



# Leigh-on-Sea Town Council

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Chairman: Cllr Jill Healey  
Vice-Chairman: Cllr Vivien Rosier  
Town Clerk: Helen Symmons PLSCC

MINUTES OF A MEETING PLANNING, HIGHWAYS & LICENSING COMMITTEE  
TUESDAY 24<sup>th</sup> SEPTEMBER 2019  
LEIGH COMMUNITY CENTRE, 71-73 ELM ROAD, LEIGH-ON-SEA

Present: Cllrs: Jill Healey (Chairman), Doug Cracknell, Paul Gilson, Caroline Parker and Vivien Rosier

In Attendance: Abbie Cotterell (Assistant Proper Officer)

***The meeting opened at 7.30pm***

67. APOLOGIES FOR ABSENCE

Anita Forde and Damian O'Boyle

68. DECLARATION OF MEMBERS' INTERESTS

Cllr P Gilson declared a non-pecuniary interest in item 5J (Leigh Port, High Street) as he regularly uses the creek.

69. APPROVE MINUTES OF THE PREVIOUS MEETING

The minutes of 3<sup>rd</sup> September 2019 were agreed and signed.

70. GOVERNMENT CONSULTATION QUESTIONS

The Chairman advised that NALC would be responding to the following questions and would like the sector's views.

Question 1.1: If these in principle proposals (set out in Questions 2 to 5) were taken forward, what impact would they have on meeting the Government's ambitions in relation to mobile coverage including addressing 'total not-spots' and 'partial not-spots'?

Question 3.1: Do you agree with the principle of amending permitted development rights to allow an increase in the width of existing ground-based masts by more than one third, to support 5G deployment and encourage greater utilisation of existing sites?

Question 5.1: Do you agree in principle with amending permitted development rights to increase the height of new masts, subject to prior approval?

The Committee discussed the questions in great detail and RESOLVED the following answers:

Question 1.1: It was felt the answer is unknown at this stage.

Question 3.1: No

Question 5.1: No

**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.**

71. LOS/19/0295 SOS/19/01569/FULH (ST. CLEMENT'S WARD)  
[88 PALL MALL, LEIGH ON SEA, ESSEX SS9 1RG](#)

Demolish existing gym (Class D2) and erect three storey building comprising six self-contained flats with associated off-street car parking, refuse/ cycle stores and extend vehicle access onto Pall Mall (Amended Proposal) (Part-Retrospective)

The application was discussed by the Committee and **RESOLVED TO OBJECT**. The Town Council considers the naturally occurring gaps between buildings to be an important part of the street scene. A further large three storey building filling in this location will contribute to the sensation of being hemmed in and a general overdevelopment. This is contrary to Policy DM3 in that it will adversely impact upon the amenity of neighbouring residents, giving a sense of enclosure. Additionally it will harm the character and appearance of the wider area.

72. LOS/19/0296 SOS/19/01454/FULH (HERSCHELL WARD)  
[8A SALISBURY ROAD, LEIGH ON SEA, ESSEX SS9 2JX](#)

Part demolish existing garage and erect dwelling- house with associated landscaping and parking

The application was discussed by the Committee and **RESOLVED TO OBJECT**, as members consider this application to be in contravention to policy DM1 and DM3. It is infill development, which is an overdevelopment of the site. The application does not positively contribute to the space between buildings. Furthermore, the proposal will have an effect on the existing flats, as their overall amenity space will be reduced.

***Cllr P Gilson left the meeting***

73. LOS/19/0304 SOS/19/01642/RSE (ST. CLEMENT'S WARD)  
[LEIGH PORT, HIGH STREET, LEIGH ON SEA, ESSEX SS9 2EB](#)

Dredging of Leigh Port's channel from Belton Way small craft club downstream along lower Leigh creek to ray gut at the confluence with Hadleigh ray to improve access, construct 250M of sheet piled wall in front of existing quay wall and resurface works to improve drainage and operability across Leigh Port (Request for Screening Opinion)

The application was discussed by the Committee and **RESOLVED** that Leigh-on-Sea Town Council would like to see a full Environmental Impact Assessment before any decision is made.

***Cllr P Gilson re-joined the meeting***

74. LOS/19/0305 SOS/19/01359/FUL (ST. CLEMENT'S WARD)  
[SEA-KING BOAT BUILDERS LTD, 8a HIGH STREET, LEIGH ON SEA, ESSEX SS9 2EN](#)

Change of use from storage (Class B8) to ice-cream parlour (Class Sui Generis), layout external seating area and alter elevations

***The Chairman advised the committee that we would need to provide 2 responses to this application. 1 as a statutory consultee on planning and 2 as a neighbour. The Town Council is the lease holder for Strand Wharf.***

***Statutory Consultee:***

The application was discussed by the Committee and **RESOLVED TO OBJECT** as it was felt that this was not a suitable location for an ice-cream parlour. There were some Health & Safety concerns with the serving hatch being so close to the edge of the Wharf.

The proposed design is out of keeping with the conservation area and would be detrimental to the character and appearance of the host property and the area more widely. The proposal is therefore contrary to policies DM1 and DM3 of the Development Management Document.

***As Strand Wharf Lease Holder:***

The Chairman explained to members that Leigh Town Council has a 125 year lease on Strand Wharf, defined in the lease as 'all that ancient highway and premises known as Strand Wharf. The Chairman outlined the details of our lease to the Committee.

The application was discussed by the Committee and **RESOLVED TO OBJECT** for the following reasons.

Strand Wharf is a public open space but up to 15 special events may be held on the Wharf in any calendar year, therefore the change of use will have a detrimental effect to this lease clause and provision of events annually if using the area defined for tables and chairs.

The change of use affects our lease. If the lease clauses for Plumbs Yard are similar with regards to nuisance annoyance etc. then the application may be in contravention of the applicants lease.

In Leigh Town Council's lease we are not to do (or permit or suffer to remain upon Strand Wharf) anything which may be or become or cause a nuisance annoyance disturbance inconvenience injury or damage to the Landlord or its Tenants or the occupiers of adjacent or neighbouring premises.

Not to carry on Strand Wharf any activity likely to cause damage to Strand Wharf or any adjoining property.

The site plan we believe is inaccurate with the applicant encroaching on to both our lease land and the land shown brown. The parking bays in our lease are specifically attached to 3 Plumbs Yard and not the application address. The change of use potentially brings with it considerable unloading of vehicles serving its premises and on a public wharf.

Leigh Town Council as the lessees of Strand Wharf does not need an Ice Cream Parlour to serve it which is the stated proposal in the design and access heritage statement. The wharf according to our lease as well as being a public wharf is also a part working wharf and permits the use of cranes by tenant licenses or occupiers of Plumbs Yard for the loading unloading fuelling and servicing of boats on Strand Wharf. There would therefore be a serious conflict with the users of Strand Wharf if the change of use was permitted and again our lease would be affected.

There are already sufficient tourist facilities in the Old Town with ice cream provision by two other businesses within a 'stone's throw' of Strand Wharf and a further two establishments very close by. The proposed tables and chairs would be on an area which according to our lease was negotiated specifically for parking. These negotiations held up our lease for a significant number of years. If the applicant wishes to forsake these parking spaces then negotiations will need to take place with both the Landlord and Leigh Town Council.

The change of use would have implications for the wharf with regard to waste and mess on a regular basis with no provision established in the design and access statement. Additionally with no clear boundary defined, how long would it be before the tables and chairs encroached further on to the Wharf area managed by LTC.

