

# Leigh-on-Sea Town Council

71-73 Elm Road, Leigh-on-Sea, Essex SS9 ISP | Tel: 01702 716288 council@leighonseatowncouncil.gov.uk | www.leighonseatowncouncil.gov.uk **Chairman:** Cllr Doug Cracknell | **Vice Chairman:** Cllr Keith Evans **Town Clerk:** Helen Symmons *PSLCC* 



## MINUTES OF A MEETING PLANNING, HIGHWAYS & LICENSING COMMITTEE TUESDAY 5<sup>TH</sup> OCTOBER 2021 HELD AT LEIGH COMMUNITY CENTRE

Present: Cllrs: David Bowry, Doug Cracknell, Paul Gilson, Alan Hart, James Preston and Emma Mills

Absent: Cllrs: Vinice Cowell and Keith Evans

In Attendance: Helen Symmons (Town Clerk)

#### The meeting opened at 7.30pm

70. APOLOGIES FOR ABSENCE

Cllrs Vinice Cowell and Keith Evans

71. DECLARATION OF MEMBERS' INTERESTS

#### There were none

72. APPROVE MINUTES OF THE PREVIOUS MEETING

The minutes of 14th September 2021 were **AGREED** to have been an accurate record of the meeting and were signed by the Chairman.

#### 73. PUBLIC REPRESENTATIONS

There were none

74. LICENSING APPLICATIONS

Two applications had been considered under Standing Order 30a:

#### MAD DOGS & ENGLISHMEN INTERIOR LTD 1349 LONDON ROAD, LEIGH-ON-SEA, ESSEX, SS9 2AB Ref: 21/02011/LAPREM

Application to vary the Premises Licence to extend the Licensing activities and times as follows:

Recorded Music Late Night Refreshments Supply of Alcohol

Friday & Saturday 22:00hrs - 24:00hrs

The current licence is: -Sundays and Mondays - 12.00 (noon) to 20.00 hrs Tuesdays to Saturdays - 12.00 (noon) to 22.00 hrs

**OBJECTION** on the prevention of public nuisance, and the protection of children from harm.

- 1. By increasing the license by an additional 2 hours, it would lead to an increase in the noise disturbance to residents. With houses directly behind the premises as well as the surrounding areas the neighbours could be further disturbed, resulting in a public nuisance. No other premises in the area currently have a license this late.
- 2. A large number of customers attending the premises are parking in the surrounding residential streets. By extending the license by the additional 2 hours until 24.00 it will cause further noise disturbances to the nearby residents with customers leaving at midnight and returning to their vehicles, resulting in a public nuisance.
- 3. After the premises closes there will be some clean-up required, including disposing of bottles/glass in the external bins outside of the premises. Late at night this noise will carry and would again lead to noise disturbances to the neighbours, resulting in public nuisance.
- 4. The premises is located in a densely populated residential area, there is the potential for minors to see/hear any public disturbances caused by the patrons. Additionally, with the large number of residents in the area it is likely it would cause sleep disturbances to both children and adults in the area.

At the last licensing hearing (29th April 2021) the applicants gave assurances that that application would be the last if permissions were given. The main reason stated at the hearing for requiring the later license (until 22.00) would be to provide a glass of prosecco/cocktail with an afternoon tea. It was stated that they had no intentions of becoming a late-night venue or a pub as the final service of afternoon teas finished around 19:00 on a Saturday, which is why at that hearing the license was only required until 22.00.

There are inconsistencies now with the information provided by the applicants at that hearing and this current licensing application submitted.

The request for a later premises licence is out of keeping with the current establishment and is not necessary. A planning decision was made 14th May 2021 by Southend Borough Council which refused a change of use from a tea room and furniture store to a tea room and cocktail lounge and granting this license application would be in contravention of planning permissions currently in place.

## THE VINE 149 LEIGH ROAD, LEIGH-ON-SEA, ESSEX, SS9 1JF

Ref: 21/02010/LAPREM

Application to vary Premises Licence, to remove licence condition No.1 on the current Licence which states: All areas of the premises shall be operated predominately as a restaurant with a minimum of 50 covers. This condition will not apply on 12 occasions a year (no more than 2 in a calendar month) where a pre-booked event is to take place and where the police licensing team and the licensing authority have been provided with at least two working days' notice of the event.

**OBJECTION** on the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

- 1. The current conditions require patrons to be seated, by removing this condition and essentially turning the premises into a bar could result in overcrowding of the space, so with more people on the premises there is the potential for anti-social behaviour, resulting in crime and disorder and public safety.
- 2. By no longer operating predominately as a restaurant it would lead to an increase in the noise disturbance to residents, with houses directly behind the premises as well as the surrounding areas the neighbours could be further disturbed, resulting in a public nuisance.
- 3. With a larger floor space available, it is likely more patrons will visit the premises from out of the area, resulting in taxis and people gathering outside in large groups, causing further noise disturbance to the local residents.
- 4. The premises is located in a densely populated residential area, there is the potential for minors to see/hear any public disturbances caused by the patrons. Additionally, with the large number of residents in the area it is likely it would cause sleep disturbances to both children and adults in the area.

By removing the licensing condition 1 we believe it will have a negative impact on the surrounding community to the detriment of the neighbourhood turning it from a restaurant to a bar essentially.

#### **PLANNING SECTION 1**

#### APPLICATIONS WHERE MEMBERS OF THE PUBLIC ATTEND AND REQUEST TO BE HEARD.

There were none

#### **SECTION 2**

#### APPLICATIONS OF A CONTROVERSIAL NATURE OR WITH IMPLICATIONS FOR LEIGH AS A WHOLE; LARGE SCALE DEVELOPMENTS OR THOSE AFFECTING THE PUBLIC REALM.

There were none

### PLANNING SECTION 3

APPLICATIONS WHERE THE COUNCIL HAS RECEIVED OBJECTIONS FROM THE PUBLIC OR THAT HAVE BEEN "CALLED IN" BY A COUNCILLOR FOR CONSIDERATION.

75. LOS/21/0289 SOS/21/01480/FULH 20 CANVEY ROAD, LEIGH-ON-SEA, ESSEX, SS9 2NN Install timber gate and side panel to side. (THAMES WARD)

An objection was received from a member of public and following discussion the Committee **RESOLVED TO OBJECT** to the application as the proposed gate and side panel is not in keeping with the conservation area status of the Chapmanslord Estate and will have a negative impact on the street scene and the conservation area as a whole. No arts and craft feature is prevalent no has the applicant evidenced the alteration. It is therefore in contravention of Policy DM5 of the Development Management Document (July 2015).

#### 76. LOS/21/0293 SOS/21/01846/BC4 (ST CLEMENTS WARD) BILLET WHARF HIGH STREET, LEIGH-ON-SEA, ESSEX, SS9 2ER Use public amenity space adjacent to existing seating area to Osbourn bros cafe to provide additional external seating area with associated boundary treatment and alterations to pedestrian access.

Following discussion, the Committee **RESOLVED TO OBJECT** to the application as the proposal is of an overbearing nature to the detriment of the public visual amenity. The additional external seating is out of keeping with the current public amenity space and will set a precedent for businesses to take over public land for private gain. By using this area for external seating, it will significantly reduce the area available to the public. Additionally, this area is already a choke point for pedestrians accessing the Old Town and by removing a large part of the public area this will only get worse.

This proposal does not add to the overall quality of the area or respect the character of the site, its local context and surroundings. Additionally, it does not protect the amenity of the site. We can see from the plans that 5 of the public benches will be repositioned, however there are currently 7 benches in this area, which are all in use as this public area is heavily used and a popular stop for many visitors to the Old Town.

Whilst the proposal would enhance the leisure and tourism in the Old Town, Leigh Old Town is a working port and this proposal would compromise the character of Leigh Old Town and unbalance the economic representation. Furthermore, it will not preserve and enhance the special character of Leigh Old Town Conservation Area especially as the application plans to incorporate public features in their proposed private area. Therefore, this application is in contravention of policies DM1, DM5 and DM6 of the Development Management Document (2015).

Cllr Gilson requested a recorded vote which was as follows: Vote to object: Cllrs Bowry, Cracknell, Hart, Preston and Mills Abstention: Cllr Gilson

### 77. LOS/21/0294 SOS/21/01847/BC4 (ST CLEMENTS WARD) BILLET WHARF HIGH STREET, LEIGH-ON-SEA, ESSEX, SS9 2ER

Erect glazed steel frame extension to western side of original cockle shed to provide front counter space and indoor seating area.

Following discussion, the Committee **RESOLVED TO OBJECT** as the application is our of keeping with the Leigh Conservation area and does not add to the overall quality of the are and respect the character of the site, its local context and surroundings. The glazed steel frame extension will have a negative impact on a strategic place like the Old Town. The Committee were not against the principle of enabling this business to expand in the existing space but would welcome an alternative design and style more traditional to the street scene.

Therefore, this application is in contravention of policies DM1, DM3 and DM5 of the Development Management Document (2015).

#### 78. LOS/21/0296 SOS/21/01854/FULH 43 ST CLEMENT'S DRIVE, LEIGH-ON-SEA, ESSEX, SS9 3BJ

Raise ridge height, erect roof extensions, dormer to front and convert loft in to habitable accommodation in roofspace, erect two storey rear/side infill extension, single storey extension to rear of existing garage, install balcony to rear, alter elevations (amended proposal)

(BONCHURCH WARD)

(ST CLEMENTS WARD)

Following discussion, the Committee **RESOLVED TO OBJECT** as the proposed development would be overbearing and would not make a positive contribution to the character of the original building and the surrounding area. There would be an unacceptable juxtaposition within the street scene that would harm the character and appearance of the area. The application does not protect immediate neighbours with regards to privacy and the scale proposed is not respectful and subservient to that of the original building.

Therefore, this application is contravention of policy DM1 and DM3 of the Development Management Document (2015).

#### 79. LOS/21/0302 SOS/21/01791/FUL (ST CLEMENTS WARD) FOOTPATH OUTSIDE PEPPERMINT 53A BROADWAY, LEIGH-ON-SEA, ESSEX Install new BT street hub.

Following discussion, the Committee **RESOLVED TO OBJECT** as whilst the concept of the BT Hub may be seen as beneficial by some, the proposed location is un-acceptable as it has narrow pavements and with the seating outside Hippo's and the Gourmet Deli Co, as well as the column for the street light it could be difficult to safely negotiate a buggy or wheelchair at busy times.

This modern infrastructure would be out of keeping with the local street scene and the Broadway is not a suitable location. Additionally, the proposal will have a negative impact on surrounding residential properties with the large amount of light pollution caused by the hub's constantly changing advertising images.

Broadway Leigh is a busy throroughfare for both pedestrians and highway traffic and the Committee believe the sight of a BT Hub will be a highway distraction and have implications for street safety. The impact on the street scene for a piece of technical equipment that will no doubt rapidly go out of date is not sufficient enough to warrant implementation.

#### 80. LOS/21/0300 SOS/21/01862/FULH <u>8 NORTH STREET, LEIGH-ON-SEA, ESSEX, SS9 1QE</u> Erect single storey side/rear extension (amended proposal)

A letter of objection was received from a member of public and following discussion, the Committee **RESOLVED TO OBJECT** as the proposed development would result in harm to the amenity of the occupiers of No. 9 North Street by way of a harmful loss of outlook and increased sense of enclosure due to its depth and its position in relation to the shared boundary and proximity to main habitable room windows.

This is unacceptable and contrary to the National Planning Policy Framework (2019) Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained with the Design and Townscape Guide (2009)

#### 81. LOS/21/0304 SOS/21/01905/FUL (LEIGH ROAD WARD) 34 UNDERCLIFF GARDENS, LEIGH-ON-SEA, ESSEX, SS9 1EA

Erect 2no. Self-contained dwellinghouses to the rear of 34 and 36 undercliff gardens.

Following discussion, the Committee RESOLVED TO OBJECT as this proposal is considered backland/infill development and a complete overdevelopment of the area which would set an unwanted precedence. In view of where the property is situated it would harm the character and appearance of the wider area. It is an incongruous addition that is out of keeping with the area and rear garden scene. It does not respond positively to the local character and will not successfully integrate itself in a positive relationship with the surroundings, which is therefore contrary to policy DM3

#### 82. LOS/21/0305 SOS/21/01805/ADV (ST CLEMENTS WARD) FOOTPATH OUTSIDE HALTONS 109 LEIGH ROAD, LEIGH-ON-SEA

Install 2no. internally illuminated digital LCD display screens, one on each side of the BT street hub.

Following discussion, the Committee RESOLVED TO OBJECT as whilst the concept of the BT Hub may be seen as beneficial by some, the proposed location is un-acceptable as Leigh Road has narrow pavements and navigating the hub would have accessibility issues for pedestrians.

This modern infrastructure would be out of keeping with the local street scene and Leigh Road is not a suitable location. Additionally, the proposal will have a negative impact on surrounding residential properties with the large amount of light pollution caused by the hub's constantly changing advertising images.

Leigh Road is a busy throroughfare for both pedestrians and highway traffic and the Committee believe the sight of a BT Hub will be a highway distraction and have implications for street safety. The impact on the street scene for a piece of technical equipment that will no doubt rapidly go out of date is not sufficient enough to warrant implementation

83. LOS/21/0308

SOS/21/01891/FULH 12 WOODLANDS PARK, LEIGH-ON-SEA, ESSEX, SS9 3TY

#### (HIGHLANDS WARD)

Erect roof extension, erect two storey front extension, erect part single/part two storey side and rear extension, dormer to rear, alter elevations, install vehicular access onto woodlands park to form in and out driveway, install patio to rear.

Following discussion, the Committee RESOLVED TO OBJECT as the proposed roof extension and two storey front extension would by reason of its size, scale and form will appear as an overly dominant and incongruous addition that is out of keeping with and detrimental to the character appearance of the original dwelling and street scene in the immediate area. Additionally, it would fail to integrate satisfactorily with the host dwelling. It certainly does not respond positively to local character and will not successfully integrate itself in a positive relationship with the surroundings.

The proposal remains in contravention to the National Planning Policy Framework, Polices KP2 and CP4 of the Southend-on-Sea Core strategy (2007), policies DM1, DM3 and DM6 of the Southendon- Sea Development Management document (2015), and the advice contained within the Southend-on- Sea Design and Townscape guide (2009).

#### 84. LOS/21/0309 SOS/21/01892/TPO 1 CHURCH HILL, LEIGH-ON-SEA, ESSEX, SS9 2DE

Excavate using an airspade, a 500mm x 500mm concrete pad to support adjustable metal post with cupped support and rubber cushion to offer extra support to low scaffold limb to minimise damage to coping stones on adjacent building, crown clean by removing major deadwood and

thinning end weight on low scaffold limbs - to one cedar tree at rear (application for works to trees covered by a tree preservation order)

## (ST CLEMENTS WARD)

Following discussion, the Committee **RESOLVED NO OBJECTION**.

#### 85. LOS/21/0312

SOS/21/01945/AMDT

(ST CLEMENTS WARD)

52 HIGH STREET LEIGH-ON-SEA ESSEX SS9 2EP Application to remove condition 14 to allow for outside seating on the public highway (minor material amendment of planning permission 17/02280/ful dated 04/04/2017)

Following discussion, the Committee **RESOLVED TO OBJECT** as condition 14 should remain and no tables, chairs or other furniture should be allowed to be placed on the area at ground floor level to the front of the premises. This is to protect the amenity for the safe and efficient use of the adjacent public highway including the safe and convenient movement of pedestrians in accordance with policies KP2 and CP3 of the Core Strategy and Policies DM1 and DM15 of the Development Management Document. Leigh Old Town is a working port and with large heavy goods vehicles driving through at any time and visitor safety should be paramount.

It is disappointing to note that once again an applicant has already ignored the condition as evidenced by photographs taken 5<sup>th</sup> October 2021. Furthermore, it should be noted that the neighbours who do not have this condition in place are able to have seating in their area as the premises is slightly set further back than the applicant's property as they already have external seating on a terrace which protrudes from the building.



86. The Committee had **NO OBJECTION** to the following applications:

- LOS/21/0290 SOS/21/01785/FULH (THAMES WARD)
  <u>49 TATTERSALL GARDENS, LEIGH-ON-SEA, ESSEX, SS9 2QS</u> Erect hip to gable roof extension, dormer to rear with juliette balcony to form habitable accommodation in roof space, erect single storey side and rear extension, install balcony to rear at first floor, alter elevations.
- LOS/21/0291 SOS/21/01824/FULH (HIGHLANDS WARD)
  <u>92 VARDON DRIVE, LEIGH-ON-SEA, ESSEX SS9 3SQ</u> Hip to gable roof extension, dormers to front and rear to form habitable accommodation in roof space, alter elevations.
- LOS/21/0292 SOS/21/01841/FULH (BONCHURCH WARD)
  <u>51 ST CLEMENT'S AVENUE, LEIGH-ON-SEA, ESSEX, SS9 3BL</u>
  Erect single storey rear extension (amended proposal)
- LOS/21/0295 SOS/21/01863/TPO (HIGHLANDS WARD) <u>15 FAIRVIEW GARDENS, LEIGH-ON-SEA, ESSEX, SS9 3PD</u> Semi-pollard - 50% to one oak tree (application for works to trees subject to a tree preservation order)
- LOS/21/0297 SOS/21/01775/FULH (THAMES WARD)
  <u>18 COTTESMORE GARDENS, LEIGH-ON-SEA, ESSEX, SS9 2TG</u>
  Erect single storey rear extension, raised patio to rear, alter elevations.

- LOS/21/0298 SOS/21/01823/FULH 114 MARINE PARADE, LEIGH-ON-SEA ESSEX SS9 2RH Erect single storey rear extension, alter raised terrace to rear.
- LOS/21/0299 SOS/21/01829/FUL 66A BROADWAY, LEIGH-ON-SEA, ESSEX, SS9 1AE Erect dormer to rear with juliette balcony, alter elevations.
- LOS/21/0301 SOS/21/01888/FULH (HIGHLANDS WARD) 38 BUXTON AVENUE, LEIGH-ON-SEA, ESSEX, SS9 3UB Erect part single/part two storey side and rear extensions, install canopy porch to front, balcony to rear, alter elevations.
- LOS/21/0302 SOS/21/01791/FUL (ST CLEMENTS WARD) FOOTPATH OUTSIDE PEPPERMINT 53A BROADWAY, LEIGH-ON-SEA, ESSEX Install new BT street hub.
- LOS/21/0303 SOS/21/01561/FULH (HIGHLANDS WARD) 7 ST DAVIDS DRIVE, LEIGH-ON-SEA, ESSEX, SS9 3RQ Erect single storey rear and side extension, raised platform to the rear and alter elevations.
- LOS/21/0306 SOS/21/01855/FULH 62 THAMES DRIVE, LEIGH-ON-SEA ESSEX, SS9 2XD Extend existing vehicle access onto Thames Drive
- LOS/21/0307 SOS/21/01931/AMDT (ST CLEMENTS WARD) CLUB ONE HUNDRED 43 - 45 RECTORY GROVE, LEIGH-ON-SEA, ESSEX, SS9 2HA Application to vary condition 03 (opening times) to extend opening hours to: 06:00 to 21:00 mondays to fridays, 06:00 to 21:00 on saturdays and 0900 to 12 noon on sundays and bank holidays - (minor material amendment to planning application 10/00343/ful dated 26/04/2020
- LOS/21/0310 SOS/21/01924/FUL (LEIGH ROAD WARD) ST CECILIAS CHRISTIAN SPIRITUALIST CHURCH 9 LORD ROBERTS AVENUE, LEIGH-ON-SEA, ESSEX, SS9 1ND Erect single storey infill extension and raise floor of existing toilets to allow for disabled access, replace roof of existing toilet and link with flat roof.
- LOS/21/0311 SOS/21/01944/FULH 7 OLIVE AVENUE, LEIGH-ON-SEA, ESSEX, SS9 3PR Erect single storey rear extension, first floor side extension (amended proposal)
- SOS/21/01945/AMDT LOS/21/0312 (ST CLEMENTS WARD) 52 HIGH STREET LEIGH-ON-SEA ESSEX SS9 2EP Application to remove condition 14 to allow for outside seating on the public highway (minor material amendment of planning permission 17/02280/ful dated 04/04/2017)

The meeting closed at 8.07 pm

(THAMES WARD)

(ST CLEMENTS WARD)

(HIGHLANDS WARD)

(THAMES WARD)