

Cheryl **Ward**
Planning

NYMNPA

04/02/2020

APPROVAL OF DETAILS RESERVED BY CONDITION

For: Summerhouse at Egton Manor, Egton

**For: Ms L Heath
Summerhouse, Egton Manor, Egton**

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Contents

1.0	Introduction	4
2.0	Flood Evacuation Strategy	5
3.0	Risk to the Summerhouse	5
4.0	Route to safe area outside Flood Zone 3 and 2	6
	In the event of a flood.....	6
5.0	About Environment Agency Warnings.....	7
	How do I get Environment Agency Warnings?	7
6.0	Flood Information	8
7.0	Advice and Safety.....	9
	Dangers of entering flood water.....	9
	What the warnings mean.....	9
8.0	What you/occupants of the summerhouse need to do in the event of:.....	10
9.0	Your/occupants flood kit.....	11

Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by

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**For: Ms L Heath
Summerhouse, Egton Manor, Egton**

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1.0 Introduction

- 1.1 Cheryl Ward Planning has been appointed to provide details of a Flood Evacuation Strategy for the Summerhouse, Egton Manor, Egton.
- 1.2 The applicant is: Ms L Heath who currently resides at Egton Manor, Barnards Road, Egton Bridge, Whitby, YO21 1UY.
- 1.3 This application is for approval of details reserved by condition is made under The Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.4 The proposed occupant is seeking compliance with Condition 4 of planning approval NYM/2019/0165/FL which states:

4. *Prior to the development being brought into use as overnight accommodation, full details of a specific flood warning and evacuation plan must be submitted and agreed in writing with the Local Planning Authority. The flood warning and evacuation plan shall then be implemented, and the accommodation shall not be occupied other than in accordance with the approved plan.*

Reason for Condition 4:

4. *In order to comply with the provisions of NYM Development Policy 2 which seeks to mitigate the impact of flood damage to new development within areas at high risk from flooding and prevent additional flood risk to other properties.*

2.0 Flood Evacuation Strategy

Introduction

- 2.1 This Flood Evacuation Plan is designed to ensure that proposed occupants of the summerhouse to be used for overnight accommodation know what to do and where to go to maintain their safety (and others) during a flood event.
- 2.2 The Flood Evacuation Strategy gives valuable advice on what flood risk warnings mean and the actions to be taken to maintain safety of people and property (summerhouse) for differing levels of flood risk warnings which can be provided from time to time during periods of heavy rainfall.
- 2.3 The Evacuation Strategy contains details of what to include in a 'Flood Kit' together with useful contact numbers and details which the applicant/occupants can use to register for a flood warning, practical advice on preparing for a flood and how to get help during and after a flood.

3.0 Risk to the Summerhouse

- 3.1 A flood risk assessment (FRA) has been undertaken for the development which determined the sources and extent of flood risk concerning with the summerhouse. This report is referenced under planning permission NYM/2019/0165/FL.
- 3.2 The site which includes the summerhouse (already in situ) is located in Flood Zone 3 and therefore is at high risk of flooding from the River Esk. The assessment was formulated in accordance with the National Planning Policy Framework (NPPF) 2018 and NPPG (2015).
- 3.3 Whilst the development itself is of a minor nature it is classified as having a high probability of flood risk vulnerability. The structure has been in situ for some 15 years and the remaining lifetime of the proposed development is assumed to be a further 15 + years.
- 3.4 It is important to note that the cabin will not be used in flood conditions.
- 3.5 The details of the proposed/future occupants of the summerhouse will be kept available at all times should they be needed to be used as a means of checking people in/out.
- 3.6 The River Esk is located c. 15.5 metres to the south of the timber summerhouse. The ground level rises significantly out of the river channel at around 3.5 metres and then by approx. 500mm + from the edge of the river before reaching the cabin.

- 3.7 Although the site is unlikely to flood and infiltrating the summerhouse would mean the river would need to rise up and out of the river channel and over top the banking at around 3.5 metres this is no guarantee that the site will not be affected during a flood event.
- 3.8 Due to the nature of the development and the structure already been in situ it is not considered that the site requires any special or compensatory flood mitigation measures, such as flood resistant and resilient construction techniques.

4.0 Route to safe area outside Flood Zone 3 and 2

In the event of a flood

- 4.1 Evacuate the property (summerhouse) and proceed north away from the river towards Egton Manor House and buildings which is wholly outside of any flood zone.
- 4.2 The attached directions can be taken with the proposed occupants should they need to evacuate as the route of escape is not specifically signed.
- 4.3 An alternative route maybe specified by local emergency services if in attendance and if this is the case this should be given priority.

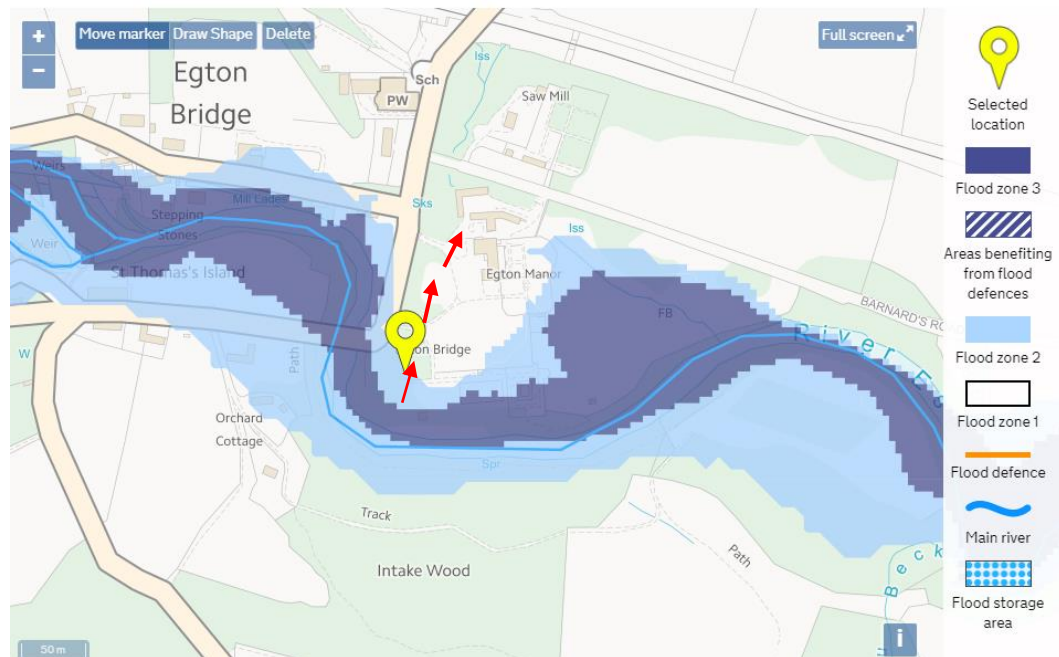



Fig 1. –  shows the route to safe area outside flood zone.

- 4.4 The advice to the sites owners/occupants of the summerhouse is to watch local television reports and listen to local radio reports for further information. It is also advised to register with the Environment Agency Flood Warning System, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Telephone number: **Floodline on 0345 988 1188**

- 4.5 Rescue by the emergency services may not always be possible in the event of the area flooding. It is highly advisable that the property (summerhouse) is evacuated prior to the onset of flooding after receiving an Environment Agency Flood Warning or flooding is forecast in the area.

5.0 About Environment Agency Warnings

How do I get Environment Agency Warnings?

- 5.1 This location is in an area which benefits from the Environment Agency service 'Flood Warnings Direct' which is a free service.
- 5.2 To sign up to Flood Warnings Direct visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater.
- 5.3 Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.
- 5.4 The Environment Agency website also provides warnings online which can be accessed by visiting <https://flood-warning-information.service.gov.uk/warnings> and by entering a postcode and selecting on the search tool.
- 5.5 Other places to get the latest flood updates are:
- Local radio stations: Yorkshire coast radio, Minster FM, BBC radio York, 105.3 Seaside FM
- Local news and websites.
- 5.6 It should be noted that warnings will not always be issued in a timely manner. Therefore, it will be important that local conditions are observed and monitored and that occupants are aware of the conditions in their local area.

6.0 Flood Information

6.1 What a flood warning in the UK will look like:

Show warnings near a location



0

Severe flood warnings

Severe flooding - danger to life



0

Flood warnings

Flooding is expected - immediate action required



26

Flood alerts

Flooding is possible - be prepared

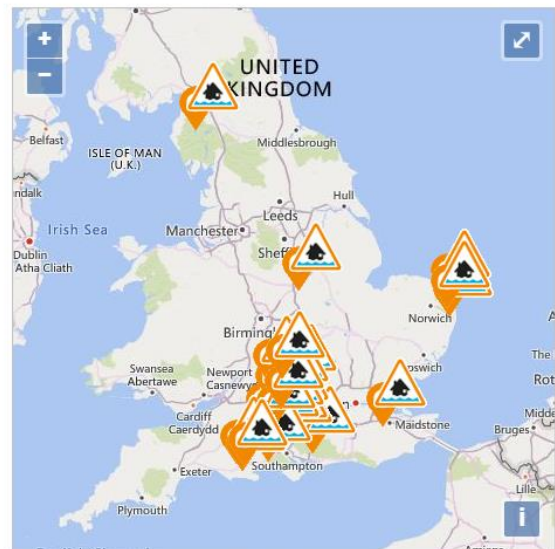


What to do before, after and during a flood:

- [How to plan ahead for flooding](#)
- [What to do in a flood](#)
- [How to recover after a flood](#)

You can also:

- [View the latest river and sea levels near you](#)
- [View your property's long term risk of flooding](#)
- [View the 5-day flood risk](#)
- [Sign up for flood warnings](#)



7.0 Advice and Safety

Dangers of entering flood water

- 7.1 Flood water is dangerous. 150mm of fast flowing water can knock over an adult and 300mm to 600mm of water can move a car dependent upon velocities.
- 7.2 Avoid walking or driving through flood water as the depth may be unknown and there may be hidden obstacles or debris that could cause injury.

What the warnings mean

- 7.3 It should be noted that in the event of a flood there is no guarantee that you will receive specific warnings to a flood event.
- 7.4 It is recommended that site owners/occupants of the summerhouse are prepared for a flood event should you or should you not receive any flood warnings from the Environment Agency.
- 7.5 Site owners/occupants should be aware the Environment Agency uses three codes for flood warnings which require differing levels of action. This information can be found at: <https://www.gov.uk/prepare-for-flooding/future-flooding>

Flood Alert – means flooding is possible. Be prepared

- This is used two hours to two days in advance of flooding.

Flood Warning – means flooding is expected.

- Half an hours to one day in advance of flooding.

Severe Flood Warning – means severe flooding. Danger to life.

- When flooding poses a significant threat to life.

Warnings no longer in force – means no further flooding is expected in your area.

- When river or sea conditions begin to return to normal.

8.0 What you as site owners/occupants of the summerhouse need to do in the event of:

8.1 Flood alert

- For site owners - check the whereabouts of the occupants of the summerhouse is known.
- Be prepared to act.
- Monitor Environment Agency information and local radio/television.
- Prepare your flood kit, if not already done so (see Section 9.0).
- Install any flood defence measures.
- Be aware of the route to safety (see Section 4.0).

8.2 Flood warning

- For site owners - check the whereabouts of the occupants of the summerhouse is known.
- Tune into and continue to listen to local radio updates.
- Evacuate to a predetermined location wholly outside of Flood zones 2 and 3 prior to the onset of flooding.

8.3 Severe Flood Warning

- For site owners - check the whereabouts of the occupants of the summerhouse is known.
- If not already evacuated, ensure the safe area of refuge has your flood kit in and stay within this location. Do not enter flood waters.
- Do not evacuate unless specifically told to do so by the emergency services and cooperate with the emergency services.
- Monitor local radio and Environment Agency information.
- Call 999 if you/occupants are in immediate danger.

9.0 Your/occupants flood kit

9.1 Your flood kit should include the following as a minimum:

- Any medication you/occupants require.
- Warm clothing.
- Food and drinks (non-perishable).
- Blankets
- Essential toiletries including toilet paper and wet wipes.
- Children's essentials.
- Emergency cash.
- Wellington boots and waterproof clothing.
- Matches.
- Candles.
- Torches.
- Mobile phones
- Battery operated portable radio
- Family, friends and other useful telephone numbers.

**Town and Country Planning Act 1990
North York Moors National Park Authority**

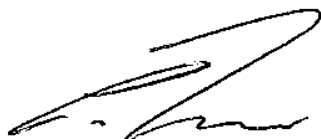
**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

To: Ms L Heath
c/o Cheryl Ward Planning
5 Valley View
Ampleforth
York
YO62 4DQ

The above named Authority being the Planning Authority for the purposes of your application validated 08 March 2019, in respect of proposed development for the purposes of **variation of condition 1 of planning approval NYM/2004/0515/FL to allow the summerhouse to be used as annexe accommodation or as overnight guest/holiday accommodation** at **Egton Manor, Barnards Road, Egton**, has considered your application and has **granted** permission for the proposed development subject to the following conditions:

1. The dwelling unit hereby approved shall not be used for residential purposes other than as ancillary family domestic use or holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year. The unit shall form and remain part of the curtilage of the existing dwelling known as Egton Manor and shall not be sold or leased off from the main dwelling or let off except as holiday accommodation in accordance with the terms set out above without a further grant of planning permission from the Local Planning Authority.
2. The external wooden cladding of the development shall be retained and maintained in a natural or brown stain finish unless otherwise agreed in writing with the Local Planning Authority.
3. This permission has been granted in accordance with the details specified in the submitted Flood Risk Assessment prepared by Cheryl Ward Planning dated 06 March 2019 reference P2018#012 (Section 5) and the development shall be carried out in strict accordance with the above Flood Risk Assessment unless otherwise agreed in writing with the Local Planning Authority.
4. Prior to the development being brought into use as overnight accommodation, full details of a specific flood warning and evacuation plan must be submitted and agreed in writing with the Local Planning Authority. The flood warning and evacuation plan shall then be implemented and the accommodation shall not be occupied other than in accordance with the approved plan.

Continued/Informative



Mr C M France
Director of Planning

Date 27 August 2019

Please Note your Rights of Appeal are attached to this Decision Notice

Informative

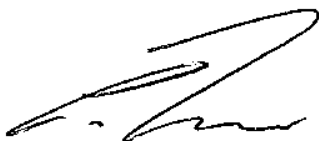
1. The Environment Agency has advised that they have records of the site having flooded in the autumn 2000 flood event, but do not have a depth of flooding recorded. The applicant's attention is therefore drawn to the following Environment Agency Advice: Signing up for Floodline Warnings Direct (FWD)
The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.
Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.
For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.
To get help during a flood, visit <https://www.gov.uk/help-during-flood>.
For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Reasons for Conditions

1. In order to enable the Local Planning Authority to retain control over the scale of activity at the site in accordance with Core Policy A and the site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.
2. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 3 & 4. In order to comply with the provisions of NYM Development Policy 2 which seeks to mitigate the impact of flood damage to new development within areas at high risk from flooding and prevent additional flood risk to other properties.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Mr C M France
Director of Planning

Date 27 August 2019

Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
5. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.