

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

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

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

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

**Present:** Councillor F Waterworth (Chair)  
Councillors D Garston (Vice-Chair), M Assenheim, T Callaghan,  
F Evans, N Folkard, R Hadley, P Van Looy, M Butler, C Walker,  
B Arscott, M Borton, J Garston, D Norman MBE and N Ward\*  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** J K Williams, D Hermitage, C Galforg, J Rowley and T Row

**Start/End Time:** 2.00 - 3.00 pm

#### **206 Apologies for Absence**

Apologies for absence were received from Councillors Ayling (Substitute: Councillor Ward) and Councillors Jones and Mulroney (no substitutes).

#### **207 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Arscott – 16/00744/FUL and 16/00745/LBC – Herschell House, 87 Leigh Hill, Leigh on Sea – Non-pecuniary interest: Attends the same church as the applicant;

(b) Councillor Butler – 16/00302/FUL – 84 Queens Road, Southend on Sea – Disqualifying non-pecuniary interest: Member of the Licensing Sub Committee that considered the application for premises licence for this premises (withdrew);

(c) Councillors Fokard J Garston and D Garston - 16/00302/FUL – 84 Queens Road, Southend on Sea – Non-pecuniary interest: The owner of a business in the vicinity is a fellow Councillor and is well known to them;

(d) Councillor Folkard – 15/00258/UCOU\_B – 49 Milton Road, Westcliff on Sea – Non-pecuniary interest: The owner of a nearby business is known to him;

(e) Councillor Ward – 16/00744/FUL and 16/00745/LBC – Herschell House, 87 Leigh Hill, Leigh on Sea – Non-pecuniary interest: The applicant is known to him.

#### **208 Minutes of the Meeting held on 8th June 2016**

Resolved:-

That the Minutes of the meeting held on Wednesday 8<sup>th</sup> June 2016 be received, confirmed as a correct record and signed.

**209 Minutes of the Meeting held on 6th July 2016**

Resolved:-

That the Minutes of the meeting held on Wednesday 6<sup>th</sup> July 2016 be received, confirmed as a correct record and signed.

**210 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, a copy of which was tabled at the meeting.

**211 Report on Pre Meeting Site Visits**

**Leigh Ward**

**(1) 16/00744/FUL**

**Demolish existing single storey studio and erect single storey extension to west side, associated alterations to the western end of the listed building including change of fenestration to the south elevation and associated piling works**

**(2) 16/00745/LBC**

**Demolish existing single storey studio and erect single storey extension to west side, associated alterations to the western end of the listed building including change of fenestration to the south elevation and associated piling works. (Listed Building Consent)**

**Herschell House, 87 Leigh Hill, Leigh-on-Sea, Essex**

**Mr Graeme Newton**

**SKArchitects**

(1) PLANNING PERMISSION for 16/00744/FUL 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 and retained in accordance with the approved plans PO1, PO2A, PO3A, PO4, PO5, PO7, piling layout plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the Development Plan and to protect the special architectural character and historic interest of the listed building. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1, DM5 and DM14 and SPD1 (Design and Townscape Guide).

03 The proposed materials for the development shall be those noted on plans P05 and P07 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the historic character and appearance of the listed building and the wider Leigh Conservation Area in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policies DM1 and DM5 of the Development Management DPD and SPD1 Design and Townscape Guide.

04 The works to trees on the site shall be restricted to the felling of T5 (Whitebeam), T10 (willow) and T11 (eucalyptus). The remaining trees on the site shall be protected in line with the recommendations set out in Section 6 and Appendices 2 and 3 of the Arboricultural Report and the accompanying Tree Protection Plan.

Reason: To mitigate the impact of the development on the existing trees which make a positive contribution to the setting of the listed building and the wider Leigh Conservation Area in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policies DM1, DM5 and DM14 of the Development Management DPD and SPD1 Design and Townscape Guide.

(2) LISTED BUILDING CONSENT for 16/00745/LBC 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 and retained in accordance with the approved plans PO1, PO2A, PO3A, PO4, PO5, PO7, piling layout plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the Development Plan and to protect the special architectural character and historic interest of the listed building. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1, DM5 and DM14 and SPD1 (Design and Townscape Guide).

03 The proposed materials for the development and details relating to the integration with the listed building shall be those noted on plans P05 and P07 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the historic character and appearance of the listed building and the wider Leigh Conservation Area in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policies DM1, DM5 and DM14 of the Development Management DPD and SPD1 Design and Townscape Guide.

Informative

01 The applicant is advised that future works to the exterior and interior of the building may require Listed Building Consent and Planning Permission and should be checked with the Local Planning Authority prior to commencement. No works requiring consent shall be undertaken until the necessary consent have

been given in writing. Undertaking works without consent is an offence and may lead to prosecution.

02 The applicant is reminded that Building Regulations Approval is required and an application should be made prior to commencement of the works.

03 The applicant is advised that the installation of a hardstanding for the parking of vehicles within the garden area would require Listed Building Consent and given past discussions with Historic England is unlikely to be considered acceptable as it would have a detrimental impact on the setting of the listed building.

04 The applicant is 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.

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.

## **212 Reports on Main Plans List**

### **(a) Blenheim Park Ward**

**16/00674/BC3M**

**Erect single storey extension and link to main building**

**Blenheim Primary School & Children's Centre, School Way, Leigh-on-Sea, SS9 4HX**

**Southend Borough Council**

**Metson Architects Ltd.**

PLANNING PERMISSION GRANTED subject to the following conditions:

01. The development hereby permitted shall begin no later than 3 (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 including details of construction materials shall be carried out in accordance with the approved plans: TP-01, X-

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

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.

#### Informatives

01. You are advised that as the proposed extension(s) equate 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.

#### **(b) Milton Ward**

**16/00302/FUL**

**Change of use of ground and first floor from Shop (Class A1) to Bar (Class A4), install ventilation equipment to side and rear with extraction flue to roof, alter front and side elevations.**

**8-14 Queens Road, Southend on Sea, Essex SS1 1LU**

**New Inventive Bar Company Ltd**

**Firstplan**

01 The development hereby permitted shall begin not later than 3 (three) years from the date of this decision.

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

02 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number: 101G

Reason: To ensure the development is carried out in accordance with 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. The canopy shall be constructed in accordance with details of materials set out in the product overview from Suntech submitted on 15th July 2016. 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 DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

04 Prior to commencement of development sections through the first floor roof terrace and bar from east to west and north to south shall and details of the proposed canopies (including materials, manufacturer details) to be installed over the first floor open area, shall be submitted to and approved by the Local

Planning Authority, the canopies shall be installed as approved prior to operation of the premises for A4 use and permanently retained thereafter.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

05 Prior to commencement of the A4 use secure covered cycle parking shall be provided to serve the development in accordance with details which shall previously have been submitted to and approved by the Local Planning Authority. The cycle storage must be made available at all times to staff using the development and retained thereafter.

Reason To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, Development Management DPD Policy DM15 and SPD1 (Design and Townscape Guide)

06 Prior to commencement of the A4 use the proposed refuse stores shown on plan 1010F shall be provided. These stores must be clearly marked and made available at all times to everyone using the development. Waste must be stored inside the appropriate stores and waste only put outside just before it is to be collected. The stores must not be used for any other purpose.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policies KP2, CP3 and CP4, Development Management DPD Policies DM1 and DM15 and SPD1 (Design and Townscape Guide).

07 The use hereby permitted shall be carried on only by the applicant (Revolution Bars Ltd).

Reason: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises if The New Inventive Bar Company ceases to operate the premises to ensure protection of the amenities of surrounding occupiers and compliance with Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

08 The premises shall not be open for customers outside the following hours and all customers must be off the premises within 30 minutes of closure:

11am – 1am Sunday to Thursday,  
11am – 2am Friday and Saturday.

Reason: To protect residential amenity and general environmental quality in accordance with , DPD1 (Core Strategy) 2007 policy KP2 and Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide)

09 The rating level of noise for all plant (including but not exclusively the ventilation, refrigeration and air conditioning equipment) determined by the procedures in BS:4142:2014, should be at least 5dB(A) below the background noise with no tonal elements. The LA90 to be determined according to the

guidance in BS:4142 at 3.5m from ground floor facades and 1m from all facades above ground floor level to residential premises. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics. The equipment shall be maintained in good working order thereafter. The plant must not have distinctive tonal or impulsive characteristics.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

10 The rating level of noise for all activities taking place at the premises (including amplified and unamplified music and human voices) should be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

11 No music shall be played on the outside terrace at any time.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

12 Only background music shall be played within the internal first floor bar off the terrace and no music shall be played within this bar between 22:00 hours and 11:00hours.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

13 The canopies over the terrace area shall be closed to cover the terrace at 22:00hrs and shall remain closed until 02:00hrs or until any required ancillary work activities by staff in this area have been completed whichever is the latest time.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

14 The first floor terrace must be closed to customers by midnight on Sundays to Wednesdays, and by 1am and on Thursdays and by 2am on Fridays and Saturdays.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

15 Activities at the site shall not give rise to structure borne noise to any noise sensitive premises.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

16 The entrance lobbies shown on drawing 101 G must not be used for any activities associated with the Class A4 use. Tables and chairs must not be placed in it or customers allowed to stand there.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

17 All acoustic attenuation measures as set out within the Acoustic Report by ACA Acoustics ref 160409-002B and dated May 2016 shall be implemented before the development is occupied, including acoustic walls, secondary shopfront glazing and sound lobbies to entrance and fire exit doors.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

18 Customers must not be allowed to use the basement and areas notated on the approved plan as "office", "store" and "staff" at first floor and the second floor of the must not be used as part of the Class A4 use unless otherwise agreed in writing by the Local Planning Authority

Reason: To avoid intensification of the Class A4 use and prevent a use that could have an adverse effect upon the character, function and amenities of the area, (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

19 No vinyls/graphics shall be applied to the shopfront windows without prior written approval of the Local Planning Authority.

Reason: To prevent an inactive and 'dead' frontage which would be to the detriment of the street scene and in accordance with Policies KP2 and CP4 of the Core Strategy, Development Management DPD Policy DM13 and SPD1 (Design and Townscape Guide).

20 Prior to commencement of the A4 use of the premises, a Travel Plan must be submitted to and approved in writing by the local planning authority. The Travel Plan must include details of:

- (a) A comprehensive survey of all staff ;
- (b) Targets set in the Plan to reduce car journeys to the premises;
- (c) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the building is occupied for A4 use.
- (d) At the end of 3 months following first occupation of the premises for A4 use a travel survey/questionnaire shall be carried out for staff and customers/visitors, within 28 days of the survey the travel plan document must updated to take into account the results of the staff/customer/visitor survey and submitted to the Local Planning Authority for approval. Immediately following approval of the revised Travel Plan it must be implemented.

At the end of the first and third years of the life of the Travel Plan, reports monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, Development Management DPD Policy DM1 and DM15 and SPD1 (Design and Townscape Guide).

21. The first floor and first floor terrace shall be managed in strict accordance with the details set out in the "8-14 Queens Road Southend - Roof Top Management Plan, July 2016" submitted on 13th July 2016 and the premises as a whole shall be managed in accordance with the "Southend Management" document and "Licensing Policy Master" as amended and submitted by email on 2nd August 2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

#### Informatives

01 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property.

02 Compliance with this decision notice does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. Contact 01702 215005 for more information.

03 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG

04 For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from [www.DEFRA.Gov.UK](http://www.DEFRA.Gov.UK)

**(c) West Shoebury Ward**

**16/00820/FULH**

**Demolish existing garage, erect two storey rear and single storey side extension**

**85 Thorpedene Gardens, Shoeburyness, Southend-on-Sea, Essex, SS3 9JE**

**Mrs K Morgan**

**Mr David Grew**

Mrs Ferrari, a local resident, spoke as an objector to the application.

DEFERRED for a site visit.

**(d) Milton Ward**

**16/00871/FUL**

**Convert existing building into two flats, increase height of building, alter elevations, layout parking and amenity space (Amended Proposal).**

**Rear Of 120 Hamlet Court Road, Westcliff-on-Sea, Essex, SS0 7LP**

**Mr J. Lamb**

**APS Design Associates Ltd.**

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 shall be carried out in accordance with the approved plans: 01, 02 (Existing Plans), 02 (Proposed Plans) and 03

Reason: Reason: To ensure the development is carried out in accordance with the development plan.

03. No development shall take place until samples of the materials to be used on all the external elevations and on the external parking area 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: To safeguard character and appearance of surrounding area in accordance with policy DM1 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy

04. Notwithstanding the provisions of Classes A and B of Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), the building shall not be painted and no fences, walls or other forms of enclosure shall be erected at the site unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with policies DM1 and DM5 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy

05. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and the approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. These details shall include, for example:-

(i.) hard surfacing materials;

(ii.) this shall include details of details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

Reason: To safeguard character and appearance of surrounding area and the amenities of the occupants of the proposed development in accordance with policies DM1, DM3, DM5 and DM8 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.

06. Prior to the occupation of any of the dwellinghouses hereby approved, details of refuse collection storage facilities (including collection day arrangements) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided at the site prior to the first occupation of the dwelling.

Reason: To ensure that satisfactory refuse storage facilities are provided at the site in the interests of sustainability, amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, policies DM1 and DM8 of DPD2 (Development Management), and SPD1 (Design and Townscape Guide).

07. Prior to the first occupation of the dwellinghouses hereby approved, 3 parking spaces shall be provided as shown on Drawing No. 02 (Proposed Plans).

Reason: To ensure the adequate provision of parking at the site in accordance with policy DM15 of the Development Management DPD.

08. The dwelling hereby approved shall be built in accordance with Part M4(2) of the Building Regulations, as shown on the plans hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of dwellings that enable lifetime living, in accordance with policy DM8 of DPD2 (Development Management).

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.

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)

## **213 Enforcement of Planning Control**

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

### **(a) Shoeburyness Ward EN/15/00272/UNAU**

**Without planning permission installed a new shopfront and changed the use of a former dance studio to form a retail unit.  
22 High Street Shoeburyness**

Resolved:-

That NO FURTHER ACTION be taken in respect of this matter.

### **(b) Milton Ward 15/00258/UCOU\_B**

**Without planning permission change of use of building to House in Multiple Occupation (HMO) installation of windows, erection of porch and provision of soil pipe to South elevation.  
49 Milton Road, Westcliff-on-Sea, Essex.**

Resolved:-

That, there being no breach of planning control at present, NO FURTHER ACTION be taken in relation to the current use of the building and that enforcement action in relation to all other works be deferred to enable sufficient

time for a planning application to address these matters to be submitted and considered.

**(c) Shoeburyness Ward**

**EN/16/00093/UNAU\_B**

**Erected dwellinghouse and fence other than in accordance with Planning Permission**

**120 Eagle Way, Shoeburyness, Essex**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised fence at the west of the site. This is because of its poor appearance and siting not in accordance with the local character to the detriment of visual and residential amenity, contrary to Policy DM1 of the DM 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 one month compliance period is reasonable in these circumstances.

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