

Report from District Councillor Alan Dent – 30 January 2023

Longboat Cafe - Planning History

Five planning applications to date:

- 2007 - Demolition of existing cafe and new building - Withdrawn
- 2008 - Similar application - Approved
- 2011 - new application to demolish existing cafe and construct new cafe over whole site including the shelter - Refused
 - Town and District Councillors objected on grounds of loss of shelter
 - Subsequently ownership of shelter transferred to Town Council
- 2012 - application for variation of approved 2008 plans to demolish existing cafe and construct new cafe over majority of site excluding the shelter - approved
 - Considerable local objections and residents of Marine Parade took legal action in the High Court to have decision overturned. Court upheld the approval
 - Owner then started work on the eastern end to enlarge the kitchen
 - Work soon stopped but having started building work the planning approval is now permanent
- 2013 - further planning application which was withdrawn

Cafe resumed business under new leaseholders

- 2020 further new leaseholders take on business in follow up to COVID lockdown
- Covered extension built as now seen but without fresh planning permission
- Leaseholder unable to apply for planning permission as this - if granted - would negate the standing planning permission still existing. Freeholder wishes to retain that position.
- Subsequently requirement in 2022 by planning officers to remove the new structure as it was deemed to be a permanent structure
- 2022 - Leaseholder fits wheels under supporting pillars and claims the extension is therefore temporary
- May 2022 site meeting with planning officers, leaseholder and councillors to see if that claim was agreed and if a solution or exemption could be found.

- Nothing heard until January 2023 when letter from enforcement officer threatening to take legal action against the leaseholder for the illegal extension to be removed.
- If this happens - which is in line with planning law - the freeholder will have the opportunity to demolish the existing boathouse and build a new cafe in accordance with his extant planning permission. (see plans)
- Situation now is that leaseholder has advised via Facebook and leaflets for anyone supporting the cafe to contact EDDC Chief Executive and present their case to him.
- EDDC CEO has now received some 60 e-mails exhorting him to persuade the planning officers to find an exception so the cafe can continue in its current form.

This an awkward situation:

- The planning officers are simply following the law. Nobody can put up a structure in the AONB, SSSI and Coastal Protection Zone without planning permission.
- It's difficult to see how they can create conditions for an exception
- That there is strong public support for the cafe is admirable but sentiment doesn't override planning law.
- At the same time, our job as councillors is to represent the people who voted for us and their wishes. My feeling is that if asked, the majority of residents would support the cafe in its current form.
- But it's not about what we as individuals feel one way or the other. We would have the opportunity to do that if a planning application was submitted.
- So, right now, this is a work in progress and is being handled quite properly through the EDDC CEO and the Planning team.