenade south of the pier is peppered with groups of beach huts, entirely characteristic of their location, and states that these are important to retain as a feature and for local use. The proposal for additional beach huts on the extended platform, which will be stored on the promenade in the winter, has been discussed with the Design and Conservation Team and no concerns have been raised. The proposals would not have an adverse impact on the character or appearance of the conservation area or its setting.

Coastal Management

- 7.11. The application site is within the Coastal Change Management Area and seaward of predicted 100 year shoreline position that is the seawall. Policy SCLP9.3 states that planning applications for all development within and 30 metres landward of the Coastal Change Management Area (CCMA) and within and 30 metres landward of areas where the intent of management is to Hold the Line, identified on the Policies Map must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA). A Level A (small scale) assessment has been submitted with the application and the Coastal Management Team has confirmed it as being acceptable. They note a minor error in that it identifies the site as being within the 30m risk zone, rather than the CCMA, but advise that this is

not significant. The Supporting Statement includes other information that demonstrates a reasonable awareness of the risk posed to the development by coastal change and by sea action. The Coastal Management Team raises no objections to the proposals.

Other matters

- 7.12. The Environmental Protection Team has been consulted on the application and raise no concerns, recommending a condition to deal with any unexpected contamination on the site.
- 7.13. The proposals have also been discussed with the Council's Senior Ecologist who raises no concerns in relation to impacts on biodiversity.

8. Conclusion

- 8.1. Policy SCLP 12.14 Spa Pavilion to Manor End supports additional beach huts in this area provided that they are in locations which complement the existing resort uses and do not fill important gaps between huts. The proposed works to the existing beach platform to provide 6 additional beach hut sites comply with this policy and would be in keeping with the character and appearance of the area. The proposals furthermore do not raise any adverse issues in respect of the effects on the conservation area, biodiversity, contamination or coastal management. The proposals will make a positive contribution to tourism and the seaside appeal of Felixstowe.

9. Recommendation

- 9.1. Approve subject to conditions.

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 following plans, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority:

Drawing no. SR353-1002-B

Drawing no. SR353-1003-B

Drawing no. SR353-1004

Drawing no. SR353-1000-A

All received on 6 December 2021.

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

3. No development shall commence until a management plan for the maintenance of the beach huts and associated beach maintenance has been submitted to and approved in writing by the local planning authority. The plan shall include long term design objectives, management responsibilities and a scheme of maintenance for the promenade and beach areas for a period of 20 years. The plan shall also include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the areas occupied by the beach huts are properly maintained in the interests of amenity and coastal management.

4. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to respective beach hut(s) shall have been submitted to and approved by the local planning authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason: To ensure the design and layout of the development provides and maintains safe and convenient access for people with disabilities.

5. The source of 'local' beach material to fill / refill the platform is to be agreed with the Coastal Management team on every occasion that filling is required.

Reason: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the coastal environment.

6. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

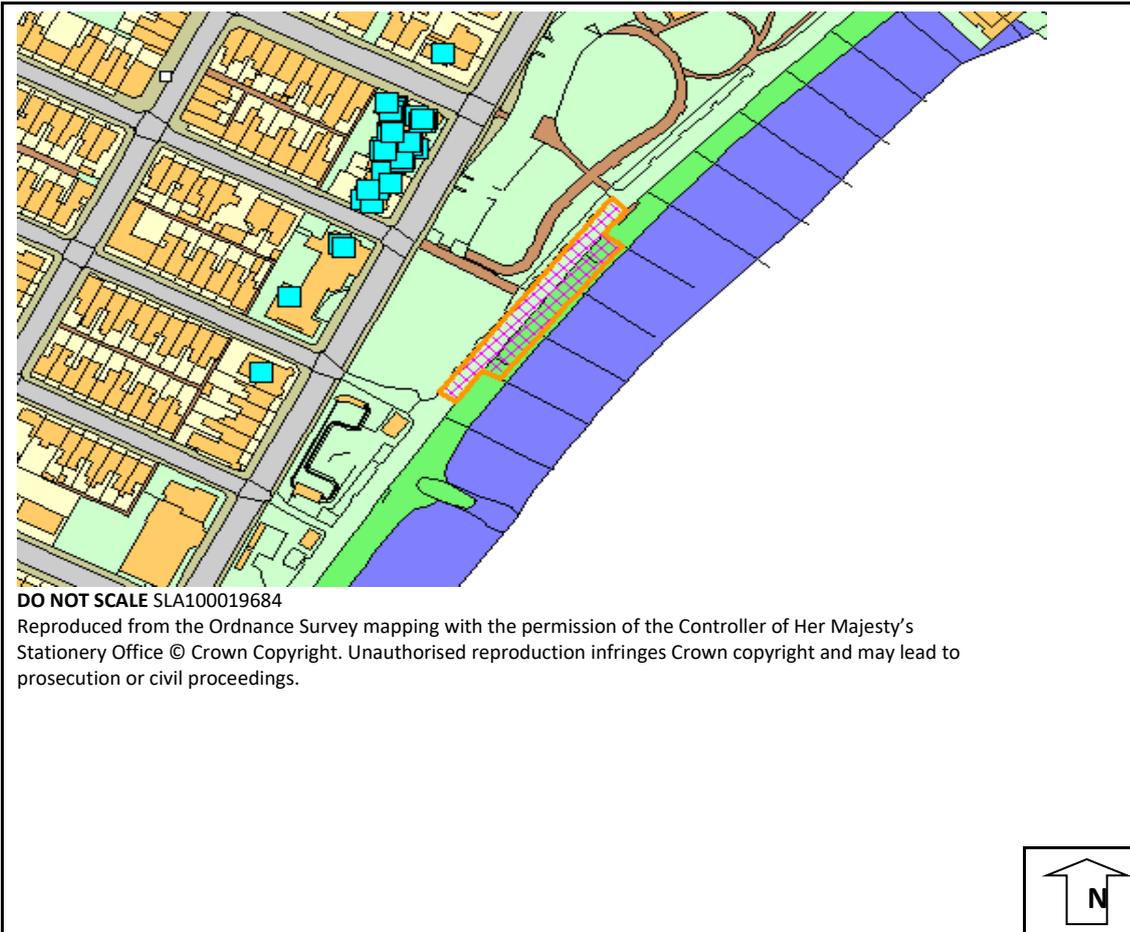
Informatives:

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/21/5479/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support