

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 1st February, 2023

Place: Council Chamber - Civic Suite

Present: Councillor N Ward (Chair)
Councillors M Borton (Vice-Chair), B Beggs*, A Dear, M Dent,
F Evans, D Garston, S Habermel, D Jarvis, A Jones, C Mulroney,
M Sadza, A Thompson, C Walker and R Woodley
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: K Waters, Ms A Greenwood, P Keyes, S Mouratidis, M Warren and
T Row

Start/End Time: 2.00 pm - 3.00 pm

659 Apologies for Absence

Apologies for absence were received from Councillors Berry (no substitute), Buck (substitute: Councillor Beggs) and Shead.

660 Declarations of Interest

No interests were declared at the meeting.

661 Supplementary Report

The supplementary report by the Executive Director (Growth and Housing) will provide additional information (if any) on the items referred to on the Agenda and will be available on the morning of the meeting.

662 22/01151/FULM - Laburnums, 20 Chalkwell Avenue, Westcliff on Sea (Chalkwell Ward)

Proposal: Demolition of the existing buildings, erect part two/part three storey building comprising 27no. retirement living apartments with associated landscaping, parking and vehicle access

Applicant: McCarthy Stone Retirement Lifestyles Ltd

Agent: The Planning Bureau

Mr Nutman, a local resident, spoke as an objector to the application. Mr Butler, responded on behalf of the applicant's agents.

Resolved:-

(a) That the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of an AGREEMENT under SECTION 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- A financial contribution of £212,519 in lieu of onsite provision of affordable housing.
- The provision of Travel Packs for residents and Travel Plan Monitoring.
- £3,718.17 (27 x £137.71) index linked, towards biodiversity mitigation, management, protection or education (RAMS).
- Standard S106 Monitoring Fee.

(b) That the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to above and subject to the conditions set out below:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

02 The development hereby permitted shall be carried out in accordance with the following approved plans LSE-2721-03-AC-100 A (Location Plan, LSE-2721-03-AC-102 F (Site Plan and Streetscene), LSE-2721-03-AC-103 G (Proposed Ground and First Floor Plans), LSE-2721-03-AC-104 H (Proposed Second Floor and Roof plans), LSE-2721-03-AC-107 J (Proposed Elevations), LSE-2721-03-AC-111 A (Existing Site Plan), PP/409/WESTCLIFF/F1 (Existing Plans and Elevations), MCSWESTC-01_00A (Proposed Balcony Details).

Reason: To ensure that the development is carried out in accordance with the Development Plan.

03 Notwithstanding the details shown on the plans and materials schedule submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place unless and until full product specifications of the materials to be used on all the external elevations of the development, including walls including string course and decorative render, roof including chimneys, ridge and flat roof areas, balconies including balustrade, floor, underside, gable decoration, eaves, fascia and soffit, windows and doors including sills, dormers and rooflights, entrance porches, fascia and soffits and rainwater goods, driveway, paving and boundaries both walling and fencing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into first use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and advice contained within the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor above slab level shall take place unless and until full detailed design drawings and cross sections of the feature gables and porches including eaves and decoration and supports, window reveals and lintel details, roof edge

detail for the 2 storey flat roof section and flat roof area to the main roof and at a scale of 1:20 or 1:10 as appropriate have first been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and advice contained within the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).

05 The flat roof area of the two storey section of the development above the main entrance on the north side of the building hereby approved as shown on drawing No LSE-2712-3-AC-104-H shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than construction up to ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping works shall be carried out prior to first occupation of the development. The details submitted shall include, but not be limited to:

- i. Existing and proposed finished site levels or contours.
- ii. Details of means of enclosure, of the site including any gates or boundary walls and fencing.
- iii. Hard surfacing materials for forecourt and parking area.
- iv. Full details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan. This shall include an extra heavy standard tree to the front of the site as shown on plan reference MCS23711 09C (Landscape Strategy).

The development shall also be carried out in full accordance with the tree protection measures shown on plan reference 1496-KC-XX-YTREE-TPP01RevA. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837.

Reason: In the interests of the visual amenity of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

07 The 21 car parking spaces, including 3 disabled spaces, and the associated amended vehicular accesses for the spaces to access the public highway at the

site as shown on approved plan LSE-2721-03-AC-102 F shall be provided and made available for use prior to the first occupation of any of the dwellings hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwellings hereby approved and their visitors. Each parking space shall have access to an electric vehicle charging point.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 the Electric Vehicle Charging Infrastructure for new development Supplementary Planning Document (2021) and advice in the Southend-on-Sea Design and Townscape Guide (2009).

08 The development hereby approved shall not be occupied until space for at least 4 secure, covered cycle parking spaces to serve the residential development and its visitors have been provided within the buggy store shown on drawing LSE-2721-03-AC-103 G , or in such other on site location alternatively agreed under the scope of this planning condition, and have been made available for use in full accordance with the approved plans by occupiers of the development hereby approved and their visitors. The approved scheme shall be permanently retained for the lifetime of the development.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

09 The development hereby approved shall not be occupied unless and until the refuse store to serve the development as shown on drawing LSE-2721-03-AC-103 G has been provided at the site in full accordance with the approved plans and the Waste Management Strategy reference LSE-2721-030AC-WMP rev A and made available for use by occupiers of the residential units hereby approved. The approved scheme shall be permanently retained for the storage of waste and recycling for the lifetime of the development.

Reason: To ensure that adequate refuse and recycling storage is provided and retained to serve the development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM8 and DM15 of the Development Management Document (2015).

10 The renewable energy proposals for the development hereby approved shall be carried out in full accordance with the recommendations set out in section 4 of the Energy Statement by Focus dated May 2022 including the installation of 15.46kWp of PV cells or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority under the terms of this condition. These renewables shall be implemented at the site prior to the first occupation of the development and retained in perpetuity thereafter.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy

(2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

11 Prior to occupation of the development hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the whole development and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

12 Before any of the residential units hereby approved are first occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 3 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 24 flats comply with building regulation M4(2) 'accessible and adaptable dwellings' standard

Reason: To ensure the residential units hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

13 The development hereby approved shall be carried out in full accordance with the noise mitigation measures set out in paragraphs 4.43, 4.44 and 5.4 of the Acoustic Assessment by Cass Allen reference RP01-22212-R1 rev 1 dated 20.05.22 to ensure that the internal noise levels in habitable rooms within the approved flats are in accordance with the ProPG guidance and BS4142. These mitigation measures shall be implemented prior to the occupation of the development and shall be retained for the lifetime of the development.

Reason: To ensure the resulting noise from the traffic on the main roads and the service yard of Aldi on London Road to the north of the site would not be detrimental to living conditions of neighbouring and future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 Notwithstanding the details submitted within the Drainage Strategy Report by iDLtd reference IDL/1050/DS/001 dated March 2022 and Drainage Strategy Layout LSE-2721-03-DE-100 D and as shown on the plans otherwise submitted and otherwise hereby approved, no drainage works shall be constructed at the site until and unless a detailed design of a surface water drainage for the site, including the additional details specified below, has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Lead

Local Flood Authority. The approved scheme shall be implemented at the site prior to the first occupation of the development. The scheme shall address the following matters:

- i. A construction method statement must be provided outlining how surface water will be managed at the site including during the construction phase. Details on the phasing of drainage installation relative to wider works shall also be provided.
- ii. An agreement in principle for Anglian Water for surface water discharge including:
 - a. Development hectare size
 - b. Proposed discharge rate (The minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website <http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - c. Connecting manhole discharge location
 - d. Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Anglian Water Surface Water Policy can be found on their website).
- iii. Updated drainage modelling calculation outputs to be provided with the following parameters amended. Please note these are for review only given the system has been designed to a 1:100 year storm standard:
 - a. Cv values set to 1.0 for all storm simulations
 - b. Maximum rainfall amount set to the maximum allowed by the software or 500 mm/hr, whichever is lowest.
 - c. The Additional Storage factor should be set to 0 unless conclusive evidence is provided to justify why this has been modelled using 20 m³/ha

The drainage strategy and SuDS design statement must be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2021), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

15 No development shall take place, including any works of demolition, until and unless a Construction/Demolition Method Statement and Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding

- v. a Noise and Dust Management Plan - measures to control the emission of noise and dust and dirt during demolition and construction. This should make reference to current guidance on the Assessment of Dust from Demolition and Construction - Institute of Air Quality Management or an acceptable equivalent.
- vi. a scheme for recycling/disposing of waste resulting from demolition and construction works. No waste materials should be burnt on the site, instead being removed by licensed waste contractors;
- vii. measures to mitigate noise disturbance during the development.

Reason: This pre-commencement condition is required to minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Development Management Document (2015) policies DM1 and DM3.

16 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

17 The proposed site clearance and construction works shall be carried out in full accordance with the recommendations set out in Section 5.2 of the Ecological Impact Assessment by Greenlink Ecology Ltd dated 16.09.22 and Section 5 and Appendix 1 (Mitigation and Enhancement Plan) showing proposed habitat measures of the Biodiversity Enhancement Strategy by ACD reference MSC23711_BES Rev A dated 08.12.22 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority under the terms of this condition.

Reason: In the interests of biodiversity and to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM2 and DM3.

18 The finished levels at the site shall be as set out on plan reference LSE-2721-03-DE-103 Rev A before the dwellings are occupied.

Reason: To safeguard the visual amenities of the site and wider area as set out in Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

19 Each of the units hereby permitted shall be only occupied by:

- i. persons aged 60 years or older; or
- ii. persons living as part of a single household in the development with such a person or persons aged 55 years or older; or
- iii. persons who were living as part of a single household in the development with such a person or persons who have since died.

Reason: To define the scope of this permission with respect to parking provision, amenity space, general living conditions, the provision of affordable housing and infrastructure required to support the development together with impact on education infrastructure within the Clty, in accordance with Core Strategy (2007) Policies KP2, KP3, CP4, CP6 and CP8 and Policies DM1 and DM3 of the Development Management Document (2015).

20 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the building hereby granted consent shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which confirm the positions and specifications of all windows in the proposed building that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. The windows to be obscure glazed and fixed shut up to 1.7m shall include the kitchen windows of units 9, 11, 12, 18, 27 as identified on approved drawing references LSE-2721-3-AC-103 Rev G and LSE-2721-3-AC-104 Rev H, and all landing and communal corridor windows facing north and south at first and second floor levels. Before the building hereby approved is occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and the advice in the Southend-on-Sea Design and Townscape Guide (2009).

21 A privacy screen not less than 1.7m high above balcony floor level shall be fitted to the southern side of the balcony of unit 12 of the development hereby approved and as identified on approved drawing reference LSE-2721-3-AC-103 Rev G in accordance with details and specifications that have previously been submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The screen shall be retained for the lifetime of the development in accordance with the approved details.

Reason: To protect the privacy and environment of people neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

22 Prior to first occupation of the development hereby approved, details of the acoustic properties of fencing on the application site's northern boundary, including the level of acoustic mitigation and performance achieved, shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall then be retained for the lifetime of the development in accordance with the details so approved.

Reason: To protect neighbouring occupiers from undue noise and disturbance arising from the passage of vehicles using the driveway within the approved development in accordance with the National Planning Policy Framework (2021),

policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015) and the advice in the Southend-on-Sea Design and Townscape Guide (2009).

23 No external lighting shall be installed to serve the development hereby approved other than in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition.

Reason: To protect neighbours' and future occupiers' residential amenity and in the interests of ecological protection in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and the advice in the Southend-on-Sea Design and Townscape Guide (2009).

(c) In the event that the planning obligation referred to in part (a) above has not been completed before 11th February 2023 or an extension of this time as may be agreed by the Director of Planning or Service Manager - Development Control, authority is delegated to the Director of Planning or Service Manager - Development Control to refuse planning permission for the application on grounds that the development will not secure the necessary contributions for affordable housing, biodiversity mitigation or Travel Plan and Travel Information Packs and that, as such, the proposal would be unacceptable and contrary to Policies KP2, KP3, CP3, CP6 and CP8 of the Core Strategy (2007) and Policies DM1, DM3, DM7 and DM15 of the Development Management Document (2015).

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no

exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.

3. This permission is governed by a legal agreement between the applicant and the City Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to the provision of a financial contribution in relation to affordable housing, a financial RAMS contribution, the provision of Travel Plan and Travel Information Packs and monitoring of the agreement.

4. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions. Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

5. Prior to demolition of the existing buildings an appropriate Asbestos survey of the buildings should be undertaken and a scheme implemented to remove and safely dispose of any asbestos-containing materials in accordance with the Control of Asbestos Regulations 2012 and the applicant's/developer's Waste duty of care. It is recommended that the Council's Building Control Department is notified of the demolition in order that requirements can be made under section 81 of the Building Act 1984.

6. Should any contaminated ground conditions or the existence, extent and concentrations of any landfill gas be found that was not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof shall be re-assessed a scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to and agreed in writing with the local planning authority. Please note that it is the applicant's responsibility to ensure a safe site in terms of land contamination and that the site cannot be determined as contaminated land in the future as defined by Part 2A of the Environmental Protection Act 1990.

663 21/00290/UNAU_B - 42 Tyrone Road, Thorpe Bay (Thorpe Ward)
Beach of Planning Control: Erection of single storey side extension and a part-single- , part-two-storey rear extension

Resolved:- That ENFORCEMENT ACTION be AUTHORISED to secure the following:

- (a) the removal from the site the side and rear extensions in their entirety, and
- (b) the removal from site all materials resulting from compliance with (a) above.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the Local Planning Authority must ensure a reasonable time for compliance. In this case a compliance period of 3 months is considered reasonable for the removal of the unauthorised extensions.

664 19/00204/UNAU_B - 34 Retreat Road, Westcliff-on-Sea (Milton Ward)
Beach of Planning Control: Erection of a rear balcony

Resolved:- That ENFORCEMENT ACTION be AUTHORISED to secure the following:

- (a) the removal from the site the rear balcony in its entirety, and
- (b) the removal from site all materials resulting from compliance with (a) above.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the Local Planning Authority must ensure a reasonable time for compliance. In this case a compliance period of 5 months is considered reasonable for the removal of the unauthorised balcony and the materials resulting in compliance with this.

Chair: _____