

Supplementary Papers for Overview and Scrutiny Board

Date: Monday, 15 June 2020



7. Public Speaking

1 - 18

To receive any public questions, statements or petitions submitted in accordance with the Constitution. Further information on the requirements for submitting these is available to view at the following link:-

<https://democracy.bcpCouncil.gov.uk/documents/s2305/Public%20Items%20-%20Meeting%20Procedure%20Rules.pdf>

The deadline for the submission of public questions is Monday 8 June 2020.

The deadline for the submission of a statement is 12.00 noon, Friday 12 June 2020.

The deadline for the submission of a petition is 12.00 noon, Friday 12 June 2020.

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Overview and Scrutiny Board – 15 June 2020 – 2.00pm

Public Questions Received

Agenda Item 12 - Mudeford Beach Café

(Please note that this document will be updated once all responses are received)

	Question Submitted by	Question	Response
1	Geoff Peppiatt	Given that the Cabinet Report 15 January 2020 made it clear that an increase in business (and therefore rent) was required to cover the £811k of debt required to fund the Beach House development at Mudeford Sandspit, must the Council now review that decision given that the revised statement to planning now states that there will be no material increase in business?	
2	Kimball Furnidge	Chris Saunders, Service Director Destination & Culture, stated in an email dated 2 June 2020 “We have a quote to rebuild the café as was which the insurance company have seen and accepted.” If, as stated, a like for like rebuild was accepted by your insurance company, why spend over £1 million when the revised Design and Access Statement (DAS) by BCP Council’s architect makes the claim ‘that there will be no material increase in the level of activity or intensification of use of the site.	
3	Tony Webb	As a lifetime hut owner on Mudeford Sandbank (61 years) I have seen many changes that have increased visitor numbers exponentially. May I ask whether the council consider it prudent to keep the shop within the main proposed new building rather than a separate entity within this very environmentally sensitive area?	
4	John Timms	Should the Council reconsider its decision to spend £1m of public money on a new Beach House at Mudeford Sandspit and explore the possibility of a lower cost rebuild, potentially selling the current shop premises and using those additional funds to help with the rebuild costs?	

	Question Submitted by	Question	Response
5	Name supplied – BCP Resident	We would welcome the Council to reconsider its decision to spend £1m of public money on a new Beach House at Mudeford Sandspit and explore the possibility of a lower cost single storey rebuild and incorporate the shop again like it used to be (a like-for-like building) and the council could potentially sell the current temporary shop that was the old coastguard hut for approx. £200k and use those funds to help with the rebuild costs?	
6	Edmund Malden	Why was the Beach House Café on Mudeford Sandspit not insured by the tenant as per standard commercial practice and why, when subsequently insured, presumably as part of the council group policy, was it under-insured?	
7	Victoria Jago	Why is there one rule for beach hut rebuilding regulations regarding height and materials but no such rule for the proposed new Beach Cafe on the Sandbank.	
8	Paul Owen	Given that the Café on Mudeford Sandspit was under-insured should the Council reconsider its decision to spend £1m of public money on an enlarged bar/restaurant and explore the possibility of a lower cost rebuild, potentially selling the current shop premises and using those additional funds to help with the rebuild costs?	
9	Ian Chastney	Why will the PROPOSED new Beach House be open so much later than the old one?	
10	Alex Owen	It is evident that businesses, communities and services will be put under massive financial pressures in the coming months and years as a result of coronavirus. The deficit being built up in government spending to get us through the crisis will be absolutely huge; ultimately this will have to be paid for, inevitably impacting council and local budgets. With this in mind, how does the council justify spending what I understand to be around £1 million pounds of public money on a new cafe on Mudeford spit, surely a like-for-like replacement at a much lower cost would be more appropriate?	

	Question Submitted by	Question	Response
11	Tim Priddle	Would it not be more appropriate to build a smaller cafe on the beach at a lower cost, which would be more in keeping with the fragile environment, and use the financial saving on other pressing needs in the community?	
12	Paul Lee	Should the council be reconsidering the size and subsequent cost of the rebuild (£1 million – with £811k being debt) given the added financial pressures on council spending due to COVID19?	
13	Jackie Townsend	Can you please advise why the shop on Mudeford Sandspit not been included in the planning application for the new rebuild of the Beach House Cafe?	
14	Tom Goddard-Fenwick	I would like to ask if the Council should review the decision to allocate over £1m on a new larger Beach House cafe at Mudeford Sandbank and instead consider a less expensive like-for-like rebuild. This would be more in keeping with the delicate and unique situation of the Sandbank.	
15	Gillian Telling	Why isn't the council reviewing and stopping the proposed plans to rebuild a new >£1m??!! cafe in light of the fact that we are in a unique unspoilt conservation area ... stanpit marsh ... why aren't we considering "like for like"	
16	Robert Eveleigh	At the Cabinet meeting on 15 th January 2020 why was a much cheaper like for like (as the original café and not the temporary one) single storey option not discussed bearing in mind that the insurance company pay-out had been only £325,000?	
17	Gavin Kewley	Should the Council review its decision to spend more than £1m on an increasingly questionable new Beach House café at Mudeford Sandspit, instead of a lower cost like-for-like rebuild more in tune with the unique and fragile nature of the Sandspit, an example of which is the ethical Triodos Bank supported, innovative design company Ssassy who, working with local firms, use an 'off-site' building system and produce high performance, low environmental impact, zero-carbon footprint buildings?	
18	Matt Burden	Whilst I'm in favour of a new Beach House and improved facilities, does the proposed investment of £1m to rebuild the Beach House make financial sense and	

		represent the best economic value for money for the council and community, especially given that the fact that the beach house rental agreement has been agreed and the present tenant is likely to object to the required increases in rent to warrant this level of investment, especially as the Beach house's business isn't allowed to increase its capacity?	
19	Shelley Pitter	Should the council review its decision to spend £1 million and look at building something similar to the original as a replacement for the Beach House Café, something which would reflect the unique nature and location of the Sandspit and its beach culture?	
20	Eve Murfin	Should the Council consider selling the current shop premises (previously the council's Beach Office) as a residential beach hut to create additional funds towards a replacement build on a " like for like" basis for the cafe and shop (as they were before the fire) more in tune with the fragile nature of the sandbank which is designated SSSI site and the protected foreshore which is an SNCI area?	
21	Vivien Sheath	Should the Council review its decision to spend more than £1m on a new Beach House café at Mudeford Sandspit and instead look at a lower cost like-for-like rebuild more in tune with the unique and fragile nature of the Sandspit as this decision will affect users of the area for many years to come?	
22	Mark Smith	The cabinet report of 15th Jan stated that debt would be incurred by the current rebuild plan as the cafe was under insured. Given projected costs of £1m would it not be prudent to re-examine the feasibility of a smaller single storey replacement incorporating the shop as before. The current temporary shop is a poor replacement amenity for both visitors and residents alike and could raise significant funds if sold as a hut plot and the money used towards rebuild costs putting less stress on council funds that are under pressure in the aftermath of covid19.	
23	Kirsty Dennet	Should the Council reconsider its decision to spend £1m of public money on a new Beach House Café at Mudeford Sandspit, look instead at a lower cost like-for-like rebuild which will have less visitor impact on the fragile ecology of the Sandspit and	

		investigate the sale of the current shop premises to fund these building costs?	
24	Paddy Clements Address required	Why should the plans for this enlarged and higher beach cafe be considered when there are very strict regulations for hut building in size and height and materials?	
25	Samantha White Statement	I really feel strongly that the council should review its decision to spend more than £1m on a new Beach House cafe at Mudeford spit. And alternatively look at a much lower cost, like for like rebuild, more blending and suitable for the unique, one of a kind nature that makes Mudeford spit truly special.	
26	David Smith	I would like to ask why the council feels the need to build such a large building in place of the old one at such great expense when the area doesn't need or require such a building? Especially given the current delicate global climate. Perhaps the sale of the current hut shop could go a long way to fund a smaller more subtle build in keeping with the family orientated nature of the beach?	
27	Hilary Chapman and Ian Beattie Statement	As resident owners of a property in Waterside, Mudeford, we are very concerned about the plans for redevelopment of the Beach Hut on Mudeford Spit. In view of the coming financial aftereffects of Covid 19, the extent and cost of the development should be drastically reduced. Instead, a lower cost like-for-like rebuild should be considered which would help preserve the unique and fragile nature of the Sandspit.	
28	Jennifer Greville- Heygate	What return does the Council expect to receive on its proposed £1,000,000 expenditure and has the council carried out studies to see if a smaller and less costly development would be a more cost effective option? if so what was the result and who carried it out.	
29	Sallie Longman	Should the council reconsider it's plan to spend more than £1m of public money on a larger, taller rebuild using materials that are forbidden to beach huts?	
30	Steve Barratt – Chair Mudeford Sandbank Beach Hut Association	1. Why is the shop not shown within planning application 7-2020-11229-M a. The temporary siting of the shop does not have planning permission (appendix A highlighted section of email from BCP planning enforcement manager)	

		<p>b. The current temporary location goes against NPPF and local planning policy (Appendix B)</p> <p>c. The lease of the Beach House café shows a requirement for a shop to be provided by the operator which has always been within the curtilage of the café. (See attached Beach House Lease 4.4.4.1)</p> <p>Question: Why has this not been included within the above planning application?</p> <p>2. BCP Council's planning application 7-2020-11229-M takes no account of legislation for the siting of gas storage in close proximity to residential accommodation. (Appendix C)</p> <p>a. Gas bottles are used by all beach huts and regularly need replacement. The lease of the Beach House café shows a requirement for these to be provided by the operator. (See attached Beach House Lease 4.4.3)</p> <p>Question: Why has the re-siting of gas bottles and gas storage for the kitchens not been considered as part of this application with a suitable location identified and included within the application?</p> <p>3. In order to justify borrowing of £811,000, Cabinet approved expenditure because the proposed redevelopment would see an increase in business activity to justify increased revenue through rent from the tenant. BCP in their architects revised Design and Access Statement within the planning application states: 'there will be no material increase in the level of activity or intensification of use of the site.'</p> <p>Will the proposed development be busier to justify the borrowing or will there be no increase in activity in order to adhere to planning policies? If the latter is the case, should Cabinet reconsider this capital investment?</p>	
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Agenda Item 9 Council's Response Covid-19 / Agenda Item 12 Mundeford Beach Cafe

	Question Submitted by	Question	Response
1	Sally White Jo Maiklem Peter Clarke	Why is the Council not enforcing Covid-19 emergency regulations in relation to the Beach House on Mundeford Sandspit given the mass of visitors now flocking to it as the only 'pub' open for miles around, (making it unsafe for us to visit our beach huts nearby)?	
2	Sarah Clarke	Why is BCP not enforcing government restrictions and guidelines on the Beach House cafe during Covid crisis who are creating encouraging and advertising to visitors to flock to this spot creating a 'pub like 'environment .	

Statements Received

Agenda Item 12 – Mundeford Beach Café

The Cabinet Report stated the MSBHA were 'generally supportive' (para 19) and even suggested there would be a backlash if adjacent hut owners perceived a 'reluctance by the Council to invest in the area.'

This is entirely misleading. The MSBHA has grave reservations about the proposed building, a Beach Hut Action Group with over 400 supporters is strongly opposed and more than 200 objections have been received by Planning.

The proposal risks permanently damaging the relationship with beach hut families who contribute a surplus close to £1m p.a. to the BCP Council.

Mr Kimball Furmidge

"The plan has sparked anger from hut users and those wanting to protect the unique Sandspit. An Action Group of 400 supporters is taking legal and planning advice and MSBHA is now opposed to the current proposals.

BCP says it embraces democracy and openness but every effort at dialogue has been rebuffed.

A consensus could quickly be found around an affordable, one-storey, modern and attractive replacement.

Further scrutiny of that option would restore goodwill with the community and recognise the change in the financial position.

The assumptions of support and costs in the original Cabinet report are no longer valid".

Mr Paul Owen

The Cabinet decision failed to evaluate a less costly and intrusive like-for-like rebuild and therefore needs further scrutiny.

Para 24.ii of the Cabinet Report states Like-for-Like replacement imposes financial pressure on the Council as insurance monies not adequate and tenant would not agree to increase in rent (to service additional borrowing) as would not be expanding business offer.

This statement is inaccurate/misleading:

1. DAS submission to Planning states there will be no increase in the business offer.
2. Chris Saunders stated "we have a quote to rebuild the café as was which the insurance company have seen and accepted"

Mr Bob Eveleigh

The Cabinet further approved the principle of spending £1.06m+ on a much larger building and taking on £811,250 of debt to do so. This decision needs further scrutiny for these reasons:

- Contradictions in Council documents as to the adequacy of insurance monies
- Contradictions in Council documents as to whether an expansion of business activity is intended (Cabinet Report) or will be the same (Planning Submission)
- Uncertainty of a rent increase
- Uncertainty as to whether the debt repayments can be covered

Mr Mener Tsitsis

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Questions to O&S Board – 15th June 2020

1. Geoff Peppiatt

Given that the Cabinet Report 15 January 2020 made it clear that an increase in business (and therefore rent) was required to cover the £811k of debt required to fund the Beach House development at Muddeford Sandspit, must the Council now review that decision given that the revised statement to planning now states that there will be no material increase in business?

The Design & Access Statement (DAS) presented to Planning needs to reflect the business operation as it stands at the time of application, and as no new agreement had been reached with the tenants for the new building when it was submitted the statement is therefore accurate.

2. Kimball Furnidge

*Chris Saunders, Service Director Destination & Culture, stated in an email dated 2 June 2020 “**We have a quote to rebuild the café as was which the insurance company have seen and accepted.**” If, as stated, a like for like rebuild was accepted by your insurance company, why spend over £1 million when the revised Design and Access Statement (DAS) by BCP Council’s architect makes the claim ‘that there will be no material increase in the level of activity or intensification of use of the site.*

For context the original question posed, and answer given was;

Q. Your obligation is to insure for the full cost of rebuilding and reinstating. What is the shortfall between that cost and the sum actually insured?

A. We have a quote to rebuild the café as was which the insurance company have seen and accepted.

Additionally, the previous building would not meet current building regulations and was subject to complaints from beach hut owners in respect of noise, smells and general use. The new building solves these issues, is more energy efficient and greenly much better presented for a building in such a sensitive location.

3. Tony Webb

As a lifetime hut owner on Muddeford Sandbank (61 years) I have seen many changes that have increased visitor numbers exponentially. May I ask whether the council consider it prudent to keep the shop within the main proposed new building rather than a separate entity within this very environmentally sensitive area.

The relocation of the shop to the old beach office was initially a temporary measure for the interim food offer during the summer season, however it has proved popular with visitors so consideration is being given to future options. All options will assess the potential environmental impact upon the site.

4. John Timms

Should the Council reconsider its decision to spend £1m of public money on a new Beach House at Muddeford Sandspit and explore the possibility of a lower cost rebuild, potentially

selling the current shop premises and using those additional funds to help with the rebuild costs?

The business case presented within the report to Cabinet in January 2020 was based upon the exploration of multiple scenarios and potential opportunities, and BCP Council worked in partnership with both the tenants and MSBHA to come to an agreement that the current option was considered the most viable and best for the future of the site. Any future rent from the shop could help meet the overall costs of the sandbank.

5. Name supplied – BCP Resident

We would welcome the Council to reconsider its decision to spend £1m of public money on a new Beach House at Mudeford Sandspit and explore the possibility of a lower cost single storey rebuild and incorporate the shop again like it used to be (a like-for-like building) and the council could potentially sell the current temporary shop that was the old coastguard hut for approx. £200k and use those funds to help with the rebuild costs?

Answer as per (4) above.

6. Edmund Malden

Why was the Beach House Café on Mudeford Sandspit not insured by the tenant as per standard commercial practice and why, when subsequently insured, presumably as part of the council group policy, was it under-insured?

When the lease was renegotiated in 2015 by the previous authority, Christchurch Borough Council (CBC), the tenants were not able to obtain buildings insurance from any provider. Therefore CBC made the decision at the time to insure them building themselves leaving the tenant to obtain contents cover. The insured value at the time was established by the CBC Insurance team and the policy was inherited by BCP Council on 1st April 2019, six months after the original building had burnt down.

7. Victoria Jago

Why is there one rule for beach hut rebuilding regulations regarding height and materials but no such rule for the proposed new Beach Cafe on the Sandbank?

The Beach House Café is a commercial property and is therefore subject to different regulations than those of the beach huts.

8. Paul Owen

Given that the Café on Mudeford Sandspit was under-insured should the Council reconsider its decision to spend £1m of public money on an enlarged bar/restaurant and explore the possibility of a lower cost rebuild, potentially selling the current shop premises and using those additional funds to help with the rebuild costs?

Answer as per (4) above.

9. Ian Chastney

Why will the PROPOSED new Beach House be open so much later than the old one?

The licence for the premises has not changed and therefore the Planning application must reflect that for accuracy. The potential opening hours of the business are the same as they have been in previous years, however it is widely recognised that the tenant chose not to

operate to the fullest of those hours and is unlikely to do so in the future, due to the access restrictions on the site.

10. Alex Owen

It is evident that businesses, communities and services will be put under massive financial pressures in the coming months and years as a result of coronavirus. The deficit being built up in government spending to get us through the crisis will be absolutely huge; ultimately this will have to be paid for, inevitably impacting council and local budgets. With this in mind, how does the council justify spending what I understand to be around £1 million pounds of public money on a new cafe on Mudeford spit, surely a like-for-like replacement at a much lower cost would be more appropriate?

Negotiations with the tenants are still ongoing however it is still anticipated that there will be a sufficient uplift in ground rent to cover the cost of borrowing in order to deliver the project. However, as the Cabinet report from January 2020 clearly stated “Officers are confident of being able to service the borrowing repayments from the rent improvements and from other changes to the operation of the sandbank facilities if required” it was accepted that any shortfall between the potential new lease agreement and the actual cost of the repayments would be met by the Service.

11. Tim Priddle

Would it not be more appropriate to build a smaller cafe on the beach at a lower cost, which would be more in keeping with the fragile environment, and use the financial saving on other pressing needs in the community?

Answer as per (4) above.

12. Paul Lee

Should the council be reconsidering the size and subsequent cost of the rebuild (£1 million – with £811k being debt) given the added financial pressures on council spending due to COVID19?

Answer as per (4) above.

13. Jackie Townsend

Can you please advise why the shop on Mudeford Sandspit not been included in the planning application for the new rebuild of the Beach House Cafe?

Answer as per (3) above.

14. Tom Goddard-Fenwick

I would like to ask if the Council should review the decision to allocate over £1m on a new larger Beach House cafe at Mudeford Sandbank and instead consider a less expensive like-for-like rebuild. This would be more in keeping with the delicate and unique situation of the Sandbank.

Answer as per (4) above.

15. Gillian Telling

Why isn't the council reviewing and stopping the proposed plans to rebuild a new £1m??!! cafe in light of the fact that we are in a unique unspoilt conservation area....stanpit marsh.....why aren't we considering "like for like"?

Answer as per (4) above.

16. Robert Eveleigh

At the Cabinet meeting on 15th January 2020 why was a much cheaper like for like (as the original café and not the temporary one) single storey option not discussed bearing in mind that the insurance company pay-out had been only £325,000?

Answer as per (4) above.

17. Gavin Kewley

Should the Council review its decision to spend more than £1m on an increasingly questionable new Beach House café at Mudeford Sandspit, instead of a lower cost like-for-like rebuild more in tune with the unique and fragile nature of the Sandspit, an example of which is the ethical Triodos Bank supported, innovative design company Ssassy who, working with local firms, use an 'off-site' building system and produce high performance, low environmental impact, zero-carbon footprint buildings?

Answer as per (4) above, and in addition our design team are considering several carbon-reducing features within the new building design, subject to budgetary provision.

18. Matt Burden

Whilst I'm in favour of a new Beach House and improved facilities, does the proposed investment of £1m to rebuild the Beach House make financial sense and represent the best economic value for money for the council and community, especially given that the fact that the beach house rental agreement has been agreed and the present tenant is likely to object to the required increases in rent to warrant this level of investment, especially as the Beach house's business isn't allowed to increase its capacity?

Answer as per (4) above. Additionally as per point 37 of the cabinet report there is an outstanding market rent review due for this property,.

19. Shelley Pitter

Should the council review its decision to spend £1 million and look at building something similar to the original as a replacement for the Beach House Café, something which would reflect the unique nature and location of the Sandspit and its beach culture?

Answer as per (4) above.

20. Eve Murfin

Should the Council consider selling the current shop premises (previously the council's Beach Office) as a residential beach hut to create additional funds towards a replacement build on a "like for like" basis for the cafe and shop (as they were before the fire) more in tune with the

fragile nature of the sandbank which is designated SSSI site and the protected foreshore which is an SNCI area?

Answer as per (3) above.

21. Vivien Sheath

Should the Council review its decision to spend more than £1m on a new Beach House café at Mudeford Sandspit and instead look at a lower cost like-for-like rebuild more in tune with the unique and fragile nature of the Sandspit as this decision will affect users of the area for many years to come?

Answer as per (4) above.

22. Mark Smith

The cabinet report of 15th Jan stated that debt would be incurred by the current rebuild plan as the cafe was under insured. Given projected costs of £1m would it not be prudent to re-examine the feasibility of a smaller single storey replacement incorporating the shop as before. The current temporary shop is a poor replacement amenity for both visitors and residents alike and could raise significant funds if sold as a hut plot and the money used towards rebuild costs putting less stress on council funds that are under pressure in the aftermath of covid19.

Answer as per (3&4) above.

23. Kirsty Dennet

Should the Council reconsider its decision to spend £1m of public money on a new Beach House Café at Mudeford Sandspit, look instead at a lower cost like-for-like rebuild which will have less visitor impact on the fragile ecology of the Sandspit and investigate the sale of the current shop premises to fund these building costs?

Answer as per (3&4) above.

24. Paddy Clements

Why should the plans for this enlarged and higher beach cafe be considered when there are very strict regulations for hut building in size and height and materials?

Answer as per (7) above.

25. Samantha White

I really feel strongly that the council should review its decision to spend more than £1m on a new Beach House cafe at Mudeford spit. And alternatively look at a much lower cost, like for like rebuild, more blending and suitable for the unique, one of a kind nature that makes Mudeford spit truly special.

Answer as per (4) above.

26. David Smith

I would like to ask why the council feels the need to build such a large building in place of the old one at such great expense when the area doesn't need or require such a building? Especially given the current delicate global climate. Perhaps the sale of the current hut shop could go a long way to fund a smaller more subtle build in keeping with the family orientated nature of the beach?

Answer as per (3&4) above.

27. Hilary Chapman and Ian Beattie

As resident owners of a property in Waterside, Mudeford, we are very concerned about the plans for redevelopment of the Beach Hut on Mudeford Spit. In view of the coming financial after effects of Covid 19, the extent and cost of the development should be drastically reduced. Instead, a lower cost like-for-like rebuild should be considered which would help preserve the unique and fragile nature of the Sandspit.

Answer as per (4) above.

28. Jennifer Greville-Heygate

What return does the Council expect to receive on its proposed £1,000,000 expenditure and has the council carried out studies to see if a smaller and less costly development would be a more cost effective option? If so what was the result and who carried it out?

Answer as per (10) above.

29. Sallie Longman

Should the council reconsider its plan to spend more than £1m of public money on a larger, taller rebuild using materials that are forbidden to beach huts?

Answer as per (7) above.

Supplementary Questions:

Why is the shop not shown within planning application 7-2020-11229-M?

Answer as per (3) above.

a. The temporary siting of the shop does not have planning permission (appendix A highlighted section of email from BCP planning enforcement manager)

Correct, and currently subject to a retrospective temporary planning application.

b. The current temporary location goes against NPPF and local planning policy (Appendix B)

With regard to the matter of the site being located within the Green Belt, this has been addressed in the amended Planning, Design and Access Statement. Our Planning consultants have advised that the proposed development has fully taken into account the National Planning Policy Framework (NPPF) with regard to its siting within the Green Belt.

The relevant local planning policies (Policy CS37 of the 2012 Bournemouth Local Plan Core Strategy and Policy 3.1 of the 2002 Bournemouth District Wide Local Plan) have also been fully taken into account, both of which are in line with government policy in relation to development within the Green Belt.

It is acknowledged that there is a presumption against new buildings within the Green Belt and that Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, paragraphs 145 and 146 of the NPPF identify a number of scenarios where development in the Green Belt is not considered to be inappropriate. This includes two parts which are relevant in the context of the proposal of the current application for the replacement Beach House Café. Part d of paragraph 145 allows the replacement of a building, provided

the new building is in the same use and not materially larger than the one it replaces. Part g of paragraph 145 allows limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use provided that this would not have a greater impact on the openness of the Green Belt than the existing development.

As such the NPPF does allow for the enlargement of a replacement building within the Green Belt over and above the existing building, the test is that the replacement building should not be materially larger than the one it replaces.

c. The lease of the Beach House café shows a requirement for a shop to be provided by the operator which has always been within the curtilage of the café. (See attached Beach House Lease 4.4.4.1)

Answer as per **(3)** above.

Why has this not been included within the above planning application?

BCP Council's planning application 7-2020-11229-M takes no account of legislation for the siting of gas storage in close proximity to residential accommodation. (Appendix C)

a. Gas bottles are used by all beach huts and regularly need replacement. The lease of the Beach House café shows a requirement for these to be provided by the operator. (See attached Beach House Lease 4.4.3)

Why has the re-siting of gas bottles and gas storage for the kitchens not been considered as part of this application with a suitable location identified and included within the application?

This is simply incorrect, the gas container for the kitchen supply is contained within the application as the small storage area protruding on the northern side of the building, and is compliant with all gas and fire safety regulations. The supply of gas bottles to huts will continue to be operated by the tenants, but due to the proximity of the main supply these will have to be relocated to an area away from the Beach House building.

In order to justify borrowing of £811,000, Cabinet approved expenditure because the proposed redevelopment would see an increase in business activity to justify increased revenue through rent from the tenant. BCP in their architects revised Design and Access Statement within the planning application states: 'there will be no material increase in the level of activity or intensification of use of the site.' Will the proposed development be busier to justify the borrowing or will there be no increase in activity in order to adhere to planning policies? If the latter is the case, should Cabinet reconsider this capital investment?

Answer as per **(4)** above.

30. Why is the Council not enforcing Covid-19 emergency regulations in relation to the Beach House on Mudeford Sandspit given the mass of visitors now flocking to it as the only 'pub' open for miles around, (making it unsafe for us to visit our beach huts nearby)?

Despite being legally able to trade throughout the lockdown we would like to thank the seafront contractors for being very responsible and putting their staff and customer safety before profit. Government guidelines state that takeaway facilities are allowed to trade and with the easing of lockdown measures most of the outlets along the coast are now open. The seafront team are working with colleagues in licensing to ensure all the units are operated safely and within the boundaries of the government guidelines.

31. Why is BCP not enforcing government restrictions and guidelines on the Beach House cafe during Covid crisis who are creating encouraging and advertising to visitors to flock to this spot creating a 'pub like 'environment .

[See answer to Q30](#)