

PLANNING APPLICATION REPORT

REF NO: LU/404/22/PL

LOCATION: The Promenade  
South of the Putting Green  
Littlehampton

PROPOSAL: Application under Regulation 3 for 13no. proposed new beach huts and associated access arrangements. This application is in CIL Zone 5 (zero rated) as other development.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION This is an application where Arun District Council is the applicant.

The 13 proposed beach huts include 3 accessible huts with access path/ramp. They would have a shallow pitched roof with a ridge height of 2.6m (3m for the accessible huts) and floor areas of 1.9m by 2.6m (5m by 3m for the accessible huts). They would be constructed of composite panels with wood effect cladding and roofs.

The beach huts would be intermittently added to existing rows of huts. 2 of the accessible huts are proposed to be designed as a crescent.

SITE CHARACTERISTICS The sites are currently shingle covered spaces between and at the western end of the existing beach huts. The existing groups of beach huts are arranged in half moon (crescent) formations facing towards the sea. The huts in each group are painted in matching vibrant colours which alternate between each group.

CHARACTER OF LOCALITY The site is located on a beach which has a pedestrian promenade running alongside its northern fringe. The promenade and beach at Littlehampton are in public use for leisure/tourism.

There are a number of crescent shaped formations of beach huts to the east of the site.

The huts are situated between the East Beach Cafe to the west, where the promenade widens, and The Beach Cafe. The area benefits from an overall sense of openness due to the wide promenade and beach vista.

**RELEVANT SITE HISTORY**

LU/50/21/PL Provision of 20 No. new beach huts on concrete bearers Refused to broadly match existing. This site is in CIL Zone 5 (Zero 04-05-21 Rated) as other development.

LU/50/21/PL was refused by Committee for the reason that 'Given the number and position of the proposed beach huts and the lack of accessibility detail the development would adversely affect the visual amenities of the locality in conflict with policies D DM1, DSP1 and LAN DM1 of Arun Local Plan and policy SCP-1 of the South Inshore and Off shore Marine Plan.'

This application has overcome this reason for refusal with the decrease in overall numbers of huts and the inclusion of 3 accessible huts. There is also a change in appearance in that a half moon shape section has been introduced.

## REPRESENTATIONS

Littlehampton Town Council- Objection:

- Huts would fill in existing gaps between crescents.
- Accessible Hut wheelchair users would still need to traverse shingle.
- Improve accessibility to all existing huts would be more appropriate.

20 Objections:

- The proposal is contrary to Arun Local Plan Policy C SP1.
- Turning the promenade and Sea Road view into a wall of hut backs will reduce the enjoyment of sea views and will particularly adversely impact the elderly and those with mobility problems.
- Additional revenue should not be to the detriment of our chief asset as a seaside resort.
- Effect on setting of Conservation Area.
- Existing huts rarely used - questions raised as to the need.
- Disable access to beach supported.
- Impact on seascape.
- Significant payback period.

## COMMENTS ON REPRESENTATIONS RECEIVED:

- A pathway is denoted on plans linking the promenade and the accessible huts.
- Whilst a right to a view is not a material planning consideration, there would still be gaps retained between the groups of huts allowing views of the sea. Where the gaps between groups of huts is narrowed these are equal to other gaps found within the existing crescents of beach huts.
- The huts themselves are an important visual amenity feature as they contribute towards a traditional seaside resort appearance.
- The provision of the huts will not impair access to the beach or close it off from public use in any way.
- Given the distance away from the Conservation Area and how the huts assimilate into their surrounding the proposal will have no harm on the Conservation Area.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

Environment Agency - No objection with conditions suggested.

**COMMENTS ON CONSULTATION RESPONSES:**

None.

**POLICY CONTEXT**

Designation applicable to site:  
2km Buffer for Site of Special Scientific Interest  
Outside the Built Up Area Boundary

**DEVELOPMENT PLAN POLICIES**[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
TSP1	T SP1 Transport and Development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
DDM1	D DM1 Aspects of form and design quality
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space, outdoor sport, comm& rec facilities
QEDM1	QE DM1 Noise Pollution
TOUDM1	TOU DM1 Tourism related development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2

A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 21

Proposals to increase the recreational and tourist use of the River Arun

**OTHER STATUTORY PLANS**[South Inshore and South Offshore Marine Plan 2018:](#)

S-TR-1

S-TR-2

S-SCP-1

South Marine Plan Policy S-ACC-1

South Marine Plan Policy S-ACC-2

South Marine Plan Policy S-CO-1

South Marine Plan Policy S-ML-1

South Marine Plan Policy S-SOC-1

**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood

Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies of the Littlehampton Neighbourhood Plan have been taken into account.

#### **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

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 will improve the provision of beach huts and add to the facilities available for visitors to the area and residents.

#### **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

#### **CONCLUSIONS**

##### **BACKGROUND**

This application will enable Arun District Council to improve the Littlehampton seafront offer for its visitors. Additional beach huts would increase footfall and add to the vitality of the area generally and would benefit businesses located along the seafront and promenade.

##### **PRINCIPLE**

The site is located outside the built-up area where the countryside policy C SP1 of the Arun Local Plan applies. Although not a countryside location in the traditional sense, it is a location outside of the Built-up Area Boundary (BUAB) where the beauty of the landscape/seascape needs to be protected. Development in countryside locations will be permitted so as long as they accord with other policies within the Plan for a specific type of development. In this case policies TOU SP1 and TOU DM1 of the Arun Local Plan are relevant.

##### **Policy TOU SP1:**

- Supports tourist growth which encourages long-term visitor interest/activity.
- Ensures a viable visitor economy.
- Expands the visitors season so as to benefit to local people.
- Protects and enhances the natural and built environment of Arun.

The proposal will allow for an increase in the number of beach huts in accordance with policy TOU SP1 of the Arun Local Plan. Policy TOU DM1 supports tourism development outside the built-up area boundary where they are associated with enhancing visitor use or appreciation of a specific feature or location. The Littlehampton Seafront is a case in point and the proposal would enhance visitor use of this location and appreciation of the beach and its environs.

The huts would have a sympathetic relationship to the surrounding area and neighbouring uses providing

extra facilities for the tourists and day trippers that use the area. This is further outlined below.

The proposal would allow for an extended tourist offer providing additional huts in accordance with policies TOU SP1 and TOU DM1.

Policy 21 of the Littlehampton Neighbourhood Plan supports the implementation of any scheme that maximises the use of the river and encourages tourism activity along the waterway. The proposal would encourage activity and use of the seafront in an area close to the river.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an application conflict with Policy 1 would be acceptable. The proposal accords with this policy in that the proposal does accord with the development plan.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development within the built-up area boundary. The proposal is not in accordance with this policy due to the siting of the application site being outside the built-up area boundary but given the nature of the proposal the proposal could not be sited within the built-up area boundary.

The proposed development is therefore considered acceptable in principle and in accordance with the policies outlined above.

#### DESIGN AND VISUAL AMENITY

Policy D DM1 of the Arun Local Plan assesses proposals for development in terms of their character and appearance and impact on general movement to and around the site. The huts would have a traditional appearance and would reflect the design of the existing beach huts in the locality and would be readily visually assimilated into the foreshore area.

The huts would be an acceptable addition to the beach huts already present in the coast line. The spacing and appearance of those proposed will be very similar and reflect those currently present. They would have sufficient space around them when in use so as to make them accessible to users whilst still maintaining access within the promenade as a whole.

The inclusion of 3 accessible huts along with associated access pathway opens the use of the beach for the disabled. Although these huts differ in size and scale from the existing/proposed huts, they have been designed to be sympathetic in style, as such no significant adverse impacts will arise from this. In fact, the social gain from the accessible hut significantly outweighs any negative impacts.

The development is therefore considered to comply with policy D DM1 of the Arun Local Plan.

#### RESIDENTIAL AMENITY

The uses positively influence the offer of the seafront and due to their position within the seafront would not adversely impact the amenities of the surrounding area and occupiers of nearby properties. The nearest residential premises are at least 150m away. They would be unlikely to experience any unacceptable noise, litter, odour or light pollution. The proposal is therefore compliant with policy D DM1 of Arun Local Plan.

#### IMPACT ON THE MARINE ENVIRONMENT

The proposal involves minimal development on the foreshore. The beach huts would be located on the top part of the beach shingle area adjacent to the promenade. It is necessary to consider the impact of the proposal on the marine environment and the relevant policy consideration is the South Inshore and Offshore Marine Plan. Policy S-TR-1 states 'proposals supporting, promoting or facilitating tourism and

recreation activities, particularly where this creates additional utilisation of related facilities beyond typical usage patterns, should be supported'.

Policy S-TR-2 'Proposals that enhance or promote tourism and recreation activities will be supported. Proposals for development must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on tourism and recreation activities'.

Policy SCP-1 refers to Proposals that may have a significant adverse impact upon the seascapes and landscapes of an area should only be supported if they demonstrate that they will, in order of preference:

- a) avoid
- b) minimise
- c) mitigate
- d) if it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascapes and landscapes of an area and its significance.

The proposal would not adversely impact on the marine environment or affect the landscape. The scale and design of the beach huts is acceptable, and they would be readily assimilated into the existing row of beach huts ensuring no significant impact on the seascape or landscape. The proposal would expand an existing facility which benefits tourists/visitors in accordance with the policies outlined above.

#### **CONCLUSION**

The proposed beach huts would promote the long-term visitor interest and activity of the Littlehampton promenade and provide benefits to local people complying with policy TOU SP1 of the Arun Local Plan.

The proposal would be compatible with the character of the area and the existing uses within it in compliance with the relevant policies of the Arun Local Plan, the Littlehampton Neighbourhood Development Plan and South Inshore and Offshore Marine Plan.

The proposal is therefore recommended for approval subject to the following conditions.

#### **HUMAN RIGHTS ACT**

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

#### **DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

## 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 The development hereby approved shall be carried out in accordance with the following approved plans :

- Location Plan 1224/01 Rev A
- Block Plan East 1224/03
- Block Plan West 1224/02 Rev A
- Plans and Elevations 1224/04 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The buildings shall be used as Beach Huts only and for no other purpose and shall not be used for the provision of overnight accommodation.

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenity in accordance with policy D DM1 of Arun Local Plan.

- 4 In the event of any building for which permission is hereby granted ceasing to be used as a beach hut, it shall be demolished and removed from the site and the land restored to its former condition within 6 months of the cessation of such use or within such extended time as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policy D DM1 of Arun Local Plan.

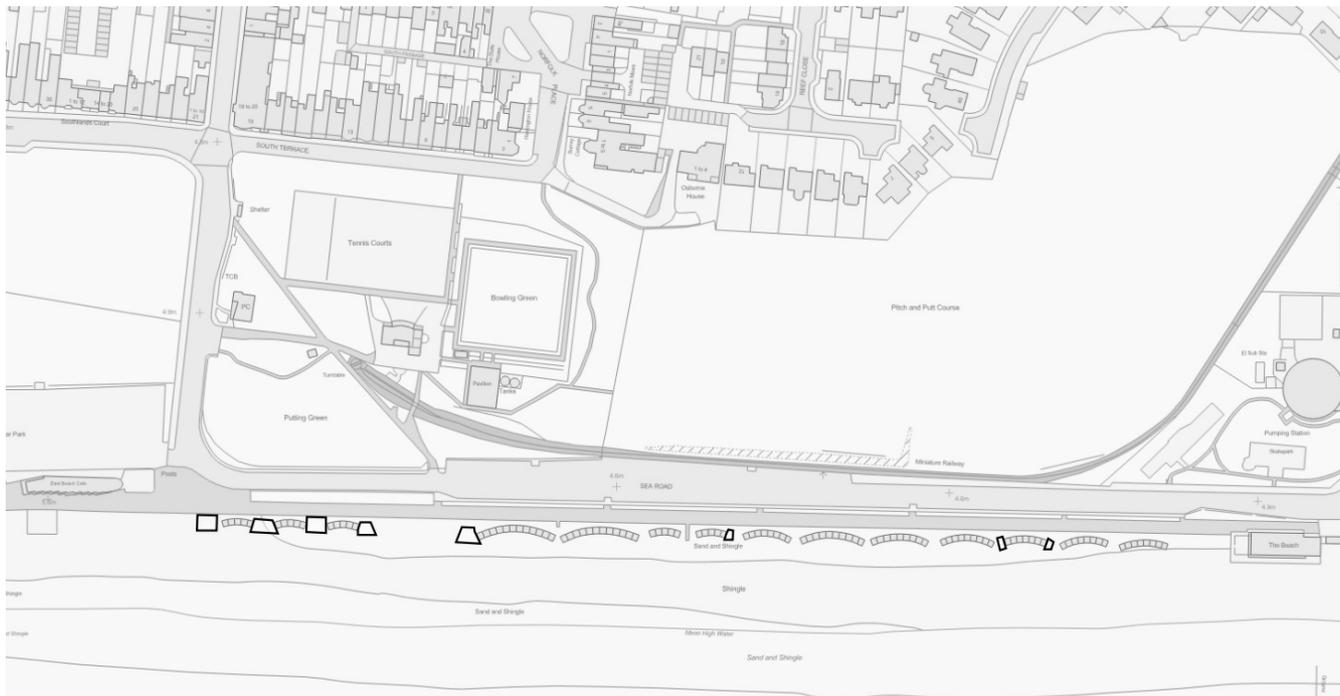
- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, 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.

- 6 **INFORMATIVE:** Any works activities taking place below the mean high water mark may require a marine licence from the Marine Management Organisation in accordance with the Marine and Coastal Access Act (MCAA) 2009. It is down to the applicant to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

## BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on [this link](#).

**LU/404/22/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015