

Report to: Planning Applications Committee
Date: 6 December 2023
Application No: LW/23/0594
Location: Martello Kiosk, Esplanade, Seaford, East Sussex
Proposal: Detached prefabricated Changing Place facility for members of the public with severe disabilities and assistants.
Applicant: Lewes – Eastbourne Council (s)
Ward: Seaford Central
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Emery
E-mail: james.emery@lewes-eastbourne.gov.uk

Site Location Plan: (Below)



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| 1. | Executive Summary |
| 1.1 | <p>The proposed development as is considered to meet all relevant national and local planning policies and is considered to be acceptable.</p> <p>This application is coming before the Committee as the applicant is Lewes and Eastbourne Councils.</p> |
| 1.2 | Approval is recommended, subject to conditions. |
| 1.3 | <p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> |
| 1.4 | <p><u>Lewes Local Plan Part 1 (LLP1)</u></p> <p>CP11 – Built and Historic Environment & Design</p> |
| 1.5 | <p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM20 – Pollution Management</p> <p>DM25 – Design</p> |
| 1.6 | <p><u>Seaford Neighbourhood Plan (SNP)</u></p> <p>SEA2 Design</p> |
| 2. | Site Description |
| 2.1 | <p>The This application relates to an area of land located southwest of the Esplanade on Seaford seafront. At present the site accommodates several concession kiosks, beach huts and a public W.C</p> <p>The application site not listed, nor is in in a conservation area or other designated area.</p> <p>The closest listed building is Martello Tower No. 74, located some 45m away to the northwest.</p> |
| 3. | Proposed Development |
| 3.1 | The Planning permission is sought for the installation of a detached prefabricated 'Changing Place' facility for members of the public with severe disabilities and assistants. |
| 3.2 | The building would be flat roofed with a height of 3m, a width of 4.83m, and a depth of 3.5m. It would include various facilities such as a changing bench, a hoist, shower, and accessible toilets. |
| 4. | Relevant Planning History: |
| 4.1 | No relevant history. |

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| 5. | Consultations |
| 5.1 | Seaford Town Council 'Noted' the application, with no Objection. |
| 5.2 | LDC Contaminated Land Officer No objection. |
| 6. | Other Representations |
| 6.1 | No neighbour representations were received |
| 7. | Appraisal |
| 7.1 | <p><u>Principle</u></p> <p>The principle of installing a toilet facility to serve seafront users and the wider public is acceptable, particularly as it would improve the provision of facilities in the area, and further the inclusivity for all users of this important shared space.</p> <p>It is considered that in principle, therefore, the scheme is acceptable and would be beneficial to users of the park and wider countryside. It would also accord with the Equality Act 2010 by advancing equality of access to facilities and the public realm.</p> |
| 7.2 | <p><u>Design</u></p> <p>Paragraph 130 of the NPPF outlines that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.</p> <p>The proposed building would be small in scale and located discretely beside an existing Kiosk, Beach Huts, and Public W.C on this stretch of seafront. It would be clad in grey-brown, with green features, which is considered to be acceptable in appearance.</p> <p>Given the scale of the building and its context, it would have minor impact on the openness of the seafront and would be in keeping with the character of the area.</p> <p>The development is considered to be in accordance with policies DM25 (Design) and Policy SEA2 (Design) of the Seaford Neighbourhood Plan.</p> |
| 7.3 | <p><u>Amenity</u></p> <p>The proposed development would not be positioned close to any neighbouring dwellings and would therefore not detract from residential amenity.</p> |

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| 7.4 | <p><u>Environmental Impacts</u></p> <p>The facility is located in an archaeological notification area, and as a result, ESCC County Archaeology were consulted on the proposed works. They offered no objection, commenting that based on the information supplied, they do not believe that any significant archaeological remains are likely to be affected by the proposals.</p> <p>Regarding flood risk, the proposed development falls within the NPPF's 'amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms' classification and would therefore be considered as water compatible.</p> <p>The site will be built from hard-wearing materials including concrete walls and a steel door to ensure water compatibility. All internal electrical fitting will be installed at least 0.45m from finished floor level to aid flood resilience.</p> <p>The facility would need to be connected to the foul sewer, so an informative to this effect has been added, referring the applicant to Southern Water. This is beyond the scope of the planning process so further details are not required.</p> <p>There would be some increase in run-off as a result of the facility, but it would have a footprint of less than 15m² and abuts large areas of open space, so it is not considered necessary secure details of drainage, and the potential for increased flood risk is considered minimal.</p> <p>On this basis, the scheme is considered acceptable in terms of its environmental impact.</p> |
| 8. | <p><u>Human Rights Implications</u></p> |
| 8.1 | <p>The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p> |
| 9. | <p><u>Conclusion</u></p> |
| 9.1 | <p>In view of the above assessment, it is considered that the proposed development would be acceptable in terms of its impact on the seafront and wider area, and would not cause unacceptable harm to the amenities of neighbouring residents.</p> <p>Approval is recommended subject to conditions outlined below.</p> |
| 10. | <p><u>Recommendations</u></p> |
| 10.1 | <p>Approve subject to the conditions listed below.</p> |

| 11. | Conditions | | | | | | | | | | | | | | | | | | | | | | | | |
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| 11.1 | <p>Time Limit</p> <p>The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted.</p> <p>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| 11.2 | <p>External Materials</p> <p>The external finishes of the development hereby permitted shall be those identified on the approved drawing ref. RADPT.0001 v2.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| 11.3 | <p>Approved Plans</p> <p>This decision relates solely to the following plan(s)</p> <table border="1" data-bbox="320 1016 1380 1845"> <thead> <tr> <th><u>PLAN TYPE</u></th> <th><u>DATE RECEIVED</u></th> <th><u>REFERENCE</u></th> </tr> </thead> <tbody> <tr> <td>Flood Risk Assessment</td> <td>7 November 2023</td> <td>Flood Risk Assessment</td> </tr> <tr> <td>Proposed Floor Plan(s)</td> <td>29 September 2023</td> <td>RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan</td> </tr> <tr> <td>Proposed Elevation(s)</td> <td>29 September 2023</td> <td>RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan</td> </tr> <tr> <td>Proposed Block Plan</td> <td>29 September 2023</td> <td>RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan</td> </tr> <tr> <td>Location Plan</td> <td>29 September 2023</td> <td>RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan</td> </tr> <tr> <td>Design & Access Statement</td> <td>29 September 2023</td> <td>Design, Access, and Heritage Statement</td> </tr> <tr> <td>Justification / Heritage Statement</td> <td>29 September 2023</td> <td>Design, Access, and Heritage Statement</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> | <u>PLAN TYPE</u> | <u>DATE RECEIVED</u> | <u>REFERENCE</u> | Flood Risk Assessment | 7 November 2023 | Flood Risk Assessment | Proposed Floor Plan(s) | 29 September 2023 | RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan | Proposed Elevation(s) | 29 September 2023 | RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan | Proposed Block Plan | 29 September 2023 | RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan | Location Plan | 29 September 2023 | RADPT.0001 Rev 2 - Proposed Ground Floor, Elevations, Block Plan and Site Location Plan | Design & Access Statement | 29 September 2023 | Design, Access, and Heritage Statement | Justification / Heritage Statement | 29 September 2023 | Design, Access, and Heritage Statement |
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| 11.4 | Informative The applicant's attention is drawn to the response from Southern Water, noting the requirement to apply for connection to the public foul sewer - see developerservices.southernwater.co.uk . It also notes that initial investigations indicate there are no public surface water sewers in the area to serve the development so alternative means of drainage area required, and that a sewer now deemed to be public may be crossing the development site. |
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| 12. | Appendices |
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| 12.1 | None. |
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| 13. | Background Papers |
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| 13.1 | None. |
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