



Committee Report

Planning Committee North – 8 November 2022

Application no DC/22/3021/ROC

Location

Lower Promenade
Pakefield
Lowestoft
Suffolk

Expiry date 22 September 2022

Application type Removal of Conditions

Applicant East Suffolk Council

Parish Lowestoft

Proposal Removal of Condition No. 6 and 8 of DC/16/0590/VOC - Variation of Condition No.2 of DC/14/2576/RG3 - Erection of 72 Beach Huts - Variation of size of previously approved huts - Details of measures to be taken to remove any build-up of rubbish between and to the rear of the huts - Management Plan

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1. Summary

- 1.1. Permission is sought for the removal of condition Nos. 6 and 8 of DC/16/0590/VOC which granted consent for the erection of Beach Huts. Condition 6 relates to the submission of a Management Plan, and Condition 8 relates to the submission of a plan showing the exact location of the huts. Information has been submitted to remove the need for this information. It is considered that the information submitted is sufficient to remove the condition requirements, and as such it is deemed that the proposal is compliant with local and national planning policy.
- 1.2. The Town Council have recommended approval of the application, and no objections have been received from consultees.

- 1.3. The application has been brought direct to Planning Committee as East Suffolk Council is both the applicant and landowner.

2. Site Description

- 2.1. The site is located outside of the defined settlement boundary for Lowestoft and comprises of a row of wooden beach huts along the lower promenade in Pakefield. The beach huts front Pakefield Beach and the North Sea to the east, and the cliffs to the west.

3. Proposal

- 3.1. Permission is sought for the removal of condition Nos. 6 and 8 of planning permission ref. DC/16/0590/VOC, which granted consent for the erection of Beach Huts.

4. Consultees

Consultee	Date consulted	Date reply received
Lowestoft Town Council	18 August 2022	14 September 2022
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 6 September 2022. It was agreed to recommend approval of the application subject to appropriately robust measures being introduced and maintain to prevent and remove litter as part of the regeneration of the town.		

5. Site notices

General Site Notice Reason for site notice: General Site Notice
Date posted: 19 August 2022
Expiry date: 12 September 2022

6. Planning policy

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.25 - Coastal Change Management Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

National Planning Policy Framework 2021

7. Third Party Representations

- 7.1. No third-party letters of representation have been received

8. Planning Considerations

- 8.1. Condition Nos. 6 and 8 of DC/16/0590/VOC required the submission of additional information prior to the first installation of the beach huts. The development has already been carried out. Conditions cannot be retrospectively discharged via the discharge of conditions application process. This current application therefore seeks to remove the requirements of the conditions by submitting the required information for approval. Section 73 (2) states: *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted."*

Condition 6

- 8.2. Condition 6 states:

"Before any of the beach huts hereby approved are first occupied a management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include:

- Details of measures to be taken to remove any build up of rubbish between and to the rear of the huts*
- Details of proposals for the removal of any build up of sand, around the huts, particularly during the winter months*

Reason: to ensure that litter does not accumulate around the beach huts, in the interests of visual amenity and fire safety."

- 8.3. A Management Plan has been submitted as part of this application, and within the plan it identifies that the promenade is swept to collect litter weekly, and that the gaps between huts is monitored to ensure litter build up does not occur. Larger gaps between huts will be swept during the regular cleaning of the promenade. Furthermore, as with the litter, build-up of sand is monitored on a regular basis and action taken when required. The plan identifies that rapid build-up can occur quickly, particularly during high winds, and that is why the situation is regularly monitored. Finally, a pre-season talk is held in the spring attended by relevant Council Officers and representatives of other relevant parties to identifies any issues on the lower promenade.
- 8.4. Officers consider that the details submitted within the Management Plan are acceptable, and that it will ensure that the huts are managed in an appropriate way by the Council.

Condition 8

- 8.5. Condition 8 states:

"Before any development is commenced a plan to a scale of not less than 1:500 showing the size and position of each beach hut shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan.

Reason: To secure a properly planned development."

- 8.6. The application includes two Block Plans showing the size and position of each beach hut along the Lower Promenade, the spacing between each hut and their size is considered

acceptable and the overall layout would not detract from the character and appearance of the area, or the amenity of the users of the Promenade. Officers therefore consider that the detail submitted within these drawings is acceptable.

- 8.7. Therefore, officers consider that condition 8 of the approval DC/16/0590/VOC can be removed and the drawings incorporated into condition 2 which details the approved plans/drawings. It is not considered appropriate to fully remove condition 6, but the wording of the condition will be amended to ensure that the huts are managed in accordance with the submitted and approved management plan.

Original Conditions

Condition 1 (Time Limit)

- 8.8. This condition has been removed as the huts have already been installed, and therefore development has commenced within the 3 year time limit.

Condition 2 (Approved Drawings)

- 8.9. This condition has been amended to reflect the submitted and approved block plan.

Condition 3 (Crime and Anti-social Behaviour Plan)

- 8.10. This condition requires the measures detailed in the submitted and approved Crime and Anti-social Behaviour Plan to be fully implemented and as such the condition is retained in full.

Condition 4 (Management for Facilities)

- 8.11. This condition requires the implementation of provision and management for facilities of toilets and fresh water to be fully implemented and as such the condition is retained in full.

Condition 5 (Cycle Parking Provision)

- 8.12. This condition requires the implementation of cycle storage to be fully implemented and as such the condition is retained in full.

Condition 6 (Management Plan)

- 8.13. Amended to reflect the submitted management plan.

Condition 7 (Limitation on number of huts)

- 8.14. This condition limits the number of huts under this approval to 61, this condition is retained in full.

Condition 8 (Submission of Block Plan)

- 8.15. This information has been submitted and therefore the condition is removed (with the detail incorporated into condition 2).

9. Conclusion

- 9.1. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

10. Recommendation

- 10.1. It is recommended that condition 6 be amended to reflect the submitted Management Plan, and that condition 8 be removed as the information submitted would have been considered sufficient to discharge this conditions requirement.

11. Conditions:

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with drawing numbers 01/LT/PK/BH revision 0, 01/LT/BH/2 revision 0, 01/LT/BH/3-1 revision 0 and 01/LT/BH/3 revision 0 received 10 February 2016, 01/LT/PK/BH02 0 and 01/LT/PK/BH02 0, received 29/07/2022, and management plans, received 29/07/2022 for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To secure a properly planned development.

3. Prior to the first beach hut hereby permitted being brought into use the measures included in the Crime and Anti-social Behaviour Plan approved under application DC/16/0808/DRC shall be implemented in full.

Reason: to help prevent crime and anti-social behaviour in the order

4. Prior to the first beach hut hereby approved being brought into use, the provision and management for facilities of toilets and fresh water approved under application DC/16/0808/DRC shall be implemented in full.

Reason: in the interests of the amenity of the area and users of the beach.

5. Prior to the first beach hut hereby approved being brought into use, the cycle parking provision approved under application DC/16/0808/DRC shall be implemented in full.

Reason: to promote sustainable modes of transport

6. The huts shall be managed in accordance with the submitted and approved Management Plan.

Reason: to ensure that litter does not accumulate around the beach huts, in the interests of visual amenity and fire safety.

7. Not more than 61 beach huts shall be installed on the site.

Reason: to clarify the nature of the permission.

Informatives:

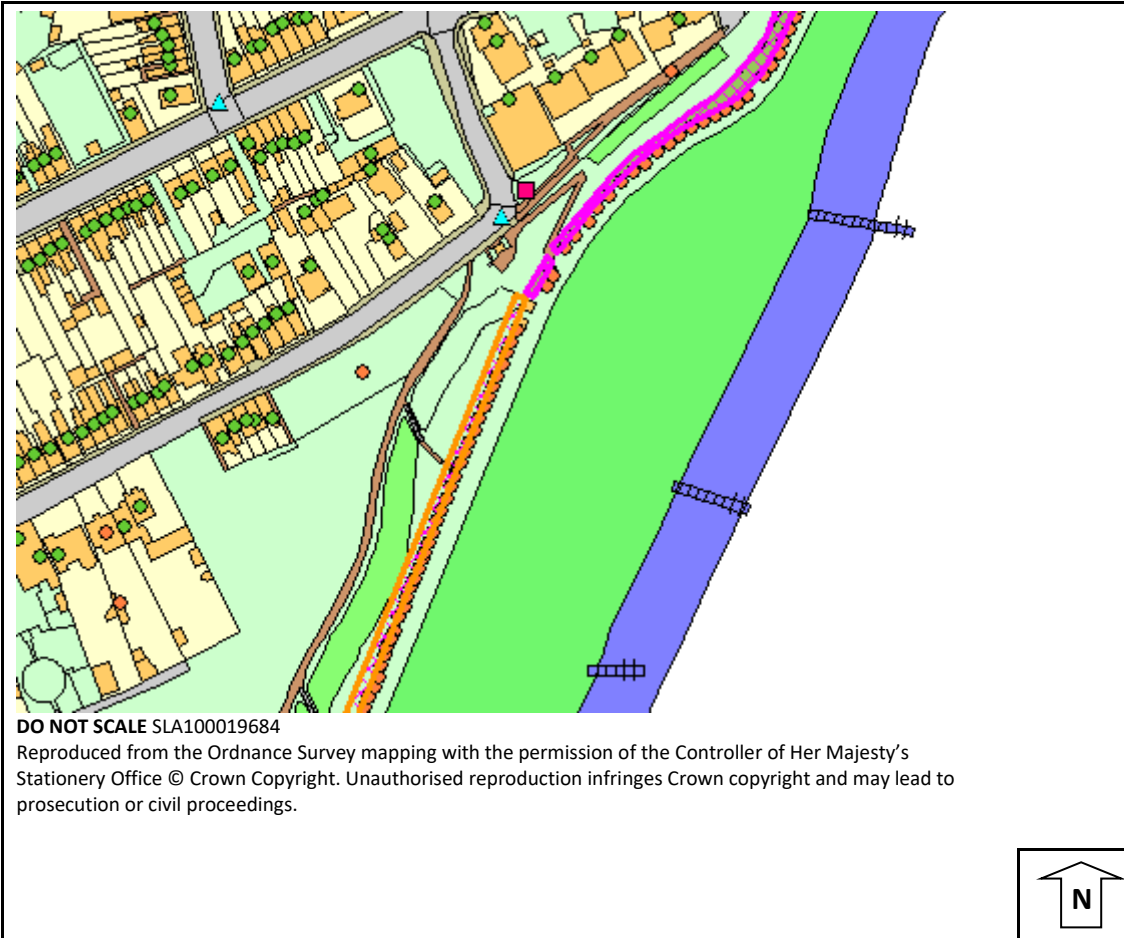
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning

Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.





Background Papers

See application reference DC/22/3021/ROC on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support