

## **SOUTHEND-ON-SEA BOROUGH COUNCIL**

### **Meeting of Development Control Committee**

**Date: Wednesday, 3rd February, 2016**

**Place: Committee Room 4a - Civic Suite**

**Present:** Councillor Crystall (Chair)  
Councillors Assenheim (Vice-Chair), Arscott\*, Ayling, Borton,  
Butler, Byford, Folkard, J Garston\*, McGlone, Robinson, Van Looy,  
Walker and Ward

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillor Mulroney  
P Geraghty, J K Williams, D Hermitage, P McIntosh, M Warren,  
I Harrison and T Row

**Start/End Time:** 2.00 - 3.25 pm

#### **624 Apologies for Absence**

Apologies for absence were received from Councillors T Callaghan, M F Evans (Substitute: Councillor Arscott), Councillor D A Garston (Substitute: Councillor J Garston), Councillor R E Hadley and Councillor J McMahon.

#### **625 Declarations of Interest**

The following interests were declared at the meeting:

- (a) Councillor Arscott – 15/01792/FUL – Non-pecuniary interest: Friends live in neighbouring properties (withdrew);
- (b) Councillor J Garston – 15/02014/BC3 – Non-pecuniary interest: Knows residents in the area who are affected by the works;
- (c) Councillor Robinson – 15/01977BC3 & 15/01984/LBC – Non-pecuniary interest: Lives in the road opposite the Palace Theatre;
- (d) Councillor Van Looy – 15/01763/FUL – Non-pecuniary interest: The applicant is known to him;
- (e) Councillor Ward – 15/02019/S106BA – Non-pecuniary interest: The solicitor is known to him.

#### **626 Supplementary Report**

The Committee received a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

627 **Reports on Planning Applications**

**(a) Leigh Ward**

**15/01792/FUL**

**Demolish existing block of flats, erect 5 storey building comprising of five self-contained flats with basement car parking, layout cycle and bin store (Amended Proposal)**

**31 Grand Parade, Leigh-on-Sea, Essex, SS9 1DX**

**Capability Limited**

**Third Dimension Group Ltd.**

Mr Gibb, a local resident, spoke as an objector to the application. Mr Gregson, the applicant's agent, responded.

Planning Permission REFUSED for the following reason:

01 The proposed development, by reason of its detailed design, excessive bulk and massing would result in an incongruous and discordant feature within the streetscene to the detriment of the character and appearance of area. This would be contrary to the provisions of the National Planning Policy Framework, policy KP2 and CP4 of the Core Strategy (DPD1) policies DM1 and DM6 of the Development Management DPD and advice contained within the adopted Design and Townscape Guide (SPD1).

**(b) Blenheim Park Ward**

**15/01844/OUTM**

**Demolish existing building and erect two blocks part 2, part 3, part 4 storey comprising of 38 flats, 1 commercial unit on ground floor lay out parking, refuse and cycle stores (Outline Application) (Amended Proposal)**

**939 - 953 London Road, Leigh-on-Sea, Southend-on-Sea**

**SS9 3LQ**

**EMEX International**

**Third Dimension Architectural Group Ltd.**

Planning Permission REFUSED for the following reasons:

01. The proposal would result in a development that fails to provide a range of dwelling types and sustainable housing mix and thus would fail to meet the housing needs of the borough. This is contrary to the NPPF, policies KP2 and CP8 of the Core Strategy and policy DM7 of the Development Management DPD.

02 In the absence of a signed legal agreement securing a contribution towards affordable housing contrary to the NPPF, policies KP2, CP3, CP6 and CP8 of DPD1 (Core Strategy).

**Informatives**

01 Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.

02 It is noted that “appearance” was reserved for future consideration. The indicative appearance of the development submitted is not considered of a high standard and would unlikely to be supported.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application and therefore, the proposal is not considered to be sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

**(c) St Laurence Ward**

**15/02065/BC4**

**Use land as car park in connection with the operation of Southend Airport**

**Land at Warner’s Bridge, Rochford Road, Southend-on-Sea**

**London Southend Airport Co. Ltd.**

**Vantage Planning Ltd (Robert Matthews)**

Planning Permission GRANTED subject to the following conditions:

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: NK016976\_SK011; NK016976\_SK010.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

03 The use of the car park hereby approved shall be restricted to the valet parking of airport passenger vehicles and storage of hire vehicles, and shall not be made available for general public use without the prior written approval of the Local Planning Authority.

Reason: To determine the scope of this permission in the interests of highway safety and efficiency and residential amenity, in accordance with policies KP2, CP3 and CP4 of the Southend Core Strategy and policies DM1 and DM15 of the Development Management DPD.

04 Full details of the lighting columns and security kiosk indicated on approved plan NK016976\_SK011 shall be submitted to and approved in writing by the Local Planning Authority prior to their erection on site.

Reason: In the interests of visual amenity and to protect the residential amenities of the area, in accordance with policies KP2 and CP4 of the Southend Core Strategy and policy DM1 of the Development Management DPD..

05 No vehicles shall arrive at the site or leave the site outside the following hours: -04:00 hours to 24:00 hours Monday – Sunday.

Reason: To protect residential amenity and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy DM1 of the Development Management DPD.

06 Prior to the commencement of development a scheme of hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall then be implemented in the first available planting season and retained permanently in accordance with the approved details.

Reason: To enhance the visual amenities of the site and character of the area in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

07 Any vegetation that is dead or diseased within the first 5 years of planting shall be replaced immediately and retained with a similar size and species of plant or vegetation.

Reason: To enhance the visual amenities of the site and character of the area in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

08 Prior to the installation of the security hut hereby approved, details of the scale and appearance of the security hut shall be submitted to and approved in writing by the Local Planning Authority. The security hut shall be provided only in accordance with the approved details.

Reason: To enhance the visual amenities of the site and character of the area in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

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. The detailed analysis is set out in a report on the application prepared by officers.

**(d) Milton Ward  
15/02014/BC3**

**Stabilisation and restoration works to Cliffs Area between Clifton Drive and Western Esplanade, with retaining walls and restoration of access footways and steps and associated landscaping (Retrospective)**

**Cliff Works At Land Between Clifton Drive And Western Esplanade, Westcliff-on-Sea, Essex**

**Southend-on-Sea Borough Council**

**Mr Paul Mathieson**

Planning Permission GRANTED subject to the following conditions:

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: 6850 V 110 B; 6850 V 225 A; 6850 V 120 B; CD/L1a; 253/002/12/C; Proposed amended infill panels to bin storey guard-rail; SuDs Statement; Flood Risk Statement; Design and Access Statement.

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

03 No noisy demolition equipment (eg concrete breakers) or construction techniques (eg percussive piling) shall be used during the period from 2 hours before high tide until 2 hours after high tide, on any days when either the air temperature is below 5 degrees Centigrade or the ground remains frozen.

Reason: To protect the vulnerable natural environments of International, European and national importance, in accordance with the National Planning Policy Framework (NPPF) and Development Management DPD Policy DM6.

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.

**(e) Chalkwell Ward**

**1. 15/01984/LBC**

**2. 15/01977/BC3**

**Install external fire escape staircase to rear and convert two existing windows to access doors at second floor**

**Palace Theatre, 430 London Road, Westcliff-on-Sea, Essex SS0 9LA**

**Southend-on-Sea Borough Council**

**Mr Liam Stubbins, Davies Burton Sweetlove**

**Application No. 15/01977/BC3**

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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 approved plans 150566/002 T1, 150566/001 T2, 150566/001 T1

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

03 The proposed fire escape stair shall be black painted steel and the new doors at second floor level shall be Jen Weld EKXT painted white. The existing door to the ground floor exit shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the special architectural character and historic interest of the building. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

04 The fire escape shall only be used as a means of escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (DM DPD) policy DM1, and SPD1 (Design and Townscape Guide).

**Application No. 15/01984/LBC**

Listed Building Consent GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990

02 The development hereby permitted shall be carried out in accordance with the approved plans 150566/002 T1, 150566/001 T2, 150566/001 T1

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

03 The proposed fire escape stair shall be black painted steel and the new doors at second floor level shall be Jen Weld EKXT painted white. The existing door to the ground floor exit shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the special architectural character and historic interest of the building. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

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 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. Detailed analysis is set out in a report prepared by officers.

**(f) Shoeburyness Ward**

**15/01997/FUL**

**Erect four two storey dwellinghouses with associated parking and amenity space**

**Land adjacent to 10 - 11 New Garrison Road, Shoeburyness**

**Southend-on-sea, Essex, SS3 9BF**

**The Garrison LLP**

**APS Design Associates Ltd.**

DEFERRED

**(g) Prittlewell Ward**

**15/01763/FUL**

**Erect two storey dwellinghouse on land adjacent to 171 West Road, layout parking and form vehicular crossover on to Westborough Road**

**171 West Road, Westcliff-on-Sea, Essex, SS0 9DH**

**Mr George Zinonos**

**Mr Maz Rahman**

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1456/A101/P9 & 1456/ A202/P9 (C01D)

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan. (R01D)

03 No development shall take place until samples/details of materials to be used on the external elevations including details of any boundary walls, fences, gates, stonework on bays and porch and windows have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

04 The dwelling hereby approved shall not be occupied until details of the waste and cycle storage have been submitted to and approved by the local planning authority.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

05 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

06 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development and implemented in full prior to the first occupation of the dwelling houses. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

07 The dwelling hereby approved shall not be occupied until details soft and hard landscape works have been submitted to and approved by the local planning authority. The approved landscaping scheme shall be implemented within the first planting season following first occupation of the dwelling.



Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the amenity of future occupants in accordance with DPD1 (Core Strategy) policy KP2 and CP4, Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide).

08 Permeable paving shall be used for the hardstanding area unless otherwise agreed by the local planning authority. The proposed parking space and vehicle access to the dwelling shall be provided in accordance with the plans No's 1456/A101/P9 & 1456/ A202/P9 prior to occupation of the dwelling hereby approved and shall thereafter be permanently retained solely for the benefit of the occupiers of the dwelling and for no other purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is completed and used as agreed, and to ensure that it meets DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policies DM1 and DM15 and SPD1.

09 Details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting, shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

10 The proposed refuse storage should only be positioned to the rear or to the side enclosed garden of the proposed dwelling.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

11 The material of the proposed additional off-street parking space within the amenity space of the proposed dwelling shall only be grasscrete, to ensure the dual purpose use for car parking and private amenity space. The proposed parking space and vehicle access to the dwelling shall be provided in accordance with the plans No's 1456/A101/P9 & 1456/ A202/P9 prior to occupation of the dwelling hereby approved and shall thereafter be permanently retained solely for the benefit of the occupiers of the dwelling and for no other purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory standard of amenity space is provided for the future occupiers and adequate off street parking can be accommodated in accordance with the National Planning Policy Framework (NPPF), Development Management DPD policies DM1, DM8 and DM15, and SPD1 (Design and Townscape Guide).

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.

Informative

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)

**(h) West Leigh Ward**

**15/02109/FULH**

**Demolish existing garage, erect first floor extension to convert bungalow into two storey dwellinghouse, erect single storey rear extension, two storey front extension, formation of an access ramp and alter elevations.**

**195 Highlands Boulevard, Leigh-on-Sea**

**Mr Cahalane**

**RSP Design**

Planning Permission REFUSED for the following reason:

01 The proposed development, by virtue of the scale and appearance of the proposed extensions, would result in the dwelling being harmfully at odds with the character and appearance of the street-scene and the surrounding area to the detriment of visual amenity. The proposal is therefore contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policies DM1 and DM3 of DPD2 (Development Management) and the Council's Design and Townscape Guidance (SPD1)

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also

willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

**(i) Southchurch Ward**

**15/02131/FULH**

**Demolish existing garage, erect two storey side extension and rear extension, erect dormer to rear to form habitable accommodation in roof and alter elevations**

**10 Daines Way ,Thorpe Bay, Southend-on-Sea Essex, SS1 3PF**

**Mr And Mrs Patel**

**Starc-Architects**

Planning Permission GRANTED subject to the following conditions:

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: 021 PI-2.02; 021 PI-2.03; 021 PI-2.07; 021 PI-2.08 & 021 PI-2.09.

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1, and SPD1 (Design and Townscape Guide).

04 The rooflights in the north flank elevation shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed

units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM1, and SPD1 (Design and Townscape Guide).

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.

Informative

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

## **628 Enforcement of Planning Control**

The Committee received a report of the Corporate Director for Place which reported on alleged breaches of planning control.

### **(a) Chalkwell Ward**

**EN/15/00232/UNAU\_B**

**Without planning permission installed an external balcony and staircase  
6 Galton Road, Westcliff on Sea, Essex**

Resolved: That AUTHORISE ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised external balcony and associated staircase at the rear of the dwelling. This is because it causes loss of privacy through unmitigated overlooking of no.105 Crowstone Road to the detriment of their amenity contrary to the NPPF, Policy DM1 of the Development Management DPD, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three months compliance period is reasonable in these circumstances.

**(b) Leigh Ward**

**EN/15/00250/UNAU\_B**

**Without planning permission installed PVC framed windows to front elevation at ground floor level**

**14 Seaview Road, Leigh-on-Sea, Essex SS9 1AT**

Resolved: That AUTHORISE ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised windows at ground floor level in the front elevation. This is because of the detriment to the historic and visual character and amenities of the Conservation Area, contrary to the NPPF, Policies DM1 and DM5 of the Development Management DPD, Policies KP2 and CP4 of the Core Strategy and advice contained within the Design and Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three months compliance period is reasonable in these circumstances.

**629 Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**630 Modification of Section 106 Agreement - Heath House & Carby House**

The Committee received a report by the Corporate Director of Place, which the Chairman had agreed could be considered as an urgent additional item to enable a decision to be made at the earliest opportunity.

The report concerned application nos. 15/02019/S106BA and 15/02020/DOV regarding a proposal to modify the planning obligation (Section 106 agreement) dated 27th September 2007 pursuant to application 06/00598/FUL to reduce the provision of affordable housing on site and to re-align the slip road on to Victoria Avenue.

Resolved: That Corporate Director for Place, Head of Planning and Transport or Group Manager for Planning and Building Control be DELEGATED to GRANT A MODIFICATION TO THE PLANNING OBLIGATION dated 24/09/2007, pursuant to planning permission 06/00598/FUL allowed on appeal, to provide the following:

- 52 affordable housing units on site in Richmond Court (Carby House)
- Affordable housing contribution of £474,776
- Revised location of the slip road as part of the Victoria Avenue Improvement Works
- Removal of CCTV contribution
- Removal of CPZ contribution

**Chairman:** \_\_\_\_\_