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| PLANNING COMMITTEE | DATE: 25/06/2018 |
| SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER | DOLGELLAU |

Number: 4

Application Number: C18/0098/39/LL

Date Registered: 07/03/2018

Application Type: Full - Planning

Community: Llanengan

Ward: Abersoch

Proposal: Demolish an existing beach hut and erect a new one

Location: Ynys Fawr Beach Hut, Porth Mawr, Abersoch, Pwllheli, LL53 7EF

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an application to replace the existing Ynys Fawr beach hut with a new, larger hut on Borth Fawr beach, Abersoch. The existing hut is located behind the row of beach huts that stand on the beach. The existing hut is approximately 2.8 metres high to its ridge, 4 metres wide to the front, approximately 3.4m deep, and has a timber decking extending out approximately 1.8m. The proposed beach hut will be approximately 2.8 metres high to its ridge, 3.6 metres wide by 4 metres long. It is proposed to have a timber deck of 2m depth to the front. It is proposed to finish the hut's roof and external walls in blue profile box sheeting. When the application was originally submitted, the proposal showed that the ridge line of the proposed hut would be 0.6m higher than it currently is. However, having consulted with the applicant, amended plans have been received and, because of reducing the height of the timber framework upon which the hut will be placed, the ridge of the hut's roof will remain as it is. The assessment of the application will, therefore, be made using the amended plans showing the ridge of the roof at the same height as it currently is.
- 1.2 The hut stands among 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.
- 1.3 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 2011-26 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

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Technical Advice Note 12: Design

3. Relevant Planning History:

3.1 No previous planning history or prior enquiry.

4. Consultations:

Community/Town Council: Objects 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. In addition, the Planning Department is requested to resolutely monitor these huts - too many are being changed and extended in terms of width and height.

Area of Outstanding Natural Beauty Unit: If the ridge of the roof remains the same as that of the existing hut, it is not believed that the development would affect the AONB. As with other similar applications, it is suggested that corrugated sheets of a similar colour to the existing hut be used rather than a brightly coloured box profile (as seen in hut 34 nearby)

Biodiversity Unit: No observations.

Maritime and Country Parks Unit: It is not anticipated that the hut will affect the general use of the beach. Nevertheless, it must be emphasised that the owner does not have the right to use a vehicle along the road leading to the beach as it is a private road and is not a designated public road. Driving a vehicle along the foreshore without permission is prohibited. It is emphasised that the developer or contractor must not store or burn any unnecessary materials on the foreshore during the demolition and the erection of the new building. Unfortunately, this has happened in the past and burning timber is hazardous as the nails remain on the sand for a long time, causing danger to beach users. It is also emphasised that contractor vehicles are not permitted on the site during the summer season. All huts along Abersoch beach are a few metres above the high tide line, which perhaps puts them in a position of risk. The site is on sand dunes, which is an important habitat, despite not being a designated SSSI and, because of this, the Council's Biodiversity Officer may have further observations on this topic. It is assumed that the Council will not bear any responsibility for maintaining the foreshore and for protecting the nearby land and buildings should the application be approved.

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

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Flood Risk: The site of the application is outside but close to a C2 flood zone, as defined in the Council's development map, referred to under TAN 15 Developing and Flood Risk, which does not consider climate change.

The applicant may wish to register to receive flood warnings for the site; these could offer enough time to prepare the beach hut for any high tides or strong winds that are forecast.

Environmental Control

The applicant must ensure that all waste resulting from the demolition work is removed to a site that has an environmental licence and by a registered waste remover. No waste is to be left on the beach. No timber waste is to be burned.

Provide advice on work to be carried out near watercourses.

Protected Site: If the above waste and pollution precautions are followed, where necessary, we do not believe there will be a substantial impact on the Pen Llŷn a'r Sarnau Special Conservation Area (SCA).

Public Consultation: A notice was posted on the site. The advertisement period has expired and two items of observation/correspondence were received objecting on the following grounds:

- The structure will use the existing footprint but there were concerns that there was an intention to raise the height by 0.6 metres as the existing roof was above the line of the other beach huts, and considered that it should be no higher to avoid adding to the visual impact of the beach huts.
- Object to allowing equipment to travel along the sand dunes to access the site to undertake work.
- Over-development

5. Assessment of the material planning considerations:

Visual amenities and landscape

- 5.1 The proposal involves replacing an existing beach hut with a new beach hut, and increasing its size. During the inspection, it was noted that this hut was located behind the main row of beach huts along the beach. The existing hut is approximately 2.8 metres high to its ridge, 3.4 metres wide to the front, approximately 3.4m deep to the rear, and has a timber decking extending out approximately 1.8m. The proposed beach hut will be slightly larger at 2.8m high, 3.6m wide to the front, 4m deep. The timber decking would extend 2 metres out in front of the hut. The plans note that the hut would remain at the same height in relation to the ridge of hut 33 in front of it. The intention is either to install a timber framed ledge brace door or rolling doors, and the hut will be finished in blue coloured, BS 18 E 53, steel profile box sheets.

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- 5.2 A few consultation and third party observations have expressed concern about the proposal, based on size and height, and this is why the application has been submitted to the committee. Although the proposal involves replacing the hut with a larger hut, the proposal is not considered to be unreasonable in terms of scale, height and mass and is not an over development as it largely follows the same size pattern to as other huts in the vicinity. In terms of height, it is noted that a comment has been raised about the fact the ridge of the hut would be higher than it currently is. The application, however, has now been amended and the height of the ridge of the roof will remain as it currently is. 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 timber rather than rolling doors. 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 a number nearby huts use box profile sheeting. Likewise, 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 the treatment of the proposal's elevations are fairly similar to the rest of the huts in the row, it is considered that the proposal is acceptable based on policy PCYFF 3 of the LDP and respects the context of the site and its place in the landscape.
- 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 among 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 policy PS19 of the LDP.
- 5.5 Since 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 the principles of policy AMG 4 of the LDP. Due to the nature of the structure, it is necessary for it to be located at the seaside 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 has not requested such an assessment in its comments, it simply states that the site is outside the flooding outline and draws attention to the possibility of flooding. 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

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- 5.8 It is noted that the observations of the Community Council raise questions about 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.
- 5.9 A question was raised in the correspondence objecting to the proposal for the way the site is to be accessed, due to its location behind the existing huts. Information was submitted stating that work on this hut (if permitted) would be done at the same time as the construction of the new number 27 hut (already permitted) and that it would be possible to carry out the work on the site of this application before building the new hut on the site of hut 27. This would allow access to build the hut that is the subject of this application without going over the sand dunes.

6. Conclusions:

- 6.1 Having assessed the proposal against the relevant policies and having considered all the responses and observations, it is considered that the proposed beach hut is acceptable in 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, or 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.

7. Recommendation:

- 7.1 To approve subject to conditions:
1. Commence within five years.
 2. In accordance with the plans
 3. The hut will be of a blue BS 18 E 53 colour, unless otherwise agreed beforehand with the Local Planning Authority.
 4. No occasional living or sleeping use.