



Committee Report

Planning Committee South – 19 December 2023

Application no DC/23/2089/FUL

Location

14 Beach Huts
Undercliff Road West
Felixstowe
Suffolk
IP11 7ES

Expiry date 20 July 2023

Application type Full Application

Applicant Mr. Chris Strang

Parish Felixstowe

Proposal The reinstatement of 14 beach huts, previously sited on the promenade, and the erection of associated wooden platforms located on the beach between the shelter and Spa Pavilion.

Case Officer Rachel Lambert
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1. Summary

- 1.1. The application proposes the reinstatement of 14 beach huts, previously sited on the promenade and beach, and the erection of associated wooden platforms for which the huts will be sited on. The platforms are to be constructed on beach material, located south west of the Spa Pavilion.
- 1.2. In accordance with the Scheme of Delegation, the proposal is to be determined at Planning Committee as the landowner is East Suffolk Council. The application has been made by a private individual/group of individuals, not the Council and the Council has played no part in the production of any plans submitted.
- 1.3. The placement of beach huts within this location complements the existing resort uses and makes a positive contribution to the significance of the Conservation Area, in respect of

the Registered Gardens and the Victorian and Edwardian architectural heritage of the resort. There will be no increased harm to visual amenity from nearby key viewpoints.

- 1.4. The application is recommended for approval subject to conditions.

2. Proposal

- 2.1. This application seeks permission for the placement of 14 beach huts (some of which are original 100+ year old structures previously sited on the promenade), and the erection of associated wooden platforms. They are to be split into three groups – seven, three, and four - sited south west of the Spa Pavilion.
- 2.2. As shown on the submitted floor plans and elevations, each beach hut will measure 2.4m (d) x 2.13m (w) x 3m (h) and will have an outside decked area measuring 2m (d) x 2.13m (w). There will be a 0.87m gap in-between each hut. They are uniformed in design terms and will be painted in a stipulated palette of soft, historically inspired heritage/Victorian colours. As noted within the proposed 'vision' document, a bold timeline will be shown across the back of all 14 beach huts, showing pertinent dates, starting with 1891 (visit of Empress of Prussia / beach huts first identified in spa area) right up to the present day. Additionally, each beach hut would be named for someone linked to Felixstowe e.g., Augusta, Wallace, John Betjeman etc.
- 2.3. Other than elevational drawings, no technical or mechanical detail has been submitted in terms of how the platforms will be constructed.

3. Site description

- 3.1. The site comprises three areas of beach totalling approximately 256 sq. m, located southwest of the Spa Pavilion and south of the western extent of 'Cliff Gardens' (Grade II Listed). Although sited within the settlement boundary, their positioning on the beach means it sits adjacent to the area of Felixstowe seafront defined in the local plan as 'Spa Pavilion to Manor End' (policy SCLP12.14), as well as Felixstowe Conservation Area.
- 3.2. The site is located within Flood Zone 3 and inside a 30-metre risk zone landward of an area where the intent of management is to Hold the Line (HTL); therefore, continued scheduled monitoring and maintenance of defences is expected. The location of the proposed beach huts is seaward side of the existing promenade, on the beach level, above the mean high-water mark (approximately 0.03m).

Site context/beach hut history

- 3.3. A number of beach huts were previously sited along the promenade, where huts were moved between the beach and the promenade at the start and end of the season (where beach levels allow). When huts were previously on the beach they only sat level on the sand. These huts are still in private ownership with an annual licence fee payable to the Council to site them in an agreed location.
- 3.4. For context, the East Suffolk Council Asset Management team has advised the following:

“8 [beach] huts were removed from their beach location following concerns from the [Felixstowe Beach Hut and Chalet] Association about flooding in July 2017 adjacent to the Spa Pavilion. The subsequent ‘Beast from the East’ and ‘Storm Emma’ (March 2018) seriously eroded the beach at this location, dropping levels by an average of three feet and required the removal of 44 huts in total to be stored temporarily on the Prom. The beach levels slowly improved over summer time periods, but not to previous levels of sand/shingle. Between 2017 and 2022, the Council worked with the [Felixstowe Beach Hut and Chalet] Association to find a solution to the displaced huts and two proposals (as well as a number elsewhere) were considered in more depth. This action was required because the beach in this area continues to be subject to tidal erosion.”

- 3.5. East Suffolk Council Asset Management team advised the local planning authority (in relation to DC/19/4811/FUL) that:

“...while beach levels continue to fluctuate, the sheer uncertainty of providing a long-lasting sustainable sand platform in this area means the Council believes that returning the majority of huts to sand platforms on the beach between the Pier and Cobbold Point each year is unsustainable.”

- 3.6. It is not economically viable for East Suffolk to provide platforms for hut owners nor would it likely be a liability the Council would want to take on.

- 3.7. Subsequently, all beach huts [44] that sat along the Spa Pavilion stretch of the promenade were removed and are due to be located to other areas of the coastline. Planning permission has since been granted for a total of 23 beach huts – as summarised below:

- **DC/21/5102/FUL:** Formation of 18 new beach hut sites for the proposed repositioning of existing beach huts from the spa area, to form a row of huts on the shingle material on the foreshore at Clifflands.
- **DC/19/4811/FUL:** Extension of existing row of beach huts to level the beach material and reposition 5 existing huts from the Spa Pavilion end.
- **DC/21/5479/FUL:** Beach platform repairs and extension and the provision of 6 new beach hut sites.

- 3.8. It is noted that an additional application for the siting of beach huts is still pending consideration. Summary details of this proposal is noted below.

- **DC/22/4418/FUL:** Placement of 14 beach huts seaward side of the tidal barrier southeast of Martello Park playground, with two areas of beach located seaward side of the tidal barrier east of Martello Tower P maintained for biodiversity mitigation. Felixstowe Sea Front Martello Park Felixstowe Suffolk IP11 2DY.

- 3.9. Overall, this equates to a total of 43 beach huts (subject to DC/22/4418/FUL being permitted). However, it is unclear whether the approved beach hut sites approved were for the purpose of resiting the displaced huts.

4. Consultations/comments

- 4.1. A total of 20 third-party responses were received, all of which were in support of the proposal.
- 4.2. Comments noted the following:
- Heritage importance of beach huts within this location; preserving character.
 - Beach huts have historical and cultural significance within the town.
 - Beach huts are an economic asset to the town.

5. Consultees

- 5.1. A number of re-consultations have occurred following receipt of updated material/plans; all dates and comments are collated per consultee.
- 5.2. Amended plans were received on 13 November 2023 and show a variation in the arrangement of huts, accounting for an identified 'spring water steam'. Given that this resulted in an alteration to the red line boundary, full reconsultation (21-days) was initiated – this ended on 4 December 2023.

Consultee	Date consulted	Date reply received
East Suffolk Head of Coastal Management	13 November 2023	-
	12 September 2023	19 September 2023
	17 July 2023	No response
	4 July 2023	4 July 2023
	2 June 2023	13 June 2023
Summary of comments: Internal consultee – comments incorporated/addressed within reporting.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	13 November 2023	21 November 2023
	17 July 2023	19 July 2023
	20 June 2023	10 July 2023
Summary of comments:		
<u>21 November 2023</u> "Thank you for your consultation dated 13 November 2023. We have reviewed the documents as submitted and we have no objection to this planning application. This application does not require a Flood Risk Activity Permit any defences in this area is maintained under the Coastal Protection Act 1949, and therefore is not considered a 'sea defence' under the terms of The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016, Schedule 25, Part 1, Paragraph 3 (3)."		
<u>19 July 2023</u> "We have reviewed the documents, please see our comments in letter ref AE/2023/128487/01 dated 10 July, for our up to date comments."		

10 July 2023

“This application does not require a Flood Risk Activity Permit as the defence in this area is maintained under the Coastal Protection Act 1949, and therefore is not considered a ‘sea defence’ under the terms of The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016, Schedule 25, Part 1, Paragraph 3 (3).”

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	13 November 2023	No response
	17 July 2023	No response
	2 June 2023	2 June 2023
Summary of comments: Internal consultee – comments incorporated/addressed within reporting.		

Consultee	Date consulted	Date reply received
Felixstowe Town Council	13 November 2023	29 November 2023
	17 July 2023	17 July 2023
	2 June 2023	21 June 2023
Summary of comments: <u>29 November 2023</u> “Committee recommended APPROVAL. We are satisfied that this application is policy compliant, specifically in relation to SCLP 12.14 which supports tourist related uses in this location. This approval would be subject to East Suffolk Council granting the necessary licenses for these huts and their being satisfied as to the safety requirements of the installation of the huts.” <u>17 July 2023</u> “Committee recommended APPROVAL. We are satisfied that this application is policy compliant, specifically in relation to SCLP 12.14 which supports tourist related uses in this location. This approval would be subject to East Suffolk Council granting the necessary licenses for these huts and their being satisfied as to the safety requirements of the installation of the huts.” <u>21 June 2023</u> “Committee recommended APPROVAL. We are satisfied that this application is policy compliant, specifically in relation to SCLP 12.14 which supports tourist related uses in this location. This approval would be subject to East Suffolk Council granting the necessary licenses for these huts and their being satisfied as to the safety requirements of the installation of the huts.”		

Consultee	Date consulted	Date reply received
The Gardens Trust	13 November 2023 17 July 2023 20 June 2023	No response 25 July 2023 27 June 2023
<p>Summary of comments:</p> <p><u>25 July 2023</u> “Thank you for re-consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects Cliff Gardens and Town Hall Garden, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II. We have considered the information provided in support of the application and on the basis of have no further comments to add at this stage. If you have any further queries, please contact us, and we would be grateful to be advised of the outcome of the application in due course.”</p> <p><u>27 June 2023</u> “Thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects Cliff Gardens and Town Hall Garden, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II. We have considered the information provided in support of the application and on the basis of this confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals. If you have any further queries, please contact us, and we would be grateful to be advised of the outcome of the application in due course.”</p>		

Consultee	Date consulted	Date reply received
Marine Management Organisation	13 November 2023 17 July 2023 20 June 2023	14 November 2023 20 July 2023 21 June 2023
<p>Summary of comments:</p> <p><u>14 November 2023</u> See 21 June 2023 response.</p> <p><u>20 July 2023</u> See 21 June 2023 response.</p> <p><u>21 June 2023</u> “The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants. Marine Licensing Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to</p>		

the extent of the tidal influence. Applicants should be directed to the MMO's online portal to register for an application for marine licence <https://www.gov.uk/guidance/make-a-marine-licence-application> You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters. The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that that would affect a UK or European protected marine species. The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application: * local planning authority name, * planning officer name and contact details, * planning application reference. Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps. Environmental Impact Assessment With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR. In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/uksi/2017/571/contents/made> may be applicable. If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link <https://www.gov.uk/guidance/make-a-marine-licence-application> Marine Planning Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes. Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service. Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness selfassessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page. Minerals and waste plans and local aggregate assessments”

Consultee	Date consulted	Date reply received
Council for British Archaeology (a national amenity society)	13 November 2023	No response
	17 July 2023	No response
	14 June 2023	14 June 2023

Summary of comments:

“Significance

Before their relocation, the Spa Pavilion beach huts would be considered as non-designated heritage assets which make a positive contribution towards the character and appearance of the Felixstowe Conservation Area. Assessment of the structures has revealed that at least 7 appear to conform to the original historic design of Felixstowe’s beach huts and are likely to date from the 1890s. These timber structures, at 130 years old, are remarkable survivals from Felixstowe’s heyday at the turn of the last century. It has been established by Dr Kathryn Ferry, a prominent seaside historian, that Felixstowe Spa is the first site for beach huts in Britain. This makes them an important part of Felixstowe’s heritage. The huts relate to Felixstowe’s development as a seaside and spa town in the Victorian and Edwardian period. The town’s historic character is greatly informed by buildings from this time that take a variety of architectural styles and represent a range of typologies from civic buildings to domestic and commercial buildings as well as the recreational accoutrements of the Victorian seaside – gardens and beach huts. The beach huts contribute to the group value of Felixstowe’s historic environment from this period in illustrating a remarkably intact record of the Victorian seaside. The Felixstowe Draft Conservation Area Appraisal (2019) describes this character area as “The raison d’être of the seaside and spa town.” These huts and their historic location are an intrinsic representation of this. The beach huts are in the setting of the Sea Front Gardens, a Registered Park and Garden (Grade II). The Town Hall Garden was established in 1897, making it contemporary in the town’s development as a seaside resort with the beach huts. Other original period structures have been lost from this character area including the arts and crafts cliff shelter (demolished 1980s) and the Long Shelter from the New Cliff Gardens, laid out in 1928. The survival of these early seaside structures makes them all the more significant.

Comments

The CBA wrote in support of retaining 44 beach huts in their original location on Undercliffe Road West in May 2022. We are sorry to see that the huts were removed with most of them relocated, but 14 left ‘homeless’. We very much welcome this application to return those 14 huts back to the Spa Pavilion area, on raised platforms on the beach next to the promenade, which would hopefully solve the previously identified issues with housing them in this area of the seafront. The beach huts had to be moved after a severe storm, ‘the beast from the east’, removed a substantial quantity of Felixstowe’s beach in 2018. They were temporarily located on the Promenade but were felt to be an obstruction. The decision making to date has necessarily been based on practical considerations in response to an unforeseen event. Under normal planning circumstances the CBA do not believe the huts would have been removed from the Spa Pavilion area due to their significant contribution to the character and appearance of the conservation area and Felixstowe’s identity as a British seaside resort, as set out above. This application proposes a solution to the issue, relocating the huts on the beach, but on raised platforms.

The CBA very much support these proposals as a mitigation of the harm caused to the character of the conservation area by the removal of 44 huts following the storm.

Recommendations

The CBA support this application and hope your LPA will work with the applicants to ensure these beach huts, an iconic feature of the seaside and as such an embodiment of Felixstowe’s historical identity as a popular seaside town can be put back where they belong. We recommend that in terms of legislation, this application should be supported due to the huts’ contribution to its late Victorian and Edwardian character and appearance of Felixstowe as an important and unusually complete coastal resort. This character is identified as central to the special historic interest of the conservation area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 Local Planning Authorities have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. I trust these comments are useful to you; please keep the CBA informed of any developments with this case.”

Consultee	Date consulted	Date reply received
SCC Flooding Authority	13 November 2023	20 November 2023
	17 July 2023	26 July 2023
	2 June 2023	20 June 2023

Summary of comments:

20 November 2023

“We have reviewed the latest submitted documents and have no further comments to add to our response dated 26-07-2023.”

26 July 2023

See 20 June 2023 response.

20 June 2023

“Suffolk County Council, as Lead Local Flood Authority (LLFA), is a statutory consultee under the Town and Country Planning Act for major applications and some minor applications where flooding has been identified. Therefore, as there is no significant surface water flooding identified in this location and the scale of the proposal is relatively minor we have no comment to make, and we would point the LPA and the applicant towards the following guidance:-

- Long Term Flood Risk - <https://flood-warning-information.service.gov.uk/long-term-flood-risk>
- Flood risk assessment: standing advice - <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>
- What is meant by “minor development” in relation to flood risk - <https://www.gov.uk/guidance/flood-risk-and-coastal-change#minordevelopment-to-flood-risk> The Local Planning Authority should be mindful that the application complies with national & local policy, best practise, and guidance in relation to flood risk and surface water drainage.

Relevant Policies in relation to Flood Risk & SuDS

National Legislation/Codes:

- National Planning Policy Framework
- Defra's Non-Statutory Technical Standards for SuDS
- Building Regulations: Approved Document H - Drainage and Waste Disposal (2015 edition)
- BS8582:2013 Code of Practice for Surface Water Management for Development Sites
- National Design Guide, Planning Practise Guidance for beautiful, enduring, and successful places

Local Policy:

- Suffolk Flood Risk Management Strategy and Appendices
- Suffolk Coastal Final Draft Local Plan Policies SCLP9.5 (Flood Risk) & SCLP 9.6 (Sustainable Drainage Systems)

Informatives:

- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any works within 8m of a main river or 16m of tidally influenced waters may require an environmental permit”

Consultee	Date consulted	Date reply received
SCC Highways Department	13 November 2023	14 November 2023
	17 July 2023	No response
	2 June 2023	13 June 2023

Summary of comments:

14 November 2023
 “Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.”

13 June 2023
 “Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.”

Consultee	Date consulted	Date reply received
Suffolk Resilience Forum	13 November 2023	No response
	17 July 2023	No response
	20 June 2023	No response

Summary of comments:
 No response.

Consultee	Date consulted	Date reply received
Victorian Society	13 November 2023 17 July 2023 19 June 2023	5 December 2023 No response 19 June 2023
<p>Summary of comments:</p> <p>5 December 2023 “Thank you for reconsulting the Victorian Society on this application. The amended documents do not alter our initial support for the application and we maintain our original submission.”</p> <p>19 Ju “...In December 2021 the Victorian Society wrote stating our concerns with application ref: DC/21/4756/FUL for the relocato[in] of historic beach huts from the Spa Pavilion area. Unfortunately, this application was successful and while most of the huts have been relocated, 14 are now without a future site. The Victorian Society supports this application which would see these beach huts located near their historic location. At the time of the previous application the beach huts were located within the Felixstowe Conservation Area and should have been considered non-designated heritage assets that made a positive contribution to the significance of the Conservation Area. The research of Dr Kathryn Ferry has established that Felixstowe Spa was the earliest location of beach huts in the United Kingdom, and subsequent analysis has established that some of the surviving beach huts date from the 1890s making them significant survivors. They play an important role in communicating Felixstowe’s history as a seaside and spa resort. This proposal would see 14 beach huts mounted on timber frames in the Spa Pavilion area, thus restoring something of the historic character of the Conservation Area whilst taking into account the requirements of changes to the coastal landscape. Therefore, the proposal would be in line with paragraph 190a of the NPPF and 206. ‘Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance...’”</p>		

Consultee	Date consulted	Date reply received
East Suffolk Economic Services – N. Rickard 50+ Dwellings	13 November 2023 17 July 2023 2 June 2023	No response No response No response
<p>Summary of comments: No response.</p>		

Consultee	Date consulted	Date reply received
Felixstowe Society	13 November 2023 17 July 2023 2 June 2023	No response No response 12 July 2023
<p>Summary of comments: “The Felixstowe Society fully supports this proposal.”</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	13 November 2023 17 July 2023 20 June 2023	- 19 July 2023 28 June 2023
Summary of comments: Internal consultee – comments incorporated/addressed within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Building Control	13 November 2023 6 November 2023	No response No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Asset Management	13 November 2023 - -	- 11 July 2023 21 July 2023
Summary of comments: <u>21 July 2023</u>		

East Suffolk Council (ESC) as landowner acts separately of the Council as a Local Planning Authority and, as such, understands that beach huts are considered in principle, water compatible developments, this however does not negate the responsibilities of ESC as landowner.

ESC, as landowner, in discussion with Felixstowe Beach Hut and Chalet Association (the Association) , have previously considered this location at the Spa for the reprovision of beach huts on manmade platforms and have discounted it on a number of grounds including amenity, safety and cost.

By way of context, 8 huts were removed from their beach location following concerns from the Association about flooding in July 2017 adjacent to the Spa Pavilion. The subsequent 'Beast from the East' and 'Storm Emma' (March 2018) seriously eroded the beach at this location, dropping levels by an average of 3 feet and required the removal of 44 huts in total to be stored temporarily on the Prom. The beach levels slowly improved over summertime periods, but not to previous levels of sand/shingle.

Between 2017 and 2022, the Council worked with the Association to find a solution to the displaced huts and two proposals (as well as a number elsewhere) were considered in more depth. This action was required because the beach in this area continues to be subject to tidal erosion.

The two remedial action proposals were the construction of a bay length wooden platform or the use of piles and concrete plinths which, at that time, were considered not only to meet planning requirements but also those of Building Control. The wooden platforms, after a robust business case was developed, were found to be significantly cost prohibitive, had a projected lifespan of less than 20 years, and were considered to be environmentally damaging, due to the amount of transportation for storage and donor sand required. A trial for the concrete platforms reached the stage of receiving a planning application just prior to COVID lockdowns, but again was rejected on sustainability and cost grounds (see below). In February 2021, the coast was hit by Storm Darcy, scouring the beachline of tens of thousands of tons on material and dropping beach levels by up to 5 ft. This devastating event, after discussion with the Environment Agency and Coastal Management officers, led the Council to drop proposals for both plinths and platforms and seek alternatives to the reinstatement of huts at this location.

Taking this background into consideration the Council, as landlord, has serious concerns with this proposal which does not address the issues that resulted in the removal of the huts from the beach in the first instance. This being the case the Council as landowner has not seen anything that suggests the beach huts could safely go back on to the beach, whether on platforms or not, on the following grounds:

1) Health and safety

Given the extensive history as outlined, the devastating effect of storms and the very changeable conditions and levels on the beach the Council, as landowner, does not consider

the site viable for such use in its current nor future condition and has a Duty of Care to highlight this.

2) Public amenity

With the loss of the beach material the beach available to the wider community will be very limited. The planning application states that the proposed beach hut structures will extend 6 m from the Prom, allowing one further metre for accesses to steps. The distances to the shoreline at high tide will be thus approximately 1 to 4 metres. Depending on the level of high tide, this will mean on average, over half the available beach space will be taken up by platforms, for use by 14 hut owners. It should be noted that the aforementioned approximations are based on tides of 3m . Tides can reach four metres plus and with storm and tidal surges even higher, easily reaching the sea wall behind the proposed huts.

3) Lack of detail

The plans submitted are schematic only, there is no detail in respect of materials to be used, size of timbers, depth of foundation, type of foundations etc and the design shows a lack of any cross supports. We appreciate these are a matter for building control but remain seriously concerned that these would mean substantial changes to the design, affecting any permission, if given. Depth and type of foundations are specific. Coastal Management, in giving advice on the construction of wooden platforms for the Council's proposals in 2018, were specific that single platforms were not appropriate to withstand the tide in this area and one continuous platform was required within each bay to stand any chance of longevity.

Depending on the actual design criteria further comment might be necessary , for example how huts are to be fixed and the effect of wave action against the face of the promenade sea wall from the proximity of the platforms.

4) Practicality and history

It is fully understood that the applicant considers this a historic site for the provision of beach huts, however location in itself, is not a protected asset and given the serious threats of flooding and associated risks, as landowner ESC believes that its Duty of Care must take priority over aesthetics.

5) Cost

Whilst not a direct planning consideration the Council is concerned that the cost implications to individuals for the provision and maintenance of platforms is prohibitive to some owners. Particularly, when taken in the context that the Council and the Associations have so far attempted to provide provision for all huts displaced though beach erosion storm effects. The Council is also concerned about the potential risk and cost that would come with having to clear damaged material and make the area safe in likely event that the structures (should they be allowed on the beach) are destroyed by a significant tidal event.

11 July 2023

"East Suffolk Council, as land owner, can find no evidence of formal (or informal) notification prior to the submission of DC/23/2089/FUL by the Felixstowe Beach Hut and Chalet Association. As there are agreed lines of communication between the Council and the Association we would have expected engagement and dialogue on the plans to submit through these routes. In this instance, we were made aware through a third party, who had been directly engaged with by the Association representatives, that the application was live. The FBHA are aware of the existing concerns from an estate management perspective which led to the agreed removal of the previous huts from the beach at this

location and are additionally aware of concerns aired about the use of raised timber platforms following extreme and varied beach erosion . The Council is fully engaged and in support of the Association’s planning application for Manor End.”

Consultee	Date consulted	Date reply received
Felixstowe Beach Hut & Chalet Association	-	4 August 2023

Summary of comments:

Felixstowe Beach Hut and Chalet Association (FBHCA) fully supports this planning application.

For context it is important that the Planning Committee are fully aware of our position. In our submission we pay particular attention when responding to the documents submitted by Asset Management dated 21/07/23, and ESC Asset Management dated 11/07/23, and also documents submitted by Coastal Management dated 04/07/23 and 13/06/23. We also give clarity and context to issues raised.

We have worked to support beach hut owners to be given the assurance that they would not have their licence revoked and be evicted. Even today after all they have been put through, that assurance has still not been given.

For reasons that we are still unaware of today, East Suffolk Council (ESC) made the decision to remove the beach huts from the Spa Pavilion area before ensuring, (and this is an important point) that **ALL** beach huts would be found a place. All interested parties affected by this situation know that there are adequate places for all beach huts. Indeed a number of options were offered to the owners and we have yet to exhaust that list. See our comments below.

For clarity concerning the document dated 21/07/23, FBHCA did have discussions with ESC regarding manmade platforms but we never discounted these. The proposal was made by Asset Management at a special meeting at Felixstowe Town Hall. It was put forward that wooden platforms could be employed at a cost of £10,000.00 per hut and if an owner couldn't afford the cost then terms would be offered to spread the payments. This scheme was subsequently withdrawn by the Council. We understand today that the application includes details of the costs which are acceptable to the owners, and the structures are supported by ESC's Coastal Management team from their document dated 04/07/23 we agree, and endorse this position.

The Association did agree that the beach huts should be removed off the beach onto the promenade due to safety. This was for huts affected that were on wooden bearers directly on the beach, not for a proposal for robust platforms. However we asked for all 44 huts to remain on the promenade under a 'Tenancy At Will' until suitable locations were found. This would have allowed the Council to have an income during this time, and find alternative sites if needed. This proposal was rejected by the Council. The owners were canvassed by the Council with 7 potential options

in December 2018. The response by the owners was an 86% majority for their preferred option being, The Spa Area on wooden platforms. The Association supported this. Other options are still available which again make our important point that owners should be reassured that a place will be found for them without the need to revoke their licence. We urge ESC to give this assurance.

With Reference to **Point 1) Health and Safety** – Our comments were about huts on bearers directly on the beach. We understand that the issue of Health and Safety for wooden platforms are covered in the application.

With Reference to **Point 2) Public Amenity** - Our comments would be an opinion. This does not seem to be an issue at the Fludyers where these platforms already exist.

With Reference to **Point 3) Lack of detail** – We have not been involved in this aspect.

With Reference to **Point 4) Practicality and History** - The Association feels that the Council have not taken full account of this historic site. We fully endorse the view of the Victorian Society, The Felixstowe Society, Historical England, English Heritage and The Council for British Archaeology. This is a valuable Heritage Asset for Felixstowe where England's first beach huts were sited and it would be a travesty not to embrace this and tantamount to cultural vandalism.

With Reference to **point 5) Cost** - We do not accept that the council have so far attempted to provide provision for all huts displaced through beach erosion storm affects as stated under of this document. Options are still available and assurances have still not been given to displaced hut owners. We have tried on numerous occasions to encourage ESC with good suggestions of available sites, spending many hours working on solutions. We feel that our efforts were ignored through a bullish attitude of senior councillors, and senior officers. However we look forward to an excellent working relationship moving forward. We also understand that hut owners have covered any cost implications in their submission.

To answer the points raised by ESC Asset Management's document dated 11/07/23, **We are not the applicant of this planning application.** The applicant is Chris Strang on behalf of the 14 hut owners. FBHCA supports this application, as indeed we will support any of the options offered to the hut owners should they wish to proceed with an application.

With reference to the document submitted by Coastal Management dated 13/06/23 we are not liable for any expense as stated, as this expense, should it occur, will be the responsibility of affected hut owners, which we understand has been agreed. As a result we request reference to FBHCA now be removed.

It may be worth reading the excellent presentation submitted to ESC dated 25th May 2022 produced by members of the 14 owners affected with this application. It gives a Win-Win-Win proposal for Felixstowe Town, East Suffolk Council, and Beach Hut Owners. This proposal seems to have been ignored by the previous administration.

In conclusion FHBCA fully supports this application and we urge ESC to finally bring this unfortunate process to an end by accepting this application. Put our beach huts, along with their families, who have been hut owners for generations, back where they belong. We believe that our beach huts are a national treasure as the oldest beach huts in England. They should be treasured by ESC as they are by FHBCA and your constituents.

6. Publicity

6.1. The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	8 June 2023	29 June 2023	East Anglian Daily Times

7. Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 22 June 2023 Expiry date: 13 July 2023
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8. Planning policy

8.1. The National Planning Policy Framework (2023) (NPPF) represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant.

8.2. Development plan policies are material to an application for planning permission, and a decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. In this instance, the development plan comprises the East Suffolk Council – Suffolk Coastal Local Plan [adopted 23 September 2020] (“local plan”). Relevant policies from the local plan are listed in the section below and will be considered in the assessment to follow:

- SCLP3.2 – Settlement Hierarchy (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP3.3 – Settlement Boundaries (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.3 – Coastal Change Management Area (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.5 – Flood Risk (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.1 – Design Quality (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.3 – Historic Environment (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.5 – Conservation Areas (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.8 – Parks and Gardens of Historic or Landscape Interest (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP12.2 – Strategy for Felixstowe (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)

- SCLP12.14 – Spa Pavilion to Manor End (East Suffolk Council – Suffolk Coastal Local Plan, Adopted September 2020)

8.3. Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPG) provide additional guidance on matters covered by the local plan and are material considerations in decision making. Those that are relevant to this application are listed below and will be considered in the assessment to follow:

- Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)
- Coastal Adaptation Supplementary Planning Document (East Suffolk Council, Adopted September 2023)

8.4. Other guidance documents relevant to decision making are listed below:

- Felixstowe Conservation Area Appraisal (February 2020)
- Shoreline Management Plan 7

9. Planning considerations

Principle of development

9.1. Felixstowe's sea front location is attractive and appeals to a wide variety of residents and visitors, with contrasting activities and attractions catering for all sectors of the tourism industry which is of great benefit to the town and the rest of the district. As guided by policy SCLP12.2 (Strategy for Felixstowe), the strategy for the town seeks to ensure the rich built heritage is maintained, and measures are introduced to enhance the Conservation Areas, whilst also ensuring the risk of flooding and coastal erosion is carefully overseen through partnership working, mitigation and management.

9.2. The subject site sits adjacent to an area defined by policy SCLP12.14 as 'Spa Pavilion to Manor End', which states that additional beach huts in this area will be limited to locations which complement the existing resort uses and do not fill the important gaps between huts. Whilst the site sits outside the defined policy limits, the purpose of the areas was to protect the distinct character of various parts of the Felixstowe frontage (Felixstowe Ferry – Landguard). With this in mind, the siting of beach huts in this stretch of coastline aligns with the spatial strategy for this area and is therefore supported in principle. Nonetheless, given the proximity of the proposed 'platforms' to the Grade II Listed 'Cliff Gardens and Town Hall Garden', and its location within the Felixstowe Conservation Area, heritage and design matters are to be fully considered.

Heritage and conservation

9.3. The application site falls outside the Grade II Registered Cliff Gardens however it could be argued that the site falls within its setting. As indicated by policy SCLP11.8 (Parks and Gardens of Historic or Landscape Interest), the Council encourages the preservation and enhancement of the historic gardens and their surroundings, and applications for planning permission will only be permitted where the development proposal will not have a

materially adverse impact on the character, features or immediate setting of the designated heritage asset.

- 9.4. The site is also located within Felixstowe Conservation Area, within the 'Sea Front Gardens and Promenade' character area, which identifies a number of character features such as: the Spa Pavilion as a positive unlisted building; the importance of the sea wall; and important views from the top of Hamilton Gardens looking south. Due regard must therefore be given to the conserving and enhancing the historic environment policy considerations outlined within the NPPF and local plan, with additional advice and guidance available in the Council's Historic Environment Supplementary Planning Document (June 2021).
- 9.5. The submitted Heritage Impact Assessment (June 2023) meets the requirements of paragraph 194 NPPF (2023), and the conclusion that there will be no adverse impacts arising from the proposals on the significance of identified heritage assets is agreed.

Assessment of significance

- 9.6. The Registered gardens have a comprehensive list description which sets out the factors that contribute importantly to their significance, including historic development, landform, setting, buildings and structures, and the gardens and pleasure grounds. These were developed as municipal gardens in the early 20th century and were extensively restored in 2015.
- 9.7. The Felixstowe Conservation Area was originally designated in 1975 and has been extended on two occasions. The area covers much of the town centre and the seafront. The Council's adopted Conservation Area Appraisal summarises its significance (special interest) as including:
- A purpose-built Victorian and Edwardian fashionable spa and seaside town.
 - Major open spaces and views on or near the sea front, notably the promenade, sea wall and public gardens with terraces and paths with seats, shelters, enclosed gardens and long vistas.
 - The town's wider coastal setting as a marine defence – since the sixteenth century Landguard Fort has guarded the estuaries of the Stour and Orwell and it was at Felixstowe in 1667 that the last attempt was made at a foreign invasion of England.
- 9.8. The importance of the sea front of the town to its history as a spa and resort is highlighted here, of which the beach is a key component.

Impacts and effects arising

- 9.9. As the amenity societies have already noted, the proposal will partly reinstate the lost contribution of the beach huts removed following a storm event, amongst which were considered to be huts of potential historic interest. This interest was derived from their age and also their early use in Felixstowe. They form part of the history of Felixstowe as a seaside resort which developed rapidly in the later 19th century and peaked in the interwar period.
- 9.10. Beach huts are characteristic of the town and add a functional and picturesque quality that complements the resort's frontage – which includes the promenade (within the

Conservation Area) and the Seafront Gardens. On this basis, it is considered that this proposal will make a positive contribution to the setting and significance of the Conservation Area and Registered gardens and enhance the ability to appreciate them.

Application of statutory and NPPF tests

- 9.11. There is no statutory protection of the Conservation Area's setting or that to the Registered gardens; and the Conservation Area test of preserve or enhance within the Planning (Listed Buildings and Conservation Areas) Act 1990 is not applicable to development outside of it. The relevant tests of the NPPF at paragraphs 201 and 202 are not here engaged, as no arising harm is identified; however, paragraph 206 is hereby applicable:

“Local planning authorities should look for opportunities for new development within Conservation Areas...and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

- 9.12. As the beach forms part of the setting of the Conservation Area, which positively contributes to it, the addition of beach huts will better reveal its significance. This is further supported by a number of heritage focussed consultees. On this basis, the NPPF requires that this application should be treated favourably.
- 9.13. The application is therefore deemed in accordance with the relevant paragraphs of the NPPF as well as local plan policies SCLP11.3, SCLP11.5 and SCLP11.8.

Landscape and visual amenity

- 9.14. The proposed design of the beach huts is considered to be in keeping with the general aesthetic of their location, in terms of a seaside resort. Sited at beach level, their overall scale would not adversely impact neighbouring uses, are sufficiently set back from any nearby residential properties, and are considered no more intrusive in the wider protected landscape compared with the existing development. Moreover, the important views from the top of Hamilton Gardens looking south, as identified within the Conservation Area Appraisal, are maintained.
- 9.15. Subject to the agreement of proposed materials, including a specific colour palette, no concerns relating to wider landscape or visual amenity impacts are identified. The proposal is therefore deemed in accordance with policy SCLP11.1 and SCLP11.2.

Coastal management

- 9.16. As per para. 170 of the NPPF, planning decisions relating to development within coastal areas should take account of the UK Marine Policy Statement and marine plans. The Marine Policy Statement and Marine Plans are managed in an integrated and holistic way, in line with the principles of ICZM. The Marine Plans relevant to this area are: East Inshore and Offshore Marine Plans (2014) – covering Flamborough Head to Felixstowe; and South East Inshore Marine Plan (2021) – covering Felixstowe to West of Dover.
- 9.17. The relevant Shoreline Management Plan is [SMP7](#) (Lowestoft Ness to Felixstowe Landguard Point), which forms the evidence base for the identification of the Coastal Change Management Area (CCMA). The associated [action plan](#) identifies the stretch of

coastline relating to the application as 'FEL19.2 Felixstowe Beach', where the policy for the area is to Hold the Line (use of hard engineering solutions to protect the coastline from further erosion [FEL19.2: Concrete seawall with rock groynes, concrete splash wall, mass concrete seawall with promenade, timber groynes with concrete cladding / secondary flood wall]). However, in this case the development is seaward side of the existing defences and are therefore not afforded protection from coastal changes.

- 9.18. As the proposal is for works on the beach where they would be the subject of coastal forces and could affect coastal processes, the application is accompanied by a Coastal Erosion Vulnerability Assessment (CEVA) in accordance with the approach within policy SCLP9.3 (Coastal Change Management Area). The applicant has submitted a Level B CEVA which has subsequently been reviewed by the Coastal Partnership East team.
- 9.19. The Coastal Partnership East team has advised that the applicant has been in communication with them from early in the application process. Discussions and changes addressing concerns have been made to satisfy future inspection and maintenance requirements. As a result, the following conditions (discussed and agreed with the applicant) would need to be applied if the application is granted:
- The new platforms will be free standing of the existing coastal management structure/wall.
 - The new platforms will allow for the visual inspection of the coastal management structure/wall by the teams T98 inspectors at all times.
 - Should any maintenance or repairs be required to the coastal management asset/wall the applicant will be liable for the partial or complete removal and reinstatement of the platforms.
 - Should any major capital repairs or rebuilding of the coastal management asset/wall or foreshore area be required the applicant will be liable for the complete removal and reinstatement of the platforms.
 - East Suffolk Council are not responsible for maintaining the beach/foreshore levels.
 - In and around the new platforms East Suffolk Council are not liable for any stability or access issues associated with the changing beach/foreshore levels.
 - The applicant is responsible for ensuring public safety in and around the new beach hut platforms at all times.
 - The applicant is responsible for all the regular inspection, maintenance and upkeep of the beach hut platforms.
 - The applicant is responsible for the complete removal of the Platforms at the end of their design life.
- 9.20. No objection has been raised by the Environment Agency, the Lead Local Flood Authority or Marine Management Organisation.
- 9.21. Reference has been made to the Environment Agency's Advice Note 2, whereby conditions will apply restricting development to a non-habitable use and requiring a flood response plan. The applicant has advised that the beach huts would be moved to the Promenade during the winter months, although no further detail was provided in terms of defined timescales or means of removal. Additional detail relating to proposed mitigation measures will be secured via condition.

9.22. Overall, subject to the aforementioned conditions, there are no concerns from a coastal management perspective, and the application is therefore deemed in accordance with policy SCLP9.3.

Land ownership

9.23. The applicant is not the owner of the land for which the application relates and has therefore served notice on the landowner (East Suffolk Council). However, land ownership itself is not a material consideration. Therefore, whilst the proposal may be deemed supportable from a planning policy perspective, there may be limitations to its implementation should the landowner deny development on their land.

9.24. The landowner has raised a number of concerns relating to the development:

1. The site is not an appropriate location for beach huts given vulnerabilities to flooding and storm events.
2. Lack of technical detail in respect of size of timbers, depth of foundation, type of foundations etc and the design shows a lack of any cross supports.
3. The siting of the beach huts on the beach material would result in a loss of beach space for wider public use and subsequent depletion of public amenity.
4. Concerns regarding cost implications relating to any clearance of damaged material, or financial requirements on individual hut owners in relation to ongoing maintenance.

9.25. Points 1 – 2 are considered to have been suitably addressed via comments received from the Council's coastal engineers. Details relating to further structural information, along with management and maintenance requirements are secured via pre-commencement conditions, and will be reviewed further by coastal engineers and building control officers. This consideration will be critical at that stage to ensure that robust, resilient and safe structures are constructed in this public space which is heavily exposed to the sea.

9.26. The loss of beach amenity space (Point 3) is unfortunate through the platforms being permanent installations but it is minimal when considering the total proposed land take (approximately 256 sq. m) in the context of the wider Felixstowe seafront. Any future proposal similar to these for further platforms must be considered carefully and could present a cumulative unacceptable loss of beach amenity space which could be enjoyed by all, not just the private owners of the huts.

9.27. Financial/cost matters (Point 4) is not a material planning consideration and falls with the applicant in terms of accepting such implications. Likewise, should subsequent financial responsibilities unfold, it falls to the landowner and applicant to resolve these outside of the planning system.

10. Conclusion

10.1. The proposal for the reinstatement of 14 beach huts within proximity to the Spa Pavilion has the potential to enhance and better reveal the significance of the historic character of the Conservation Area whilst taking into account the requirements of changes to the coastal landscape. The beach huts are seen as 'iconic features' of the seaside resort and as such an embodiment of Felixstowe's historical identity, a character identified as central to the special historic interest of the Conservation Area. The placement of beach huts within this location complements the existing resort uses and makes a positive contribution to

the significance of the Conservation Area, in respect of the Registered Gardens and the Victorian and Edwardian architectural heritage of the resort.

- 10.2. The huts would be positioned as to allow for suitable sightlines from the promenade to the sea, and there will be no increased harm to visual amenity from nearby key viewpoints.
- 10.3. The installation of platform within beach material may also play a part in alleviating coastal erosion; however, continued oversight through partnership working, mitigation and management with the Coastal Management team is required. Through details secured by condition, robust, resilient and safe structures must be constructed in this public space which is heavily exposed to the sea.
- 10.4. Overall, the application is considered acceptable in principle subject to accordance with a number of planning conditions relating to design/engineering details, restricted use, flood risk, and coastal management monitoring.

11. Recommendation

- 11.1. Authority to approve subject to conditions.

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings and details agreed by Conditions 3 and 4 of this consent:

- 050 - Site location plan (received 13 November 2023)
- 101 – Site layout proposed (received 13 November 2023)
- 102 – Site layout proposed (received 13 November 2023)
- 109 – Floor plans (received 13 November 2023)
- 110 – Elevations (received 13 November 2023)

Reason: For avoidance of doubt as to what has been considered and approved.

3. No development shall commence until details of all materials and finishes to be used have been submitted to and approved by the local planning authority.

Reason: To ensure satisfactory appearance of the development in the interests of visual amenity.

4. No development shall commence until detailed engineering drawings have been submitted to and approved local planning authority. The new platforms must be free standing of the existing coastal management structure/wall and constructed in accordance with the approved plans.

Reason: To ensure that the proposed development is appropriate having regard to coastal management and building control requirements.

5. No development shall commence until a management and maintenance plan has been submitted to and approved local planning authority.

The plan shall set out the following:

- Responsibilities for regular inspection, maintenance and upkeep of the beach hut platforms.
- Responsibilities for the complete removal of the Platforms at the end of their design life.
- Responsibilities for ensuring public safety in and around the new beach hut platforms at all times (including at any time when the hut has to be removed).
- Allowance for the visual inspection of the coastal management structure/wall by the Coastal Partnership East T98 inspectors at all times.
- Liability for the complete removal and reinstatement of the platforms should any major capital repairs or rebuilding of the coastal management asset/wall or foreshore area be required.
- Liability for the complete removal and reinstatement of the platforms should any maintenance or repairs to the coastal management asset/wall be required.

Reason: To ensure that the proposed development is appropriate having regard to coastal management.

6. The hereby approved non-habitable beach huts shall not be used for sleeping accommodation or any other habitable use.

Reason: In the interests of amenity and the protection of the local environment.

7. The development shall be carried out in accordance with the approved Level B Coastal Erosion Vulnerability Assessment (by Enzygo, dated September 2023), unless otherwise agreed by the local planning authority.

Reason: In the interests of coastal change management and to ensure that access to coastal defences is not inhibited by new and/or replacement development.

8. Prior to use, a flood response plan shall be submitted to and approved by the local planning authority in consultation with the emergency planning department.

Reason: To ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

9. Prior to use, and every 12 months thereafter, a risk level assessment and occupation plan shall be submitted to and approved by the local planning authority.

Reason: To ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the highway authority.
3. East Suffolk Council are not liable for any stability or access issues associated with the changing beach/foreshore levels in and around the platform structures.
4. East Suffolk Council are not responsible for maintaining the beach/foreshore levels.
5. The Environmental Permitting (England and Wales) Regulations 2016 may require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river)

For further guidance please visit www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits or contact their National Customer Contact Centre on 03708 506 506.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted.

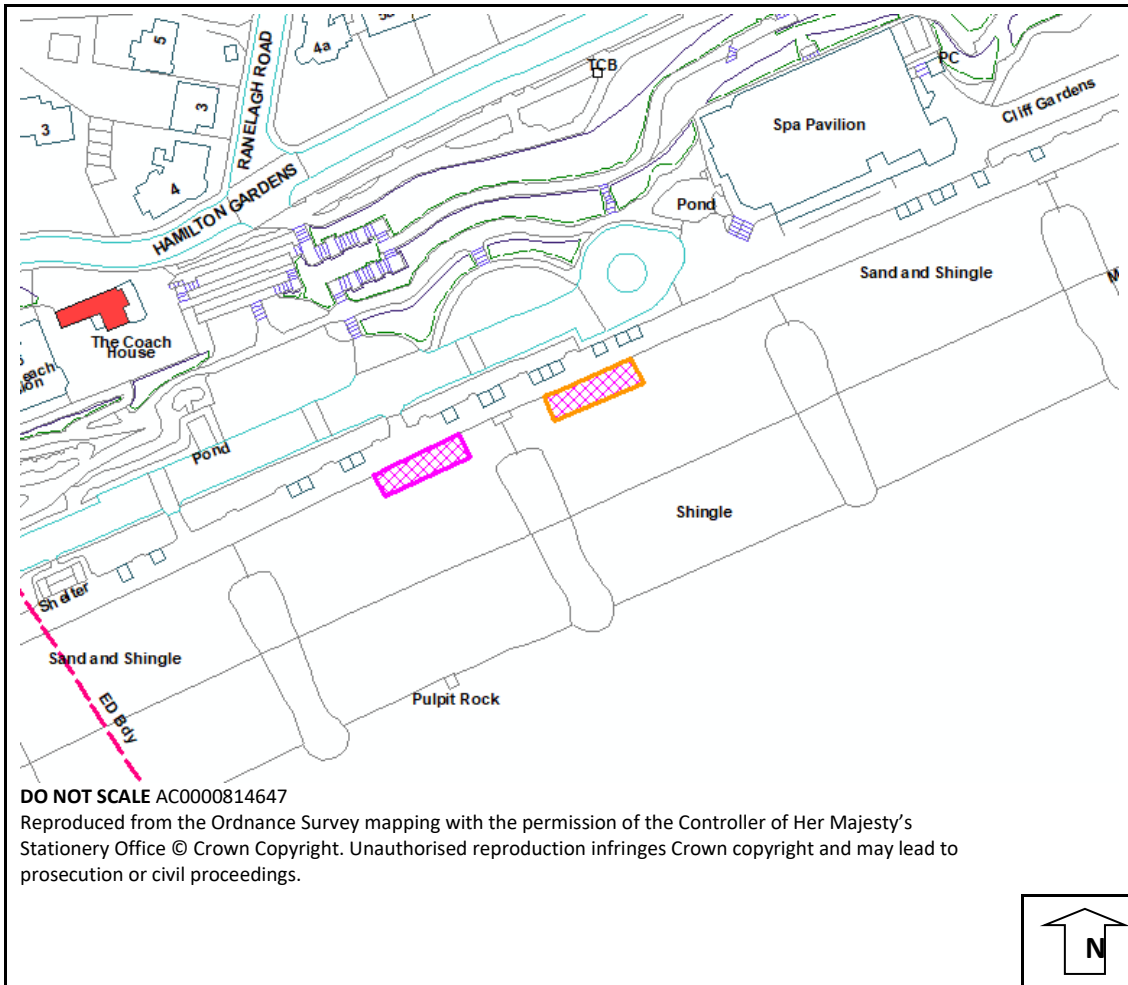
6. Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants are directed to the Marine Management Organisation's (MMO) online portal to register for an application for marine licence: www.gov.uk/guidance/make-a-marine-licence-application

Background information

See application reference DC/23/2089/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support