


Parish: East Wittering And Bracklesham	Ward: The Witterings
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**EWB/19/01464/FUL**

<b>Proposal</b>	Replacement beach hut.		
<b>Site</b>	Beach Hut 17 Tamarisk Walk East Wittering Chichester West Sussex PO20 8DQ		
<b>Map Ref</b>	(E) 479845 (N) 96678		
<b>Applicant</b>	Mrs Zoe Shore	<b>Agent</b>	

**RECOMMENDATION TO PERMIT**



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## **1.0 Reason for Committee Referral**

1.1 Parish objection – Officer recommends Permit.

## **2.0 The Site and Surroundings**

2.1 The application site is located at the top of the shingle embankment that forms part of the beach to the south of Coney Six, within the village of East Wittering. The site can be accessed via Nab Walk and Tamarisk Walk to the west of the site. The application site forms part of a row of 27 timber beach huts, each with concrete bases. The beach huts are relatively modest in size and vary in external facing appearance and scale. The beach hut plot (number 17) is currently empty, except for the concrete base which the previous hut was situated upon.

2.2 Between the application site and the adjacent dwellings in Coney Six, there is an earth embankment which is approximately 1.2m high, with vegetation extending above it, for the majority of its length.

## **3.0 The Proposal**

3.1 The application seeks planning permission for a replacement beach hut. The hut would measure approximately 2.8m in height, 2.9m in width and 5.1m in depth. The proposed beach hut would, as a result, be approximately 0.5 metres wider and 2.0 metres longer than the previous beach hut. In comparison to the concrete base, the beach hut would be 0.6m further in depth, with a wooden patio surface adding a further 1.2m. The width would be 0.3m wider than the existing concrete base.

3.2 The proposed beach hut is to be constructed in a grey tiled cedar material.

## **4.0 History**

02/01858/FUL PER 8 replacement beach huts.

02/02420/FUL PER Dismantle existing wooden beach hut and erect a new wooden hut.

## **5.0 Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	Flood Zones 2 & 3
Historic Parks and Gardens	NO

## **6.0 Representations and Consultations**

### **6.1 Parish Council**

Objection. The council wish to see a replacement hut that fits within the existing footprint (and remains within the bounds of the restrictive covenants) on the site.

### **6.2 Third Party Representations**

4 Third Party letters of objection have been received outlining the following issues;

- a) Larger scale.
- b) Parking and turning issues.
- c) Fire hazard.

## **7.0 Planning Policy**

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no neighbourhood plan for East Wittering.

### **Chichester Local Plan: Key Policies 2014-2029**

7.2 The principal planning policies relevant to the consideration of this application are as follows:

- o Policy 1: Presumption in Favour of Sustainable Development
- o Policy 2: Development Strategy & Settlement Hierarchy
- o Policy 42: Flood Risk Management
- o Policy 44: Development around the Coast
- o Policy 45: Development in the Countryside
- o Policy 47: Heritage and Design
- o Policy 48: Natural Environment

### **National Policy and Guidance**

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF) 2019, with the sections relevant to this application and considered being: 2, 4, 8, 12, 14 & 15.

7.4 Section 2 (Achieving sustainable development), paragraphs 10 and 11 state:

*"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development..."*

*"...For decision-taking this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

7.5 Section 4 (Decision making), Section 8 (Promoting healthy and safe communities), Section 12 (Achieving well-designed places), Section 14 (Meeting the challenge of climate change, flooding and coastal change) Section 15 (Conserving and enhancing the natural environment) should also be considered generally.

#### Neighbourhood Plan

7.6 There is no made neighbourhood plan for the East Wittering area at this time.

### **8.0 Planning Comments**

8.1 The main considerations are as follows:

- i. Principle of development
- ii. Design and Impact upon Visual Amenity/Character of Area
- iii. Impact upon the amenity of neighbouring properties and uses
- iv. Highways impact and parking
- v. Drainage and Flood Risk

#### i) Principle of Development

8.2 The application site is located outside any Settlement Boundary and, therefore, the proposal is considered to be development in the countryside, in this case, the coast. Policies 2 and 45 of the Chichester Local Plan resists new development in the countryside. However this application relates to the replacement of a beach hut and, therefore, the principle is considered to be both sustainable and acceptable, in accordance with policies 2 and 45 of the CLP.

#### ii) Design and Impact upon Visual Amenity/Character of Area

- 8.3 Policy 44 requires that development around the coast seeks to provide recreational opportunities that do not adversely affect the character, environment and appearance of the coast. Additionally, Policies 45 and 48 require development around the coast to have no adverse impact upon the tranquil character of the area or its openness and views.
- 8.4 The proposal is for a replacement beach hut, with grey Cedral boarding to the elevations. Visually, this would appear similar to a beach hut constructed with painted timber. There was previously a wooden beach hut on the site, approved through application 02/02420/FUL, which had a dual pitched asphalt roof. The hut had a width of 2.44m and a length of 3.05m and featured an eaves height of 1.95m and a ridge height of 2.44m.

8.5 The proposed replacement beach hut would be larger than the previous beach hut on the site. Notwithstanding this increase, given that other beach huts in the row are all of varying scales, masses and heights, it is not considered that the proposed beach hut would detract from the visual amenity of the locality. There is currently an 8.0m gap between the immediate neighbouring beach huts, (numbers 16 and 18) and a generous amount of space to the rear and front of the hut. As proposed, there would be a distance of approximately 2.5m between the beach hut and the two neighbouring huts. Given the varying hut sizes and the space available it is considered the proposal is acceptable and complies with Policy 42, 44, 45 and 48.

iii) Impact upon the amenity of neighbouring properties

8.6 The NPPF states in paragraph 127 that planning should ensure a good quality of amenity for existing and future users (of places), and policy 33 of the Chichester Local Plan include requirements to protect the amenities of neighbouring properties. The beach hut would be located between other existing huts and a sufficient distance from the adjacent dwellings on Coney Six to ensure that the proposal would not have a significant impact upon residential amenity. A condition is recommended requiring the proposed hut to be used only for recreational purposes, so as to ensure that it is not used for accommodation and its use would not be harmful to the amenity of neighbouring properties or the area.

iv) Highways impact and parking

8.7 The original 2002 permission for the beach huts, (application number 02/01858/FUL), provided for parking to be allowed to the side of the beach huts. The increase in width means that such parking would not be possible. However, other huts in the row do not have adequate space for parking to their sides and it is noted that cars normally stop temporarily in front of the huts to unload equipment, before parking elsewhere. It is not considered that the increase in width would have an unacceptable impact on highway safety and, therefore, the proposal complies with Policy 39, in this regard.

v) Drainage and Flood Risk

8.8 The application site lies within Flood Zone 2 and 3. The beach hut would be used for purposes associated with recreational coastal activities only and would not increase flood risk to users. In consequence, the siting within a higher risk flood zone is not considered to be an issue on this occasion and the proposal complies with Policy 42.

vi) Other Matters

8.9 Public comments have raised concerns about fire safety. The proposed distance between huts would appear to be less than other plots, and that the onus would be on the applicant to ensure that all fire regulations are met in the construction and use of the beach hut. The covenants are not planning matters and that the onus would be on the applicant to comply with any relevant covenants.

## **Conclusion**

8.10 The proposal, though larger in scale than the previous beach hut, is considered to be in accordance with local and national development plans and is acceptable.

### Human rights

8.11 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

## **RECOMMENDATION**

**PERMIT** subject to the following conditions and informatives:-

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 permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

4) The slab level of the development hereby permitted shall be no lower than the existing slab level, and any electrical sockets shall be situated at least 450mm above the internal floor level.

Reason: To ensure there is appropriate mitigation against flood risk, and no increased risk to users.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), the beach hut hereby permitted shall be used for recreational purposes only, and for no other purpose.

Reason: To maintain planning control in the interests of amenity of the site and to ensure there is no increased flood risk to users of the site.

## Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - Site Location Plan (A4)	TQRQM19185 143550395		31.07.2019	Approved
PLAN - Proposed Beach Hut Plans and Elevations (A3)	01		31.07.2019	Approved
PLAN - Proposed Block Plan (A3)	Block Plan		25.09.2019	Approved

## INFORMATIVES

1) 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.

For further information on this application please contact Oliver Naish on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PSJ34JERLOC00>