

Briefing Note – Amended conditions for Azera, Unit 3

The conditions have been updated to require compliance with the proposed arrangement of tables and chairs should panel be minded to support the officer recommendation

01. Full Permission Timing (Performance)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below. Not more than 20 tables and 60 chairs shall be provided on the external terrace at any one time. Notwithstanding the approved amended plan (which appears to include the existing landscaping within the defined 2m easement) no tables and chairs, heaters or any other equipment associated with the use shall be located within 2m from the inside kerb edge of the existing landscaping to be retained around the external terrace for public use.

Reason: For the avoidance of doubt and in the interests of proper planning. To ensure retention of existing landscaping and a 2m wide public waterfront access route to remain unobstructed and kept clear at all times.

03. External Noise Restrictions

No live or amplified equipment/music shall be used outside of the building.

Reason: In the interests of the amenities of neighbouring occupiers.

04. Public Access to the Waterfront

Prior to the first use of the extended terrace hereby approved further details of a clear marker between the tables and the walkway, and also details of additional signage confirming public access to the water's edge shall have been agreed in writing with the Local Planning Authority and installed. These features shall be retained as agreed for the lifetime of the development.

Reason: To ensure public waterfront access is retained

05. Hours of use (Outside)

Notwithstanding the permitted hours of use for the premises under condition 09 of 15/01985/REM, no food and drink shall be consumed outside of the building beyond the following hours in accordance with the applicant's supporting Statement:

| | |
|-----------------------------|-------------------------------------|
| Monday to Saturday | 11.00 to 23.00 (11.00am to 11.00pm) |
| Sundays and public holidays | 12.00 to 23.00 (12.00pm to 11.00pm) |

Reason: In the interests of the amenities of neighbouring residents.

06. **External Heaters**

No additional external heaters beyond the 2 no. existing shall be installed on the external terrace hereby approved.

Reason: To reduce the likelihood of the outdoor area being occupied late into the evening or outside the summer season in the interests of neighbouring residential amenities.

Note to Applicant:

Failure to install and arrange the tables and chairs in accordance with the requirements of conditions 02 and 04 and the plan hereby approved within 3 months of the date of this decision will likely result in planning enforcement action being taken for the existing unauthorised arrangement of external tables and chairs, which is a breach of Planning control.