



Planning Committee

Application Address	The Saltwater Sauna, Sandbanks Promenade, Poole, BH13 7PP
Proposal	Extension to existing sauna building
Application Number	APP/24/00236/F
Applicant	The Saltwater Sauna Ltd
Agent	Pure Town Planning
Ward and Ward Member(s)	Canford Cliffs - Councillor John Challinor Councillor Gavin Wright
Report Status	Public
Meeting Date	12/09/24
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report.
Reason for Referral to Planning Committee	BCP Council is the landowner.
Case Officer	Emma Woods
Is the proposal EIA Development?	No

Description of Proposal

1. Planning consent is sought for an extension to the existing sauna building. The proposals seek to extend the existing sauna by 4m to create additional capacity at the site. The existing sauna is located on Sandbanks promenade and was constructed in 2023. The sauna has a timber frame and is fully insulated in a fire-retardant wool insulation. The exterior is finished with black stained timber cladding; the slanted roof and vertical wall are clad in metal sheeting.
2. The extension would be constructed of the same materials with a slatted roof to remain cohesive with the existing structure. No permanent foundations are required, and the sauna is not plumbed in and therefore does not generate wastewater. The electricity is provided by solar panels and the wood burner is fuelled with logs, which are brought to the site by the staff.

Description of Site and Surroundings

3. The application site is located on the Sandbanks promenade; close to the end of the promenade adjacent to the SNCI sand dunes and located close to an 'L' shaped row of beach huts. The sauna is located on the beach edge of the promenade.
 4. The surrounding area includes beach huts, a crazy golf course/play area, café and beachside concessions along with car parking to the south. To the north are residential properties.
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Relevant Planning History:

5. 2023 – Planning consent was sought to install a new Saltwater sauna in existing location (retrospective) – Approved – APP/23/00493/F

Constraints

6. The site is located within Flood Zones 2 & 3
7. The site is located in close proximity to the Site of Nature Conservation Interest (SNCI) sand dunes.

Public Sector Equalities Duty

8. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

9. In accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (“the Habitat Regulations”), for the purposes of this application, appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.
10. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.
11. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the “general biodiversity objective”.
12. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
13. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.

Consultations

14. BCP Biodiversity Officer – No objection once additional information was supplied in respect of impact on the European Protected Species Sand Lizard. A condition to be secured regarding lighting.
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15. BCP Environmental Health Officer – No objection subject to condition for the use of Woodsure certified wood. comments as follows:

“Having checked our records we have not received any complaints of smoke nuisance from this premises.

The prevailing winds for that area during the summer months are from the west, mainly south westerly which would blow any smoke created away from the volleyball courts. There is occasion that the winds do come from a NW direction however this would not fulfil frequency and duration criteria for statutory nuisance.

I noticed from the applicant’s design statement, it is their intention to only use kiln dried wood, could we condition that the type of wood burnt in the sauna is only that approved by The Woodsure certification scheme. The burning of properly kiln dried wood will produce much less smoke”

16. Transportation Services – An initial objection was raised as the planters and lighting were not included on the plans. This has been overcome with the lighting and planters added to amended plans, therefore there is no objection subject to condition regarding planters and lighting as per the previous permission.

17. BCP Tourism – No comments offered, comments were received in support of the planning application for the existing sauna in 2023 as follows:

“Sandbanks Beach is a popular destination with residents and visitors alike throughout the whole year. We have seen a significant growth in wellbeing leisure, particularly noticeable since the pandemic, with a rise in resident and visitor interest in sea swimming, personal wellbeing, yoga and natural treatments. This has translated into greater range of local community activity on the seafront. The 2021 Seafront Visitor Survey shows that 34% are residents visiting the Sandbanks beach area and 58% are staying visitors with beach related activities being the most common reason for visiting Sandbanks (67%).

Further research in 2022 produced for the Council by BVA/BDRC demonstrates the growing interest in wellbeing leisure from current and future identified tourism growth markets, specifically the Active and Mindful market. They are a physically active segment that carefully manage their physical and mental health and are looking for spa and wellness activities. This group represents a target audience of 11m visitors.

The Seafront Strategy which was adopted in April 2022 following an extensive 6-month consultation and engagement period with over 4,000 points of evidence and input from key stakeholders and the wider local community identifies: 3.2 We will be activating public spaces with a vibrant seasonal hospitality, leisure and events-based offer, encouraging entrepreneurship and inspiring healthier and sustainable living. The saltwater sauna will be a positive asset to the destination and tourism offer and we would therefore have no objections to this application.”

18. Lead Local Flood Agency – No objection
19. Sandbanks Neighbourhood Forum – no comments received.

Representations

20. 206 representations have been made in respect of the proposed development. 196 representations have been received in support of the application as beneficial to locals and tourists and promoting wellbeing. 8 representations objecting to the proposed development have been received in respect of the smoke from the chimney of the sauna blowing over the beach and nearby volleyball courts. Concerns around the increase in smoke from an additional chimney.
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Key Issue(s)

21. The key issue(s) involved with this proposal are:
- Principle of development
 - The streetscene and character of the Sandbanks Shoreline
 - Residential amenity
 - Highway/promenade safety
 - Ecological and Biodiversity Issues
 - Flooding
 - Sustainability
22. These issues will be considered along with other matters relevant to this proposal below.

Policy context

23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the:

Poole Local Plan (Adopted 2018)

PP01 Presumption in favour of sustainable development
PP23 Tourism and the evening/night time economy
PP25 Open spaces and allotments
PP26 Sports, recreation and community facilities
PP27 Design
PP31 Poole's coast and countryside
PP33 Biodiversity and geodiversity
PP35 A safe, connected and accessible transport network
PP37 Building sustainable homes and businesses
PP38 Managing flood risk

Other Development Plan Documents

Sandbanks Peninsula Neighbourhood Plan (June 2023)

SAND 1 Landscape Character
SAND 2 Views
SAND 4 Biodiversity
SAND 5 Design
SAND 6 Beaches Open Spaces & Harbour
SAND 7 Public Realm

National Planning Policy Framework (December 2023)
National Planning Practice Guidance

Planning Assessment

Principle of development

24. The Poole Local Plan adopted in 2018 sets out in Policy PP1 that the Council will take a positive approach to development that reflects the presumption in favour of sustainable development contained in the NPPF. The Council will always work pro-actively with applicants so that proposals
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can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

25. The National Planning Policy Framework states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt and consideration should be given to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The social objective aims to support strong, vibrant and healthy communities by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. The environmental objective aims to protect and enhance our natural, built and historic environment by inter alia, minimising waste and pollution.
26. The Poole Local Plan 2018 Policy PP23 states that development proposals which support growth and generate opportunities in Poole's tourism sector will be encouraged. Development proposals within Poole's tourist attractions will be permitted provided that they support high quality, well-designed new or improved facilities and avoid significant harm to environmental and amenity objectives, unless such harm can be mitigated.
27. The existing sauna has been in situ for three years (prior to 2023 as a temporary structure) and therefore the principle of the sauna in this location has been established on the site by way of historic operation over several years. The proposed facility supports wellbeing and is well supported by local residents and visitors to the area. The scheme therefore complies with Policy PP23 in this regard.

The streetscene and character of the Sandbanks Shoreline

28. PP31 (2) requires that structures on Poole's beaches will be permitted provided that; *"(a) the siting and position, height and number of structures would not detract from views to and from the cliffs, the sea, the beach or chines; (b) the ground conditions in relation to ground stability and drainage are suitable; and (c) public access to the beach is retained and wherever possible, is improved."*
29. The proposed sauna has an asymmetric roof design and a contemporary industrial appearance with wood and metal materials in a black finish. The highest point of the existing sauna is approx. 3.2m, and the proposed extension would have a lower ridge height at 3m. The extension would see the sauna extended to the north-east by 4m. Whilst the extension would increase the overall size of the existing sauna when viewed from the shoreline, the proposed sauna would be seen in relation to the side of the two-storey beach hut block behind; and therefore it is considered that the scale and height of the proposal would not appear overly dominant.
30. The sauna is close to the end of the Sandbanks Beach promenade which is a lesser utilised section of the promenade as further access from here is limited to the sand dunes or directly onto the beach.
31. The design proposed relates well to its proposed and supported use and the visual impact is therefore acceptable with regards to PP23, PP27 of the Poole Local Plan 2018 and policies SAND1, SAND2, SAND5, SAND 6 and SAND 7 of the Sandbanks Peninsula Neighbourhood Plan (June 2023).

Residential amenity

32. PP27 (c) requires that development; *"is compatible with surrounding uses and would not result in a harmful impact upon amenity for both local residents and future occupiers considering levels of sunlight and daylight, privacy, noise and vibration, emissions, artificial light intrusion and whether the development is overbearing or oppressive;"*
 33. The proposal is approximately 60m from the nearest residential properties at 85 Banks Rd to the north. At such a distance, the structure would be compatible with neighbouring living conditions in terms of any overbearing impact, loss of outlook or loss of privacy. The proposals would intensify
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the use, however nonetheless this is considered compatible with the general levels of activity on the public beach.

34. The opening hours will remain the same as the existing sauna and can be secured by condition. These are September – March 06:30 – 17:00, April – June 06:30 – 19:30, July – August 06:30 – 11:30 and 17:30 – 22:30.
35. Comments have been received objecting to the proposals due to smoke blowing over the adjacent volleyball courts. Therefore, the BCP Environmental Officer has been consulted who has no objection due to the direction of prevailing winds, and no existing complaints of smoke nuisance from this premises. However, a condition can be secured for the use of Woodsure certified wood as the burning of properly kiln dried wood will produce less smoke.
36. Therefore, subject to condition the proposals would be acceptable in accordance with the provisions of Policy PP27 of the Poole Local Plan (November 2018).

Highway/promenade safety

37. The proposal would retain sufficient width on the promenade with the door open and due to the planters and lighting proposed this will ensure that the door opening does not cause obstruction, and the planters are visible when the sun sets and before sunrise. The planters measure 43cm x 43m with a height of 40cm.
38. Transportation have been consulted with no objection subject to conditions for the planters and lighting as per the previous planning permission in the interests of pedestrian and highway safety. The facility is served by extensive car parking in the area. The site is also accessible by public transport and by cycling/walking.
39. The proposal is therefore in accordance with Policy PP35 of the Poole Local Plan (November 2018) subject to condition.

Ecology and Biodiversity including the Impact on Poole Harbour SSSI, SPA and Ramsar Site

40. The proposed extension is located in close proximity to Poole Harbour which is a designated Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI) and as such any application will need to address this and provide information to demonstrate that the proposals will not harm any birds, flora or fauna relating to these designations.
 41. The BCP Biodiversity Officer has assessed the scheme, with initial comments requesting further information on whether the development will create shade onto the Sandbanks Site of Nature Conservation Interest which supports the European Protected Species Sand Lizard and its supporting habitat is protected by The Conservation of Habitats and Species Regulations 2017(as amended).
 42. Additionally, an objection was raised to uplighting on the building due to potential impacts in an area known to support bats. No information has been supplied on colour temperature of external lighting, however a condition is proposed to ensure a colour temperature of 2700 K or lower, with peak wavelengths greater than 550nm and that no light shall emit light above the horizontal as in accordance with 'GN08/23 Bats and Artificial Lighting at Night' by Institution of Lighting Professionals'
 43. A sun path analysis survey has been supplied by the applicant, and revised comments were sought from the BCP Biodiversity Officer who has no objection subject to a condition for the lighting. Therefore, subject to the lighting condition the proposals would be in accordance with the provisions of Policy PP33 of the Poole Local Plan (November 2018) and SAND 4 of the Sandbanks Peninsula Neighbourhood Plan (June 2023).
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Flooding

44. The proposal is within Flood Zone 3. The scheme continues the existing use and does not increase assets at risk on the site. The structure is likely to be subject to tidal flooding during its lifetime. An informative note is therefore recommended advising the applicants that an emergency procedure should be kept for safe evacuation and to ensure that the facility is not used during extreme weather conditions or periods of flood warning. The proposal therefore accords with PP37 of the Poole Local Plan (November 2018).

Sustainability

45. The proposal will have the benefit of the existing solar panels to the roof which will generate all the electricity required for the proposed use. This would exceed the requirements of PP37 and can be secured by condition.

Planning Balance / Conclusion

46. The principle of the use of a sauna has already been accepted on this site and has been in situ for three years (prior to 2023 as a temporary structure). The proposed facility supports wellbeing and is evidently well supported by local residents and visitors to the area. Comments from the public confirm that bookings are often full, and therefore the need for extra capacity is evidenced and supported.
47. Concerns have been raised by users of the volleyball courts, around a potential increase in smoke from the extension and additional chimney. BCP EHO has been consulted, with no objection due to the prevailing wind direction in this location being drawn away from the volleyball courts, however a condition can be secured for the use of Woodsure certified wood in order to mitigate potential impacts of any increased levels of smoke.
48. The scheme has evident economic and social benefits from the continued operation of this commercial facility in a busy tourist location on the beachfront. Appropriate safeguards in the form of conditions mean that the environmental impacts are neutral. The scheme therefore represents sustainable development. The proposed extension of the sauna is considered to be acceptable. As such, the proposed development is considered to comply with the Development Plan as a whole and policies within the NPPF and is recommended for approval.

Recommendation

49. It is therefore recommended that this application be approved subject to conditions.

Conditions

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. When the use of the structure ceases use as a sauna; the structure, together with any incidental supports or accessories, shall be removed and the site of such material restored to its former condition within two months, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To preserve the appearance of Poole's coast and in the interests of amenity of the site and locality and in accordance with Policy PP27 and PP31 of the Poole Local Plan (November 2018).

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Southeast Elevation & Floor Plan – Drawing No: 1 revision B – received 22/08/24;
Northwest Elevation & Northeast Elevation – Drawing No: 2 revision D – received 22/08/24;
Location Plan with the Proposal Boundary Outline – Drawing No: 3 revision A – received 22/08/24;
Site Plan with the Proposal Boundary Outline – Drawing No: 4 revision B – received 22/08/24;

Reason: For the avoidance of doubt and in the interests of proper planning.

4. The planters as shown on the approved plans must be in place and positioned as shown on the approved plans at all times during the operational times of the sauna.

Reason: In the interests of pedestrian safety and in accordance with Policy PP35 of the Poole Local Plan (November 2018).

5. The lighting as shown on the approved plans must be in use between the hours of sunset and sunrise only. The lighting must be retained and maintained to ensure the lighting remains in line with manufacturers specifications and in working order.

Reason: In the interests of pedestrian safety and in accordance with Policy PP35 of the Poole Local Plan (November 2018).

6. The luminaires of the approved lighting as shown on the approved plans, shall have a colour temperature of 2700 K or lower, with peak wavelengths no greater than 550nm and no light shall emit light above the horizontal (output above 90°) as in accordance with 'GN08/23 Bats and Artificial Lighting at Night' by Institution of Lighting Professionals'

Reason: To preserve biodiversity in accordance with National Planning Policy Framework and Policy PP33 of the Poole Local Plan adopted 2018.

7. The solar panels as installed shall be retained to ensure they remain in working order at all times whilst the building is in operational use.

Reason: In the interests of delivering a sustainable scheme, reducing carbon emissions, and reducing reliance on centralised energy supply, and in accordance with Policy PP37(2) of the Poole Local Plan (November 2018).

8. The wood to be burnt in the sauna is only to be that approved by the Woodsure Certification Scheme.

Reason: To preserve the amenities of the public and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

9. The use hereby permitted shall not operate otherwise than between September – March 06:30 – 17:00, April – June 06:30 – 19:30, July – August 06:30 – 11:30 and 17:30 – 22:30.

Reason - In the interest of the amenities of adjoining and nearby residential properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Informatives

1. In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
 - advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.
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- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

2. The applicant should also be aware that they will need to obtain separately any necessary licences from the Local Authority in respect of the placement of the sauna on the highway and agreement that the sauna is not permanent and should be removed when requested by the Local Highway Authority on reasonable grounds and with appropriate notice.
3. An emergency procedure for the safe evacuation is advised and the sauna should not be in use during extreme weather conditions or periods of flood warning.

Background papers:

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes:

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.
