

Reference:	19/00297/FULH
Ward:	Leigh
Proposal:	Variation of condition 2 (approved plans) to application 96/0365 to amend roof pitch to the west and north elevations, install dormer to the north roof slope, install rooflight to the south roof slope and alter elevation detail to balcony (minor material amendments to planning permission 96/0365 dated 29 November 1996) (part-retrospective)
Address:	11 Leigh Park Road, Leigh-On-Sea, Essex, SS9 2DU
Applicant:	Mr S. Ezra
Agent:	GLS Architects
Consultation Expiry:	21.03.2019
Expiry Date:	10.04.2019
Case Officer:	Robert Lilburn
Plan Nos:	<p>90043 P106A Site Plan</p> <p>202418 P300 1996 Approved East and West and Proposed Elevations</p> <p>202418 P301 1996 Approved North and South and Proposed Elevations</p> <p>202418 P100 1996 Approved Plans and Proposed Plans (Garage and Ground Floor Plans)</p> <p>202418 P101 1996 Approved Plans and Proposed Plans (First Floor, Second Floor and Roof Plans)</p> <p>202418 P800 Proposed Plans (Large-scale First Floor Section, Plan and Details)</p>
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Permission is sought to vary the approved plans condition of planning permission 96/0365 granted on 29.11.1996. The approved development in application 96/0365 is described as *'Demolish front of dwelling house and rebuild with a bay feature with basement level garage and balcony at first floor level a new front entrance and terrace; and erect a three storey rear extension and form new vehicular access to Leigh Park Road with associated driveway'*.
- 1.2 The above planning permission has been previously established as extant. The key amendments proposed, incorporating the approved development described above as part of application 96/0365, are as follows:
 1. The main roof would be a 'cat-slide' form, as opposed to the more regular form of the approved scheme;
 2. The ridge height of the main roof would be increased to 9.4m above a datum point, from some 8.7m;
 3. The ridge height of the gabled front projection would be marginally higher than the ridge height of the main roof (some 0.2m) where previously it was to be the same height;
 4. Alterations to detailing of the front balcony, introducing horizontal spindles;
 5. Alterations to reduce glazing to the French doors to the first floor behind the front balcony;
 6. Introduction of dormer at rear and roof light to front.

- 1.3 Following planning enforcement enquiries, it was previously established that the development that had taken place was not in accordance with the approved plans. This application has been submitted following a series of applications for planning permission culminating in a recent appeal decision, all of which have refused planning permission.
- 1.4 The recent appeal decision further to application 17/01007/FULH (dated 28.11.2018) forms a strong material consideration for the determination of the current application. A copy of the appeal decision is included at Appendix A to this report. Additionally the resolution made at Development Control Committee of 09.01.2019 granted enforcement authority in relation to the following matters:
- The height of the turret (circular extension) at the north-east corner of the building;
 - The installation of a front gable window.
- 1.5 Within the Enforcement report agreed at the above Committee, the following matters, although unauthorised, were found not to cause material harm and not to warrant enforcement action being taken:
- Alteration to profile of the main roof;
 - Increase in height of the main roof;
 - Formation of the dormer and installation of the roof light;
 - Changes to the detailed dimensions of the front gable.
- It is these elements which this application now seeks to regularise together with seeking approval for the balcony detailing. The enforcement authority is also a strong material consideration and is included in the report attached as Appendix A.
- 1.6 The appeal related to a proposal to modify and retain unauthorised development, and was dismissed, taking into account harm to the conservation area identified as arising from the following aspects of the development proposed:
- a) Turret
 - the scale, mass and form of the proposed amended turret would be inappropriately bulky;
 - the prominence of the proposed turret in the street scene from various vantage points;
 - the poor integration of the proposed turret to the host building and the host building's positive features in the street scene and conservation area;
 - the effect of the turret on the unity of composition of the group of houses of which the host building is a key part.
 - b) Front balcony
 - Proposed horizontal railings and glazed screen would be at odds with the established pattern of balconies in the locality;
 - Extensive areas of glazing would not be in keeping with the building's original character.
 - c) Gable window
 - This feature would diminish the original Arts and Crafts inspired character of the building by removing false half-timbering. An opening window would draw further attention to this and be more harmful.

- 1.7 Significantly, the main-roof alterations comprising a raising in height of the main roof, a reconfiguration of its profile, and the introduction of a rear dormer and front roof light, were carefully considered during the appeal hearing and were found to be acceptable in regard to impacts on the conservation area and street scene. These elements of the proposed development had already been carried out and remain in situ, and form part of the current application.
- 1.8 Since the appeal decision, the applicant has carried out alterations to reduce the height of the turret. These have had the effect of reducing its height to match the ridge of the gabled front projection and it is considered that this materially accords with the height of the approved 1996 turret, allowing for reasonable margins of error when judging compliance. This arrangement is shown on the submitted plans.
- 1.9 The submitted plans also confirm reinstatement of the front gable, the insertion of a window in which was found unacceptable in the recent appeal decision.
- 1.10 Since the appeal decision, application 18/01527/AMDT has been refused on 11.01.2019. The proposals therein were found not to be materially less harmful than those found unacceptable in application 17/01007/FULH, subject of the appeal.
- 1.11 Since the above decision, and in accordance with the resolution of this Committee on 09.01.2019, an Enforcement Notice has been served on the application property with regard to the following:
- The erection of a turret materially taller than that approved under 96/0365 (see comments at 1.8 above);
 - The formation of a high-level gable window materially different to the approved plans under 96/0365;
 - The replacement of wooden windows with UPVC windows and doors in the rear elevation, which is subject to control under an Article 4 direction.
- 1.12 In response to the requirement of the Enforcement Notice the submitted plans confirm removal of the high-level gable window and reinstatement of the front gable. The submitted plans and details do not address the matter of the replacement rear windows and doors and this therefore remains subject of separate control through that separate enforcement route. Three further ground-floor UPVC windows have been noted in the Enforcement Notice dated 06.02.2019 to have been on the balance of probability in situ for over four years and are therefore not subject of the Enforcement Notice.

2 Site and Surroundings

- 2.1 The application site is located on the north side of Leigh Park Road. Ground levels in the area are steeply sloping from north to south. To the rear of the site, ground levels rise further and there is an area of wooded open land which is part of a wider curtilage. The dwellings at the opposite side of Leigh Park Road are situated at a substantially lower ground level with roof levels close to the highway surface level.
- 2.2 The site surroundings are residential in land-use and character. The application site is located within the Leigh Conservation Area and is the subject of an Article 4 direction.

- 2.3 As noted in the 2010 Leigh Conservation Area Character Appraisal, the subject building is of an “Arts and Craft” style, is a key part of a unified group and is within an ‘Arts and Crafts Suburban’ character area. This reflects the influence of the movement during the time of construction. At the time of the conservation area appraisal, the subject building was identified as the building within the group of 7-13 Leigh Park Road “which best preserves its original appearance”, although also noted as “derelict and potentially at risk”.

3 Planning Considerations

- 3.1 The key considerations of this application are the principle of the development, the design and impact on the character of the area and the impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework (2019) (NPPF), Policies KP1, KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3, and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.1 It is considered that the scheme is broadly the same in principle as that approved under 96/0365. The proposal is considered to fall within the ambit of a minor material amendment to the original consent.
- 4.2 Extensions and alterations to dwellings are acceptable as a matter of general principle, subject to detailed considerations such as impacts on character, visual amenities and neighbour amenities. In a conservation area, any harm to the significance of the heritage asset must be weighed against any public benefits of the proposed development.

Design and impact on the character of the conservation area

National Planning Policy Framework (2019) (NPPF), Policies KP1, KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3, and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.3 Paragraph 124 of the NPPF states *‘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’.*
- 4.4 Paragraph 127 of the NPPF advises that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change, and create places with a high standard of amenity for existing and future users.

- 4.5 The importance of good design is reflected in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document. These policies seek to maintain and enhance the amenities, appeal and character of residential areas. Policy DM1 states that 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”*.
- 4.6 The Design and Townscape Guide also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments”* and that *“proposed development [should] make a positive contribution to the local area”*. It states at Part 3.3 that *“when designing a new building or extension it is important that the development integrates with existing buildings. This is best done by identifying the positive characteristics and relationships formed by the existing buildings e.g. frontage lines, height of ridges and eaves, proportions, materials etc, and respecting them in new development”*.
- 4.7 Paragraph 348 of the Guide states that *“Whether or not there are any public views, the design of rear extensions is still important and every effort should be made to integrate them with the character of the parent building, particularly in terms of scale, materials and the relationship with existing fenestration and roof form”*.
- 4.8 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act imposes a duty to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated in the NPPF, which states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”*. At Paragraph 196 the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.
- 4.9 Policy DM5 of the Development Management Document states that *“Development proposals that result in the total loss of or substantial harm to the significance of a designated heritage asset, including listed buildings and buildings within conservation areas, will be resisted”*.
- 4.10 The Leigh Conservation Area Appraisal describes the intrinsic character of the area as a response to rapid development at the time of the railway in the early 20th century, and as being informed by the steep topography in which groups of dwellings are interspersed with small green spaces. There are often groupings of the same house type throughout the conservation area.
- 4.11 The subject building is part of a group of Arts and Crafts inspired houses from the early 20th century. Key features are described as south-facing front balconies with vertical rail spindles, large front gables, projecting bays and false half-timbering detail. The setting on the hillside is found to add to their significance in the conservation area. The subject building has been found to be the best-preserved example of its type in the group, despite the ongoing works.

- 4.12 With reference to the site surroundings, the Conservation Area Appraisal states that *“Nearly all buildings are two or three storeys in height and domestic in scale. The scale of features such as doors, windows, storey heights and roof slopes should be dictated by nearby buildings”*. It also states that the detailing of buildings should feature *“False half-timbering on gables, black window frames, casement windows and machine made clay plain tile roofs on Arts and Crafts inspired buildings”*.
- 4.13 As found at 4.1-4.2 above, the general form of the development is subject to an extant planning permission and remains acceptable. Therefore the assessment of the merits of the proposal shall hereafter be limited to the key amendments described at 1.2 above.
- 4.14 The modified roof form and height of the dwelling are materially different to the previously approved development. In this case it is noted that the dwellings of the surrounding area are not of consistent height and due to the changing ground levels, there is not a uniform or consistent roof height. This is a feature of the conservation area.
- 4.15 The increases in the main roof height and the roof height of the front projecting gable have reduced the gradual stepping effect of the buildings in the row as they sit in line with the falling topography. However, as identified in the appeal decision relating to 17/01007/FULH, the stepped nature of the houses mitigates the effect of the roof alterations.
- 4.16 Consistent with the findings of the appeal decision and the enforcement authority report to this Committee, it is considered that the resultant roof is not materially at greater odds with the character of the site and the surrounding area and is not materially harmful to the building or conservation area.
- 4.17 The form of the turret shown and identified in situ on 15.01.2019 has been found to be consistent with the height of the approved 1996 turret, allowing for reasonable margins of error when judging compliance. On this basis there would be no reasonable case to object to the ‘turret’ extension and no material harm is identified beyond any impact considered acceptable within the planning permission granted under 96/0365. In this respect the proposal acceptably maintains the character and appearance of the conservation area.
- 4.18 The proposed balcony arrangement would include vertical spindles. It is considered that the prevailing characteristic of the buildings in the conservation area is one where the spindles on such balconies are vertical. For this reason, and consistent with the recent appeal decision, this aspect of the scheme would be consistent with the character of the surroundings.
- 4.19 The submitted plans have shown a balustrade detail and vertical spindles but have not indicated clearly the design characteristics of the spindles. However, in the event of a grant of planning permission it is considered that this detail can be satisfactorily conditioned.

- 4.20 The proposed screen doors behind the balcony would incorporate a reduced glazed area, relative to that shown on the earlier refused scheme. The proposed doors would be a pair of bi-folding doors with glazed panels to the two central doors and louvred panels to the two exterior doors.
- 4.21 While this aspect of the proposal may not be a specific 'Arts and Crafts' design, it is considered that it would not materially harm the character of the building and the conservation area given that it would incorporate a limited extent of glazing. In this regard the proposal has overcome the earlier reason for refusal. Details of the colour finish of the proposed doors can be secured through a condition on any planning permission.
- 4.22 The proposed high level gable window is to be removed as part of the development. This would accord to the earlier appeal decision and would lead to compliance with the enforcement notice. Appropriate reinstatement can be secured through a condition on planning permission. In this respect this would maintain the character of the building and conservation area.
- 4.23 As noted above, the roof light and dormer window, the main-roof reconfiguration and height increase have been found in the appeal decision relating to 17/01007/FULH, and the resolution made on the enforcement authority report, to be not materially harmful to the building and conservation area. This remains the case as these elements of the proposal are identical to the appealed scheme. This element of the proposal is considered to be acceptable and policy-compliant.
- 4.24 The windows to the rear at first floor and the ground floor doors have been installed in UPVC without the benefit of planning permission. This aspect of the development is not included in the current application and is controlled through enforcement action. An informative can be added to any planning permission for the avoidance of doubt.
- 4.25 It is considered that the proposals within this application would maintain the character and appearance of the host building and the conservation area as a result of the proposed amendments, subject to suitably-worded conditions. The proposal is considered to have overcome the earlier reasons for refusal, including the basis for dismissal in the recent appeal decision, is acceptable and compliant with the objectives of the relevant development plan policies.
- 4.26 It was previously considered that if permission was granted, conditions could be imposed to address a number of matters and it remains the case that details could be sought in relation to the proposed garage doors and new meters being provided at the site frontage, in the event of approval.

Impact on Residential Amenity

National Planning Policy Framework (2019), Policies KP1, KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.27 Paragraph 343 of the Guide states that extensions must respect the amenity of neighbouring buildings and not adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management Document also states that development should “*Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight*”.
- 4.28 In common with the earlier refused applications, and the approved scheme under 96/0365, it is considered that the development would not be materially harmful to the amenities of neighbouring occupiers.
- 4.29 The height and depth of the north west elevation would be very similar to the previously approved scheme and it is considered that the development would not cause a material loss of light, privacy or outlook within the neighbouring property to an extent that would justify refusal of the application.
- 4.30 In the course of determining the applications submitted and refused prior to this current application, there have been difficulties with apparent discrepancies and possible inaccuracies in the submitted plans with each application, including those approved plans under 96/0365 for which it is not possible to gain accurate height dimensions in particular.
- 4.31 Notwithstanding the doubts around the preciseness of the earlier plans, it appears that the development would have a marginally different relationship to the neighbouring property to the south-east. However as accepted in the appeal decision and the resolution made on the enforcement authority report, this would not be such as to cause a materially greater impact on the light or outlook of the neighbouring property to an extent that would justify the refusal of the application.
- 4.32 The small distance between the dwellings means that the existing and approved development would already have an impact on the light received within the amenity area of the neighbouring property and the rooms that face the dwelling at the application site. The increased height of the building noted above and already accepted in the appeal decision would cause some loss of light, but not in a manner that would be materially worse than the established situation.
- 4.33 The resultant dwelling is 6 metres from the north east boundary of the site and 45 metres from the closest property of The Terrace which is being constructed on elevated ground as described above. The additional height of the dwelling and the rear facing windows is visible from within the neighbours property, but due to the separation distance and the height differences between properties, it is considered that the dwelling at the application site will not cause a loss of light, privacy or outlook from the neighbouring property to an extent that would justify the refusal of the application. The development would have a small impact on the view from that property, but this is not of a nature which would justify a refusal of planning permission in its own right.

Community Infrastructure Levy

- 4.34 The proposed development would result in the creation of approximately 72 square metres of floorspace in comparison to the former dwelling at the application site. As the development creates less than 100 square metres of new floorspace at the application site, the development would not be CIL liable.

Other Matters

- 4.35 The provision of a garage at the frontage of the site and a new vehicular access to the site is not different to the previously approved development. The proposed garage would not meet the adopted standards set out in Policy DM15 of the Development Management Document (2015). The works shown could be implemented under the terms of the previous permission and it is considered that the proposed development would be no different now, in terms of highway safety and parking provision, than it would have been in 1996. It is therefore considered that this fallback position should carry significant weight and no objection should be raised to the means of accessing the site or the on-site parking provision.
- 4.36 It is noted that the site has been a site of construction for a significant period of time and during that time the building and the site has not contributed positively to the streetscene. However, it is considered that this is a temporary (albeit protracted) situation and does not form a basis for supporting the application.

5 Conclusion

- 5.1 It is considered that the alterations to the building as carried out and proposed, would maintain its character and appearance and the unity of the group of dwellings of which it forms a key part. As a consequence the development would have a neutral effect on the conservation area as heritage asset. The application is therefore recommended for approval subject to conditions.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2019)
- 6.2 Core Strategy (2007): KP1 (Spatial Strategy) Policies KP2 (Development Principles) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management Document (2015): Policies DM1 (Design Quality), Policy DM3 (Efficient and Effective Use of Land) and DM5 (Historic Environment)
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

7 Representation Summary

- 7.1 The application has been called-in to the Council's Development Control Committee by Cllr Walker.

Public Consultation

- 7.2 Letters were sent to 7 neighbouring residents. A site notice has also been posted and a press advertisement published. No letters of representation have been received.

8 Relevant Planning History

- 8.1 18/01527/AMDT: Application to vary condition 2 (approved plans) to amend the west roof pitch, the windows and doors to the north elevation, add a dormer windows to the north roof, amend railings to the balcony to match existing and add a conservation roof light to the south roof pitch. (minor material amendments to planning permission 96/0365/ 29th November 1996). Refused.
- 8.2 17/01007/FULH: Demolish part of dwellinghouse and erect part single/part two storey front extension to western side of dwelling, erect three storey front extension to eastern side of dwelling, erect a three storey rear extension, replace roof and erect dormer to rear and form new vehicular access to Leigh park road (Amended Proposal)(Part Retrospective). Appeal dismissed.
- 8.3 16/01160/FULH: Demolish part of dwellinghouse and erect part single/part two storey front extension to western side of dwelling, erect three storey front extension to eastern side of dwelling, erect a three storey rear extension, replace roof and erect dormer to rear and form new vehicular access to Leigh park road (Amended Proposal)(Part Retrospective). Refused.
- 8.4 15/01340/FULH: Demolish part of dwellinghouse and erect part single/part two storey front extension to western side of dwelling, erect three storey front extension to eastern side of dwelling, erect a three storey rear extension, replace roof and erect dormer to rear and form new vehicular access to Leigh park road (Amended Proposal)(Part Retrospective). Refused.
- 8.5 96/0365: Demolish front of dwelling house and rebuild with a bay feature with basement level garage and balcony at first floor level a new front entrance and terrace; and erect a three storey rear extension and form new vehicular access to leigh park road with associated driveway. Approved.
- 8.6 Several earlier applications have been determined in relation to the site; these are considered not to have a significant bearing on the determination of the current application.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 202418 P800, 202418 P300, 202418 P301, 202418 P100, 202418 P101, 90043 P106A.

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

- 02. The circular north-east corner ‘turret’ extension shall only be finished externally in materials and finishes the details of which shall have been previously submitted to and approved in writing by the local planning authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building does not harm the character and appearance of the area including the conservation area. This is as set out in the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 03. Prior to installation, full details of window openings to the circular north-east corner ‘turret’ extension shall have been submitted to and agreed in writing by the local planning authority. The window openings shall only be installed in accordance with the approved details. The details shall include large-scale detailing and sections to demonstrate the appearance of windows and their frames in relation to the surrounding structure.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building does not harm the character and appearance of the area including the conservation area. This is as set out in the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 04. Prior to installation, details of the design of the balcony railings and the colour finish to the balcony doors shall be submitted to and agreed in writing by the local planning authority. The doors and railings shall only be implemented in accordance with the approved details.**

Reason: In the interests of visual amenity and to ensure that the appearance of the buildings makes a positive contribution to the character and appearance of the area including the conservation area. This is as set out in the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 05. Prior to installation, details of the appearance of the garage doors and of the position and appearance of any external utility meters and associated housing shall be submitted to and agreed in writing by the local planning authority. The development shall only be implemented in accordance with the approved details.**

Reason: In the interests of visual amenity and to ensure that the appearance of the buildings makes a positive contribution to the character and appearance of the area including the conservation area. This is as set out in the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 06.** The approved garage shall be made available for car parking and shall thereafter be permanently reserved for the parking and manoeuvring of vehicles of occupiers and callers to the premises and not used for any other purpose.

Reason: To ensure the provision of adequate car parking in accordance with the National Planning Policy Framework, Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 07.** Hard surfacing and means of enclosing the site shall only be implemented in accordance with details that have been previously submitted to and approved in writing by the local planning authority.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies DM1, DM3 and DM5 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

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.

10 Informatives

- 10.1** You are advised that as the proposed alterations 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 for further details about CIL.
- 10.2** Notwithstanding the approved plans, no permission is hereby granted for the UPVC windows installed to the first floor rear or UPVC doors to the ground floor rear elevation. These have not formed part of this application.

- 10.3 **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.**

Appendix A overleaf