

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	PWLLHELI

**Number: 1**

**Application Number: C18/0127/39/LL**

**Date Registered: 07/03/2018**

**Application Type: Full - Planning**

**Community: Llanengan**

**Ward: Abersoch**

**Proposal: Construction of a Beach Hut to replace the existing one**

**Location: Beach Hut 27, Porth Mawr, Abersoch, Pwllheli, LL53 7EF**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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## 1. Description:

- 1 This is an application to replace the existing beach hut (number 27) with a new, larger hut on Borth Fawr beach, Abersoch. The existing hut is wide with the roof slope falling to the front and is sited differently to the other huts in the vicinity. The proposed beach hut will measure approximately 4.2 metres wide by 5 metres long with a shaded roof projecting out a further metre. It is proposed to have a timber deck of 4.2m depth in front of the hut with enclosed storage underneath. It is proposed to finish the hut's roof and external walls in profile box sheeting.
- 2 The hut stands amongst a row of other beach huts on Borth Fawr beach in Abersoch. This is a rural coastal site within the Llŷn Area of Outstanding Natural Beauty, near a Heritage Coast and within the Coastal Change Management Area.
- 3 The application is submitted to the Planning Committee as three objections have been received.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted 31 July 2017**

PCYFF 3: Design and place shaping

ARNA 1: Coastal Change Management Area

PS 19: Conserving and where appropriate enhancing the natural environment

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 4: Coastal Protection

AMG 5: Local Biodiversity Conservation

## 2.4 National Policies:

Planning Policy Wales (Edition 9) 2016

Technical Advice Note 12: Design

## 3. Relevant Planning History:

- 3.1 No previous planning history or prior enquiry.

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#### 4. Consultations:

Community/Town Council: Objection as it is not the same size as the original and although it is noted in the introduction of the Design and Access Statement that the intention is 'to erect a new hut to replace the one that was destroyed in the winter storms of 2013-2014' it is clearly shown in the attached photograph that the hut is still standing.

Area of Outstanding Natural Beauty Unit: Beach hut number 27 is located amongst other beach huts on the upper section of Abersoch beach and in the AONB. The hut is sited transversely to the other huts and it appears to be in a fairly good condition. The measurements of the existing hut have not been provided, however in order to be in keeping with the background a building that is too wide and high should be avoided. Also, in order to retain the historic character of the original building it is suggested that corrugated sheets are used rather than box profile sheeting and wooden doors (not shutters).

Biodiversity Unit: No biodiversity concerns in relation to the application.

Maritime and Country Parks Unit: Not received

Natural Resources Wales: NRW have no objection to the application.

**Flood Risk** The application site is located outside but close to a C2 zone, as defined in the development advice map referred to in TAN 15 Development and Flood Risk. Our latest flood map confirms that the beach hut is located exactly outside the tidal flood outlines 1% (1 in 100 years) and 0.1% (1 in 1000 years). However, due to the open coastal location of the hut, the applicant should be aware of the risk of flooding from the waves. Furthermore, an increase in sea level as a result of climate change could lead to more frequent storms and flooding. Therefore, we recommend that the building materials chosen should be strong and can withstand flooding as far as possible.

**Protected Site:** The site is situated directly outside the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC). If appropriate precautions involving pollution prevention and waste control are implemented we do not consider that the development will have an impact on the characteristics or the conservation aims of the site.

#### **Environmental Control**

In terms of any waste generated during the construction of the development, this should be disposed of in a satisfactory manner and in accordance with the requirements of Section 34, Environmental Protection Act 1990.

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Public Consultation: A notice was posted on the site. The advertising period ended on 5 February 2018. Two observations / objections were received on the grounds of:

- Height - shown as number 28, but this is a little higher than the rest.
- The roller door is considered to be fairly substandard.
- Over-development

## 5. Assessment of the material planning considerations:

### Visual amenities and landscape

- 5.1 The proposal involves replacing the existing beach hut with a new beach hut, and its setting will be rotated and size increased. During the inspection it was noted that this is the only hut within the row, north of the beach access, that is set wide. The existing hut measures approximately 3 metres high to the top, 4 metres wide in the front, approximately 3m in depth back, with a wooden deck extending out approximately 2.2m. The proposed beach hut will measure a little more, namely 3.3m high, 4.2m wide in the front, 5m in depth with a sheltered roof projecting out a further metre. The timber deck would extend out 4.2m from the front of the hut with an enclosed storage underneath. The plans note that the hut would be the same height as the top of parallel hut number 28 (to the north) that has recently been renovated and the deck would follow the same development line. It is proposed to install roller doors and the hut would be finished with metal box profile sheeting, however, no details about the colour have been included.
- 5.2 A few consultee and third party observations have expressed concern about the proposal, based on size, height and finish, and this is why the application has been submitted to the committee. Although the proposal involves replacing the hut for a larger hut, it is not considered that the proposal is unreasonable in terms of scale, height and mass and is not an over development as it follows the same size pattern to a large extent as other huts in the row. Therefore it is considered that rotating the hut is acceptable and offers more of a continuation than the current form. In terms of height, it is noted that a comment has been raised about the fact that it would be the same size as hut number 28, that can be seen to be a shade higher than the rest. However, it is not considered that increasing by 0.3 metres in height will have a significantly different visual impact in this case and bearing in mind the shifting nature of sand dunes it would be difficult to have a totally straight line. In terms of the materials, the AONB Officer has suggested that corrugated sheeting would retain the historic character of the original building better than box profile sheeting with wooden doors not shutters. Although we appreciate the points regarding the finishes, it is considered that it would be difficult to refuse on this basis and it would be difficult to demand corrugated sheeting, bearing in mind that there are a number of box profile sheeting huts within the same row. In the same manner, it is agreed that the roller doors are not an ideal feature for the huts, however, it is not considered that we are in a situation to refuse the application on this basis.
- 5.3 As the design of the proposal is suitable for a beach hut and its setting, appearance, scale, height and treatment of the proposal's elevations are comparatively similar to the rest of the huts in the row, it is considered that the proposal is acceptable based on policy PCYFF 3 LDP and respects the context of the site and its place in the landscape.

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- 5.4 The site is located within the Llŷn Area of Outstanding Natural Beauty, therefore policy AMG 1 is a consideration here. As the proposal will take the place of the existing hut and will be amongst a row of similar huts, it is not considered that the proposal would be likely to have a significant impact on the setting or significant views into the AONB in this case. It is therefore considered that the development is acceptable in terms of policy AMG 1 and the principles of PS 19 in the LDP.
- 5.5 As the proposal involves the upgrading of a hut that already exists, rather than a new coastal development, it is considered that the proposal to replace a hut meets with the principles of policy AMG 4 of the LDP. Due to the nature of the structure it is necessary for it to be located on the beach and it would have a close visual connection with the existing buildings and structures.

#### **Flooding and coastal change management**

- 5.6 Policy ARNA 1 is a consideration here, where inappropriate developments should be avoided in vulnerable coastal areas in an effort to reduce flooding risks and the impact of coastal erosion. Although the site is within a Coastal Change Management Area (CCMA) the proposal can be acceptable within the CCMA, as it is associated with the existing non-residential use of the site. Although criterion 6 requires a flood consequence assessment, Natural Resources Wales have not requested such an assessment in their comments, only to state that the site is outside the flooding outline and draw attention to the possibility of flooding and advise that the huts should be of suitable material. The proposal is to replace the existing hut with a larger hut and this is considered acceptable in terms of the principles of policy ARNA 1 of the LDP.

#### **Biodiversity Matters**

- 5.7 The Biodiversity Officer had no biodiversity concerns regarding the application, therefore, it is considered that the proposal is acceptable in terms of policy AMG 5 of the LDP.

#### **Any other matters**

- 5.8 It is noted that the observations of the Community Council question the contents of the Design and Access Statement regarding the hut's condition, however, as a DAS is not necessary for such an application, it would not be a requirement to ask for a correction and we will not give any weight to its contents. However, we appreciate that the hut does not appear to be in a poor condition but it is a matter for the applicant if he wishes to submit an application to replace the hut.

#### **6. Conclusions:**

- 6.1 Having assessed the proposal against the relevant policies and considered all the responses and observations, it is considered that the proposed beach hut is acceptable in terms of size, design and materials. Bearing in mind that the proposal in question is for a hut to replace the original hut, it is not considered that there will be a significant change to the AONB landscape, on biodiversity or on the coastline. It is considered that the development satisfies the above policy requirements and is therefore acceptable to be approved with the conditions listed below.

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**7. Recommendation:**

7.1 To approve subject to conditions:

In accordance with the plans  
External finish colour to be approved  
No occasional living or sleeping use.