

## Development Control (North Sunderland) Sub- Committee

17 January 2019

### Late Sheets

#### ITEM 3 – Planning and Related Applications

PAGE NO(s).	APP'N. NO	SITE	DETAILS OF SPEAKERS AND ATTENDEES
32-45	18/02072/LP3	Lower Promenade between Fat Buddha and Little Italy Restaurant, Whitburn Bents Road, Seaburn	No speakers or attendees.

#### **18/02072/LP3 – Lower Promenade between Fat Buddha and Little Italy Restaurant, Whitburn Bents Road, Seaburn**

At the time of writing the main report, consideration was still being given to the implications of the development in respect of flood risk. This 'late sheet' provides Members with an update with regard to the situation in respect of this matter.

#### Flood Risk Considerations

Further to the publication of the Committee Agenda, the Environment Agency have responded to the proposal and have stated that the proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment version 3 RPS dated 2018 submitted with the application are implemented and secured by way of a planning condition on any grant of planning permission.

The mitigation measures should include:

- The beach hut ledge shall be set no lower than 5.35m above Ordnance Datum (AOD).
- An evacuation strategy should be submitted to ensure the future occupants can have a timely evacuation from the huts.

Since the site is at risk of tidal flooding the Environment Agency have confirmed that there is no requirement to provide floodplain compensation as part of these proposals.

The Council's Flood and Coastal Team as Lead Local Flood Authority have also confirmed that they are in agreement with the consultation response from the Environment Agency and the requirements for appropriate planning conditions.

Accordingly, it is recommended that the following additional draft conditions are attached to any consent issued, should Members be minded to Grant Planning Permission for the development:

*9. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) version 3 RPS dated 2018 and the following mitigation measure detailed within the FRA:*

- The beach hut ledge shall be set no lower than 5.35m above Ordnance Datum (AOD).*

*The mitigation measure shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.*

*Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policies ENV11 and ENV12 of the Unitary Development Plan.*

*10. Prior to the first occupation of the development hereby approved an evacuation strategy shall be submitted to, and approved in writing by, the Local Planning Authority, to ensure that the future occupants can have a timely evacuation from the huts.*

*Reason: To ensure safe access and egress from and to the site and in accordance with policies ENV11 and ENV12 of the Unitary Development Plan.*

### **Recommendation**

Given the above, and for the reasons set out in the main report, the proposed development is considered to be acceptable and it is therefore recommended that Members GRANT CONSENT under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions set out in the main report and the additional conditions no. 9 and no. 10 detailed above.

PAGE NO(s).	APP'N. NO	SITE	DETAILS OF SPEAKERS AND ATTENDEES
17-31	18/02071/LP3	Bay Shelter, Whitburn Bents Road, Seaburn	No speakers or attendees.
46-55	18/02073/LP3	Pier View Toilet Block, Pier View, Roker	

**18/02071/LP3 – Bay Shelter, Whitburn Bents Road and 18/02073/LP3 – Pier View Toilet Block, Pier View, Roker**

Further to the main report, it is recommended that in the event Members are minded to Grant Consent for the development proposed by these two applications, draft condition 12 on page 31 of the main report and draft condition 9 on page 55 of the main report are re-worded to ensure consistency with the matching condition recommended in respect of item 1 on the agenda.

The recommended wording of the conditions is therefore as follows:

**Condition 12 of app. ref. 18/02071/LP3**

*The development shall not be brought into use until an Operational Management Plan informed by the results of condition 8 (Noise Assessment) has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the Operational Management Plan shall provide full details of the proposed opening hours and servicing and delivery arrangements. At all times thereafter the use shall be implemented in accordance with the agreed details.*

*Reason: In the interests of protecting the amenity of the area, highway and pedestrian safety and to accord with policies B2 and T14 of the Unitary Development Plan.*

**Condition 9 of app. ref. 18/02073/LP3**

*The development shall not be brought into use until an Operational Management Plan informed by the results of condition 7 (Noise Assessment) has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the Operational Management Plan shall provide full details of the proposed opening hours and servicing and delivery arrangements. At all times thereafter the use shall be implemented in accordance with the agreed details.*

*Reason: In the interests of protecting the amenity of the area, highway and pedestrian safety and to accord with policies B2 and T14 of the Unitary Development Plan.*

### **Recommendation**

It is therefore recommended that in respect of application refs. 18/02071/LP3 and 18/02073/LP3, Members GRANT CONSENT under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions set out in the main report and the re-worded condition no. 12 for app. ref. 18/02071/LP3 and the re-worded condition no. 9 for app. ref. 18/02073/LP3 as set out above.