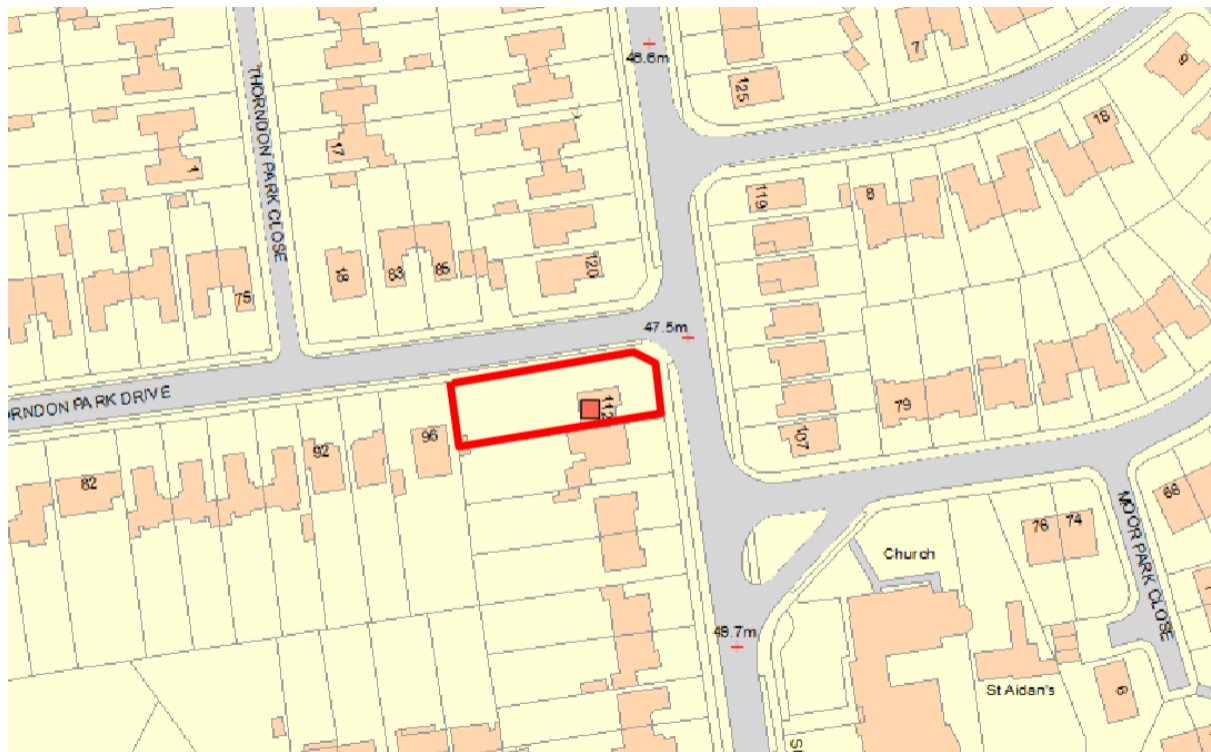


|                             |   |  |
|-----------------------------|---|--|
| <b>Reference:</b>           | 18/01749/FUL  |  |
| <b>Ward:</b>                | Belfairs  |  |
| <b>Proposal:</b>            | Erect chalet bungalow on land rear of 112 The Fairway, with dormer to front, layout parking to front, install bin and cycle stores and install vehicular access onto Thorndon Park Drive for 112 The Fairway. |  |
| <b>Address:</b>             | 112 The Fairway, Leigh-On-Sea, Essex  |  |
| <b>Applicant:</b>           | Joe Albert  |  |
| <b>Agent:</b>               | DK Building Designs Ltd   |  |
| <b>Consultation Expiry:</b> | 15.11.2018  |  |
| <b>Expiry Date:</b>         | 14.01.2019  |  |
| <b>Case Officer:</b>        | Kara Elliott  |  |
| <b>Plan No:</b>             | 3433-08/B 1/2, 3433-08/C 2/2  |  |
| <b>Recommendation:</b>      | <b>GRANT PLANNING PERMISSION</b>  |  |

#



## 1 The Proposal

- 1.1 Planning permission is sought to erect a one and a half storey, two bedroom dwelling fronting Thorndon Park Drive. The dwelling would have an overall depth of approximately 7.9 metres, an overall width of 10 metres and an overall height of 5.65 metres from ground level.
- 1.2 The dwelling would have a large half-hipped roof with a single pitched roof dormer central to the front roof slope. Two rooflights are proposed to the rear roof slope. The front curtilage of the dwelling would have two parking spaces and a landscaped amenity area. An additional amenity area is proposed to the side (east). Whilst the floorplan denotes a study, for planning purposes this is counted as a bedroom due to its ease of use as such.
- 1.3 Planning permission (reference 15/00311/FUL) was refused and subsequently allowed at appeal on 16<sup>th</sup> February 2016 for a dwelling at the site. The extant permission is for a dwelling sited in the same position as that of the proposed dwelling, measuring 9.8m wide x 7.75m deep x 6.65m high. The dwelling granted permission has a hipped main roof with dormers to the front and side. As per the proposed development, the space to the front of the dwelling for the extant permission contains parking for two vehicles and a landscaped amenity area. An additional amenity area was also proposed to the side (east).
- 1.4 The proposed dwelling would be sited in the same position as the previously approved application, approximately 6.3 metres from the front boundary. Below are the differences from the current application and the previously refused application;

|   | <b>15/00311/FUL<br/>(extant)</b> | <b>18/01749/FUL<br/>(current)</b> |
|---|----------------------------------|-----------------------------------|
| Depth                                       | 7.75m                            | 7.9m                              |
| Height                                      | 6.65m                            | 5.8m                              |
| Width                                       | 9.8m                             | 10m                               |
| Gross internal floor area (m <sup>2</sup> ) | 96sqm                            | 99sqm                             |
| No. of bedrooms                             | 2                                | 2                                 |
| Bedroom 1 (m <sup>2</sup> )                 | 33                               | 37.4                              |
| Bedroom 2 (m <sup>2</sup> )                 | 10                               | 10                                |
| Amenity space (m <sup>2</sup> )             | 62                               | 106                               |

- 1.5 Materials to be used on the external elevations of the dwelling include white render and a brick dwarf wall for the external walls, roof tiles and white uPVC windows and doors. The driveway would be block-paved and the site bounded at the east, south and west by a 1.8 metre high close-boarded fence.
- 1.6 Councillor S Aylen has requested the application be decided by the Development Control Committee.

## **2 Site and Surroundings**

- 2.1 The application site is located behind No. 112 The Fairway (the host property) and adjacent No. 96 Thorndon Park Drive. At present it is part of the curtilage of No. 112 The Fairway (although separated from main dwelling by a brick wall and gate). Prior to its demolition, a single storey garage/studio with a hardstanding parking area to the front was located on site. Part of the building on site was previously used as a foot clinic. A single width crossover serves the site and there are two off street parking spaces.

The site is located within a residential area. Dwellings on Thorndon Park Drive are generally detached or semi-detached and bungalows or chalet bungalows. There is a general uniformity of building line, roof form and elevational treatment. Parking is unrestricted on Thorndon Park Drive. Land levels on the site rise gently to the south.

## **3 Planning Considerations**

- 3.1 The main issues for consideration are the principle of the development, design and impact on the streetscene, any impact on neighbours, standard of accommodation for future occupiers, highways and parking implications, sustainable development, CIL contributions, history and whether any new material considerations would lead to a different conclusion.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2, CP1, CP4 and CP8; Development Management Document (2015) Policies DM1, DM3, DM11 and guidance contained within The Design & Townscape Guide (2009)**

- 4.1 Policy DM3 of the Development Management Document (2015) states that the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner responding positively to the local context and not leading to over-intensification. Any infill development will be resisted if it creates a detrimental impact on the living conditions and amenity of existing and future residents or neighbouring residents, conflict with the character or grain of the local area, result in a contrived and unusable garden space for existing and proposed dwellings or result in the loss of local ecological assets.
- 4.2 Section 5.3 of the Design and Townscape Guide deals with infill development and it is stated;

*“The size of the site together with an analysis of local character and grain will determine whether these sites are suitable for development.*

*In some cases the site may be too small or narrow to accommodate a completely new dwelling (including useable amenity space and parking) and trying to squeeze a house onto the site would significantly compromise*

*its design quality and be detrimental to neighbouring properties and local character. Unless an exceptional design solution can be found, infill development will be considered acceptable.”*

4.3 At the time of allowing the appeal in 2016, the Inspector concluded that;

*“Although the proposed dwelling would be positioned further forward than No. 96, and thus the main building line of Thorndon Park Drive, when approaching from the junction with The Fairway, the proposed dwelling would be the first property in the row of dwellings which front onto Thorndon Park Drive. Furthermore, the side elevation of No. 112 is set close to its side boundary with the footway and its side garden is enclosed by a fence which is approximately 2 metres high. These features, in conjunction with the proposed development would give a stepped approach to the building line which would provide a gradual transition between the properties. Therefore, the front elevation of the proposed dwelling projecting forward of the prevailing Thorndon Park Drive building line would accord with the street scene and would not appear out of place or unduly prominent when viewed from any direction.”*

4.4 It was also considered that the development would not reduce the rear garden for the host dwelling, 112 The Fairway, to an inadequate size for a family dwelling. This is in accordance with paragraph 122 of the National Planning Policy Framework (NPPF) (2018) which states that decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area’s prevailing character and setting, including residential gardens.

4.5 It is considered that in light of the above and as the proposed development would be sited in the same position as that of the extant permission and is similar in terms of size, scale, height and bulk, no objection is raised in relation to the principle of the development. Additionally, it is acknowledged that the application site benefits from an extant permission for one dwelling on site. There are no new material considerations since the granting of planning permission which alter this conclusion.

4.6 The determining factors are the following material considerations discussed below.

### **Design and Impact on the Streetscene**

**National Planning Policy Framework 2018, Core Strategy (2007) Policies KP2 and CP4, Development Management (2015) policies DM1, DM3 and the Design and Townscape Guide (2009).**

4.7 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide (2009) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*

- 4.8 *Paragraph 124 of the NPPF (2018) states that; “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 4.9 Policy KP2 of the Core Strategy requires all new developments respect the character and scale of the existing neighbourhood where appropriate. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.
- 4.10 Policy DM1 of the Development Management Document states that all development should; *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.11 Thorndon Park Drive is characterised by detached and semi-detached traditional bungalows with projecting bay windows and hipped roofs. A number of dwellings have accommodation in the roofspace. Properties on the southern side in particular are built on an elevated ground level noticeably above pavement level. The Inspector for the extant permission stated that there are many single storey dwellings on Thorndon Park Drive, but there are also other 1.5 storey properties. Furthermore, the proposed bay windows to the front of the dwelling and the hipped roof would match the characteristics of other properties in the area.
- 4.12 The main difference between the proposed development and the extant permission is the use of a half hip roof as opposed to a full hip, creating greater bulk due to the change from half hips to the roof. This increases the head height within the first floor bedroom.
- 4.13 It is noted in the streetscene that the prevailing character is of one or one and a half storey dwellings with top-heavy roofs which are the dominant feature of the properties. In particular, the two dwellings 92 and 94 Thorndon Park Drive which are located one dwelling away from the application site to the west have especially large roof forms, with front pitched roofs with front dormers.
- 4.14 Whilst the proposed dwelling, due to the changes in the roof design from the extant permission, would appear relatively wide and bulky, it is of limited height and size overall. The symmetrical arrangement of fenestration is compatible with that of surrounding dwellings. It is considered that on balance and taking into account the extant permission, the proposed development would not result in material harm to the character and appearance of the site or the wider area.
- 4.15 The proposed development satisfies the policies detailed above in relation to character and appearance on balance.

## Impact on Neighbouring Occupiers

**National Planning Policy Framework (2018), Policies KP2 and CP4 of the Core Strategy (2007), Development Management (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).**

- 4.16 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.
- 4.17 At the time of the previous application (15/0311/FUL) it was considered that the proposed dwelling would not result in adverse overshadowing given the orientation of the site and separation distances to neighbouring properties to the north. In relation to overlooking, the main windows serving the first floor (bathroom, now bedroom) would be on the north roofslope and overlook the highway and therefore no issue was raised. This also applies to the current development. Two rooflights are proposed on the southern (rear) roof slope. These are minor openings which are located to the east of the rear roof slope and would not result in demonstrable harm to the amenities of the neighbouring occupiers, in particular to the ground and first floor windows at 96 Thorndon Park Drive which are not orientated or adjacent to clear views into the rooflights or any other openings of the proposed dwelling. Due to the positioning of the windows below 1.7 metres, it is considered that it is necessary for these rooflights to be obscure glazed in order to safeguard the amenities of adjacent residential occupiers.
- 4.18 The dwelling would be sited in the same position as the extant permission, approximately 6.3 metres from the front boundary. Furthermore, although the development is set 2m in front of the adjacent property no. 96 it is not considered the proposed dwelling would be overbearing or result in a materially dominant impact to the existing occupiers of no. 96 Thorndon Park Drive. In particular, the side dormer and ground floor window for 96 is set behind that of the siting of the dwelling. The dwelling is sufficiently well distanced from neighbouring dwellings to the north, east, and south east to mitigate against any potential harm to amenity.
- 4.19 Whilst the ground levels differ, the height of the dwelling proposed will be no higher than no. 96 Thorndon Park Drive and not result in any material harm to nearby residents in terms of being overbearing or loss of light.
- 4.20 The proposed development satisfies the policies detailed above in relation to neighbour amenity.

## **Standard of Accommodation for Future Occupiers**

**National Planning Policy Framework 2018, Policy KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM8 and the Design and Townscape Guide, National Technical Housing Standards.**

- 4.21 Paragraph 127 of the NPPF states that; *“Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”*.
- 4.22 Policy DM8 of the Development Management Document states that it is the Council’s aim to deliver good quality housing, ensuring that new development contributes to a suitable and sustainable living environment now and for future generations. To achieve this, it is necessary to ensure that new housing provides the highest quality internal environment that will contribute to a good quality of life and meet the requirements of all the Borough’s residents.
- 4.23 It is considered that most weight should be given to the Government’s Technical Housing Standards which were introduced on 1<sup>st</sup> October 2015.
- 4.24 The proposed dwellinghouse would have a floorspace of approximately 99m<sup>2</sup>. The National Technical Standards prescribing the minimum sizes for dwellings states that a 2 bedroom, 3 person dwelling must have a minimum floorspace of 70m<sup>2</sup>. The proposed development would therefore meet the minimum acceptable size. In addition, both bedrooms are in excess of the minimum floorspace standards which state a single bedroom must be over 7.5m<sup>2</sup> and a double bedroom over 11.5m<sup>2</sup>.
- 4.25 The habitable rooms would be served by sufficient windows which would provide acceptable light and outlook. The proposed dwelling will have a private garden of approximately 67sq.m. This is considered to be an acceptable, useable size to meet the needs of future occupiers and larger than that of the extant permission.
- 4.26 It is considered that the standard of environment would be acceptable to future occupiers and would satisfy the policies and standards detailed above.

## **Traffic and Transportation**

**National Planning Policy Framework 2018; Core Strategy policies KP2, CP4, CP3; policy DM15 of the Development Management Document and the Design and Townscape Guide**

- 4.27 Policy DM15 of the Development Management Document states: *“5. All development should meet the parking standards (including cycle parking) set out in Appendix 6. Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/or where the rigid application of these standards would have a clear detrimental impact on local character and context.*

*Reliance upon on-street parking will only be considered appropriate where it can be demonstrated by the applicant that there is on-street parking capacity”.*

- 4.28 Two parking spaces have been provided for existing occupiers of 112 The Fairway (the host dwelling) with the formation of a new vehicle crossover on Thorndon Park Drive and two parking spaces are proposed to the new dwelling using the existing hardstanding and vehicle access serving the garage. There are no new material considerations which alter this element of the scheme in a significant way and the proposed development would provide policy compliant and safe off-street parking for the host dwelling as well as the proposed development.
- 4.29 With regard to refuse, an area for refuse storage has been allocated to the north-east of the building adjacent to the proposed parking area within the amenity space. This is considered acceptable and bins can be safely brought to the roadside without conflicting with traffic.
- 4.30 It is considered that the highway and parking provision would be acceptable to future occupiers and satisfies the policies detailed above. Furthermore, at the time of granting the extant permission, no objection was raised on highway or parking grounds. It is considered that there are no new material considerations which alter this view. The proposed development satisfies the policies detailed above.

### **Sustainable Development**

#### **National Planning Policy Framework 2018, Core Strategy Policy KP2, the Design and Townscape Guide (2009) and Development Management Document Policy DM2**

- 4.31 Policy KP2 of the Core Strategy states;

*“All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development.*

*At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in the Design and Townscape Guide”.*

- 4.32 The application lacks specific details to demonstrate that it would meet the 10% renewable energy requirements in accordance with Policy KP2 of the Core Strategy. However, it is considered that further details can be dealt with by condition, should permission be granted, and this was previously accepted at appeal.



- 4.33 Policy DM2 of the Development Management Document is clear that there is an identified need for increased water efficiency measures to be integrated into new developments to take account of the water resourcing issues identified in Essex. It is considered that an appropriate condition in relation to the installation of water efficient fittings and features could be imposed to any positive decision.

### **Community Infrastructure Levy (CIL) CIL Charging Schedule 2015**

- 4.34 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 99sqm, which may equate to a CIL charge of approximately £2,383.92 (Subject to confirmation. It is noted that a self-build exemption claim has been submitted in relation to CIL.)

## **5 Conclusion**

- 5.1 Having taken all material planning considerations into account, it is found that, subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would provide adequate amenities for future occupiers and on balance – taking into account the dwelling which could be built under the extant permission - would have an acceptable impact on the character and appearance of the application site, the streetscene and the locality more widely and would not result in material harm to the amenities of neighbouring occupiers. The highways impacts of the proposal are not considered to be such that they would cause a conflict with development plan policies. The application is therefore recommended for approval, subject to conditions.

## **6 Planning Policy Summary**

- 6.1 National Planning Policy Framework, 2018
- 6.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 6.3 Development Management Document (2015) Policy DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards), and DM15 (Sustainable Transport Management).
- 6.4 The Design & Townscape Guide (2009)

## **7 Representation Summary**

### **Environmental Health**

- 7.1 No objection. Suggests conditions in relation to construction hours and no burning of waste on site.

### **Public Consultation**

- 7.2 8 neighbours were notified and site notice displayed – Three letters of representation have been received.
- 7.3 Letters of objection (3);
- Design is unacceptable;
  - The building lines have been exceeded;
  - Roof design is incongruous with the streetscene;
  - Rooflights to rear should be non-openable and obscure glazed;
  - Harm to the character of the area.

**Officer comment: These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in this instance.**

## **8 Relevant Planning History**

- 8.1 Demolish existing garage and erect 2 storey dwellinghouse and form vehicle access from Thorndon Park Drive (Amended Proposal) – Refused (15/00311/FUL) Appeal allowed.
- 8.2 Demolish existing garage and erect 2 storey dwellinghouse (Amended Proposal) - Refused (13/01055/FUL). Dismissed at appeal
- 8.3 Demolish existing garage and erect a chalet bungalow (Amended Proposal)- Withdrawn (13/01550/FUL).
- 8.4 Demolish existing garage and erect 2 storey dwellinghouse- Refused (13/00466/FUL).
- 8.5 Planning permission granted in February 2007 to 'Retain conservatory at rear of 112 The Fairway (Retrospective)' - 07/00046/FUL.

## **9 Recommendation**

- 9.1 Members are recommended to GRANT PLANNING PERMISSION 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: 3433-08/B 1/2, 3433-08/C 2/2.

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

**03** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and the construction up to ground floor slab level, place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details before it is occupied.

**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 (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

**04** A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing and implemented in full prior to the first occupation of the development. 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 and Development Management Document policy DM2.

**05** Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed prior to the first occupation of the development hereby approved and retained in perpetuity.

**Reason:** To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and the guidance within the Design and Townscape Guide (2009).

**06** No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 3433-08/C 2/2 for 2 cars to be parked. The parking spaces shall be made available for use prior to first occupation of the dwelling hereby approved and shall be permanently retained thereafter for the parking of occupiers of the development hereby approved and their visitors.

**Reason:** To ensure that adequate car parking is provided and retained

to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

- 07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out at the application site within Schedule 2, Part 1, Classes A, B, C, D, E, F or G to those Orders.

Reason: To safeguard the living conditions of the future occupiers of the site and in the interest of the residential amenity of the adjoining residents and the character and appearance of the site and the wider area in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

- 08 Prior to first occupation of the development hereby granted, secure, covered refuse and recycling storage areas to serve the development shall be provided in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development and these facilities shall be permanently retained as such thereafter.

Reason: To ensure that adequate waste storage is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

- 09 The proposed rooflights in the rear south roof slope 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, 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).

## **Informative**

- 1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).**
- 2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.**

**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.**