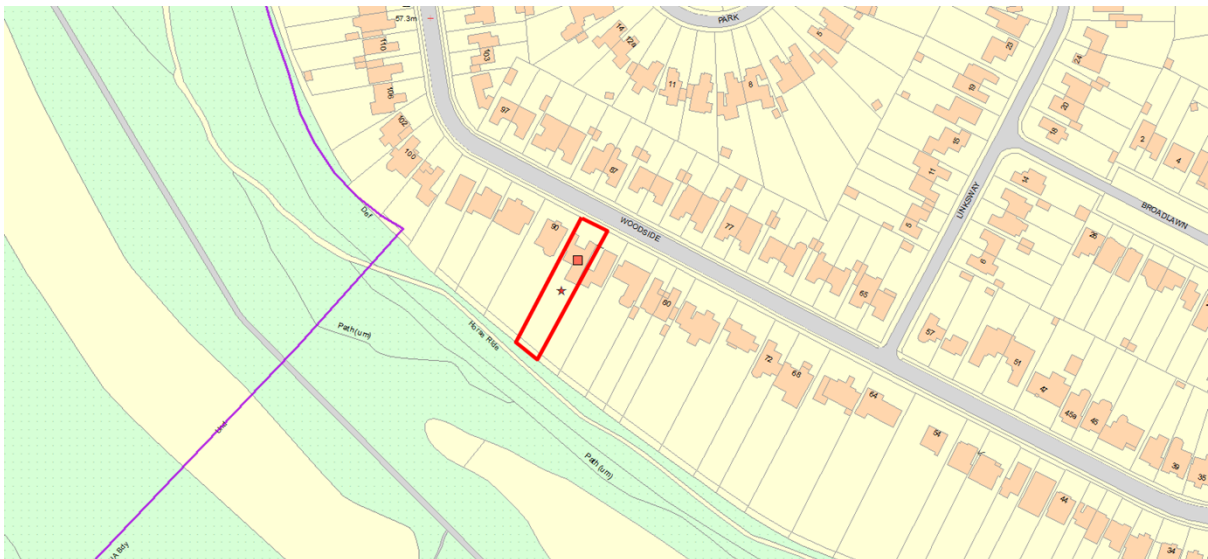


Reference:	20/01049/AMDT	
Application Type:	Minor Amendment	
Ward:	Belfairs	
Proposal:	Vary Condition 02 (Approved Plans) to replace approved plans with 1519.100, 1519.101b, 1519.102b, 1519.103c and 1519.104b (Minor material amendment to Planning Permission 19/02062/FUL dated 22.01.2020)	
Address:	88 Woodside, Leigh-On-Sea, Essex	
Applicant:	Mr And Mrs N Stevens	
Agent:	Mr John Jackson of Architectural Design Associates	
Consultation Expiry:	13th August 2020	
Expiry Date:	11th September 2020	
Case Officer:	Spyros Mouratidis	
Plan Nos:	1519.100, 1519.101b, 1519.102b, 1519.103c and 1519.104b	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The site is on the south-western side of Woodside and is occupied by a bungalow built in the '50s which is shaped like an "h" in plan. The materials used on the building are red brick and render, plain clay tiles, uPVC for windows and doors. The building appears to have been extended to the rear in the past. The site benefits from a garage and a vehicular access from Woodside. The front is partly soft-landscaped and partly covered by hard surface which allows for parking. To the rear, the site abuts the Belfairs Wood and Golf Course. There are no designations affecting the site.
- 1.2 The surrounding area within Woodside is residential in character. The properties in the vicinity of the site comprise an eclectic mix of bungalows, chalets and two-storey houses. Many properties in this area have been remodelled or undergone substantial extensions. The frontages are open, with low level enclosures. On the south-western side of Woodside, most rear gardens are verdant, hosting large trees, blending with the adjoining woodland. Belfairs wood is designated as Green Belt, ancient woodland, Local Wildlife Site and Protected Open Space.

2 The Proposal

- 2.1 Planning permission is sought for the variation of Condition 2 (approved plans) of planning permission 19/02062/FUL (the "2020 Permission") which was granted for the demolition of the existing bungalow and the erection of a replacement two-storey dwelling with basement. The application has been submitted under the provisions of Section 73 of the Town and County Planning Act 1990 as amended. Condition 2 of the 2020 Permission states:

"The development hereby approved shall be carried out in accordance with the approved plans: 1519.02, 1519.12B, 1519.13B, 1519.14B."

- 2.2 The proposal seeks to replace the plans approved and covered by Condition 2 of the 2020 Permission with the plans submitted with this application. The applicant suggests the changes in the design are proposed to meet 'Passivhaus' requirements. These changes include the enlargement of the basement area and the overall roof height, the alteration of the pitched roof construction, and reduction of the parapet details to the side elevations and part of the rear elevation. The submitted proposed section drawings and roof plan show that the roof form of the dwelling would be altered in shape, increased in extent and raised such that the ridge height would measure some 9m above ground level compared to the ridge height of some 7.7m in the approved scheme. Flat-roof elements and roof parapet walls would be reconfigured and reduced. The plans also show a 'basement mini garden' next to the stairs for the basement. The submitted plans show a reconfiguration of the openings on the flank elevations of the building and the omission of a glazed roof over the side elevation. The application is supported by a site investigation report and a supporting letter by John Sime & Associates Ltd.

3 Relevant Planning History

3.1 The relevant planning history of the application site is shown on the table below:

19/02062/FUL (2020 Permission)	Demolish existing bungalow, erect new two storey dwellinghouse with basement, balcony and Juliette balcony to first floor rear	Permission granted [20.01.2020]
20/00843/NON	Replace plan numbers 1519.12B, 1519. 13B and 1519.14B with 1519.100, 1519.101B, 1519.102B and 1519.104B ; to increase basement area, alter pitched roof, alter parapet to side and rear elevations, alter elevations (Non-Material Amendment to Planning Permission 19/02062/FUL dates 22.01.2020)	Refused (Amendments are material) [02.07.2020]
20/01230/AD	Application for approval of details pursuant to conditions 04 (hard and soft landscaping), 07 (drainage and surface water management strategy), 08 (10% renewables), 09 (water efficiency measures) and 11 (location of privacy screens) of planning permission 19/02062/FUL dated 22.01.2020	Pending Consideration

3.2 The 2020 Permission is extant and can be implemented as it did not contain any pre-commencement conditions. This is a material planning consideration of significant weight in the consideration of the current proposal. The officer's report for the 2020 Permission is appended to this report as Appendix 1.

4 Representation Summary

4.1 The application has been called in to Development Control Committee by Councillor Dear.

Public Consultation

4.2 Five (5) neighbouring properties were consulted and a site notice was displayed. One representation objecting to the application has been received and is summarised as follows:

- Impact of flood risk in the area as a result of the basement and the high water table of the area.
- Undue structural impact on neighbouring impact on neighbouring properties as a result of the basement and increased water tables in the area.
- The applicant should enter into a legal agreement to protect the neighbouring property from damages from flooding.

4.3 The comments have been taken into consideration and the relevant planning matters raised are discussed in subsequent sections of the report. The objecting points raised by the representations have been taken into account in the assessment of the proposal but are not found to represent material reasons for recommending refusal of the planning application in the circumstances of this case.

Highways Team

4.4 No objections.

Parks

4.5 No comments.

Environmental Health

4.6 No objections.

Archaeology

4.7 No objections.

London Southend Airport

4.8 No objections – initially an objection was raised due to the height of the proposal but a survey of nearby properties showed that there are other higher properties in the vicinity hence the objection was withdrawn.

Fire Brigade

4.9 No objections.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (NPPF) (2019).

5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019).

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision).

5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM14 (Environmental Protection), DM15 (Sustainable Transport Choices).

5.5 Design & Townscape Guide (2009).

5.6 Technical Housing Standards Policy Transition Statement (2015)

5.7 National Technical Housing Standards (2015)

5.8 Waste Storage, Collection and Management Guide for New Developments (2019)

5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character of the streetscene and wider area, particularly in light of the proposed amendments, the standard of accommodation for future occupiers, the impact on residential amenity, traffic and transportation issues, the impact of the development on the flood risk in the area, the provision of waste storage facilities, the proposed energy and water use sustainability and whether the development would be liable for CIL.

7 Appraisal

Principle of Development

- 7.1 The principle of the development was considered for the 2020 Permission in paragraphs 7.1 to 7.5 of Appendix 1 and was found to be acceptable. The principle of the development remains equally acceptable. The changes proposed are considered to fall within the ambit of a minor material amendment to the original planning permission.

Design and Impact on the Character of the Area

- 7.2 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. 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."
- 7.3 The main design features of the proposed dwelling were found to be acceptable previously when the 2020 Permission was granted as discussed in paragraphs 7.6 to 7.12 of Appendix 1. The main alterations to the design of this current proposal are described at paragraph 2.2 of this report. There would be no alteration to the acceptable layout of the dwelling. The enlargement of the basement by 3.4m to the front and 2.8m rearward would not alter the layout of the development as it would be within the footprint of the ground floor. The additional excavation for the creation of the 'basement mini garden' measuring 3.2m by 1.5m would not be a material alteration to the layout of the site. In terms of scale, the current proposal would increase the overall roof height and would alter the bulk to the eastern side elevation, slightly reducing the width at ground floor and slightly increasing the width at first floor level. The proposed development would not exceed the height of other development in the wider area and would respect the scale of surrounding development. The proposed form would be simpler than that previously approved which here is better for the overall design of the property.
- 7.4 Considering the appearance of the proposal, the main front elevation would remain satisfactorily resolved. The alterations to the flank elevations, particularly the eastern elevation would not result in an unacceptable appearance. The rear elevation remains slightly contrived but not unacceptably so and is comparable in nature with what was previously found to be acceptable. Details of materials and landscaping were previously secured by conditions and a similar approach would be acceptable for this application. Overall, the proposed development is considered to remain acceptable and policy compliant in the above regards as the scheme approved with the 2020 Permission on balance.

Standard of Accommodation and Living Conditions for Future Occupiers

- 7.5 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents.
- 7.6 The findings of the officer's report for the 2020 Permission in relation to relevant matters are stated at paragraphs 7.13 to 7.18 of Appendix 1. The current proposal would not have a materially different effect to the standard of accommodation and living conditions of future occupiers. It would remain acceptable in terms of standard accommodation for future occupiers, the proposed dwelling would still exceed the overall space standards, would have appropriate amenity space and, on balance, all habitable areas would have adequate outlook, daylight and sunlight. The proposal subject to a condition would be reasonably adaptable and accessible to disabled occupiers. The proposal, therefore, remains acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.7 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 7.8 The previously approved scheme permitted with the 2020 Permission was found to have an acceptable relationship with its neighbours subject to conditions as discussed at paragraphs 7.19 to 7.22 of the report at Appendix 1. The proposed material changes to the proposed scheme would not result in a materially harmful impact on the residential amenity of neighbouring occupiers. The overall higher roof would be pitched away from the neighbouring properties having a similar effect as the previously approved crown roof. The altered configuration of openings on the flank elevations of the current proposal would not materially harm neighbours' amenity as these openings would be conditioned to be obscured glazed. Conditions were previously imposed to limit the permitted development rights of the proposed dwelling and would be necessary for this proposal. Overall, the proposed development remains acceptable and in line with policy in the above regards.

Traffic and Transportation Issues

- 7.9 Policy DM15 of the Development Management Document states: "Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner". The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.
- 7.10 The findings of the 2020 Permission for these considerations are stated at paragraphs 7.23 to 7.24 of the report at Appendix 1. No material changes are proposed in relation to parking and access arrangements. The proposed development remains subject to conditions acceptable and policy compliant in the above regards.

Flooding and water drainage

- 7.11 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposed dwelling would replace an existing building on the land and with the creation of a basement would take up additional space (volume) in the ground where water would otherwise permeate. The current proposal would result in a larger basement and as such higher volume of not permeable space in the ground.
- 7.12 The proposal was previously found to be acceptable as discussed at paragraph 7.25 of Appendix 1. At the time, similarly to this application, comments from third parties raised the alleged issue of high water table in the area. The application, similarly to the 200 Permission, is supported by a site investigation report which does not support this claim and shows that the water table in the area is some 3.6m below ground. At the time of the 2020 Permission, a condition to secure detail of a Sustainable Drainage System (SuDS) was considered adequate to address the concerns regarding water drainage and increase of flood risk elsewhere. A similar approach would also be acceptable for this application and an appropriately worded condition is recommended. Subject to such a condition, the development would be acceptable and policy compliant in these regards.

Refuse and Recycling Storage

- 7.13 The submitted plans do not show any designated bin storage areas on site. The quantum of development does not attract a policy requirement for such facilities and it is expected that the dwelling would be using the Council's kerbside sack collection service. The dwelling would be located near the highway where it would be convenient both for future occupiers and collection services to manage the waste. As found previously, the proposal is acceptable and policy compliant in this regard.

Energy and Water Sustainability

- 7.14 Policy KP2 of the Core Strategy requires that: "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)". Policy DM2 of the Development Management Document states that: "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions". This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.
- 7.15 No information has been provided regarding proposed renewable energy to demonstrate how the proposal meets the 10% policy requirement other than the Applicant's aspiration to achieve 'Passivhaus' requirements. However, it is considered that the requirement for renewable energy and restrictions on water usage can be controlled with conditions provided any such externally mounted technologies respect the character and appearance of the area. This aspect of the proposal is therefore considered to be acceptable and policy compliant in this regard, subject to conditions.

Community Infrastructure Levy (CIL)

- 7.16 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 504.2m², which may equate to a CIL charge of approximately £12,954.06 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, including attaching significant weight to the 2020 Permission, 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 local and national policies and guidance on balance. The proposal, subject to conditions, would have an acceptable impact on the character and appearance of the area and the amenities of its future and neighbouring occupiers. It would also have an acceptable impact on the highway and parking conditions in the area subject to conditions. The proposed development would provide acceptable waste and recycling bin storage provision, drainage strategy on site and energy and water sustainability. This application is recommended for approval subject to conditions.

9 Recommendation

9.1 GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin no later than 22 January 2023, three years from the date planning permission 19/02062/FUL was granted.**

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

- 02 The development hereby approved shall be carried out in accordance with the approved plans: 1519.100, 1519.101b, 1519.102b, 1519.103c and 1519.104b.**

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

- 03 The materials to be used on the external surfaces of the development hereby approved, including roof, walls and fenestration, shall be in line with the details shown on the approved plan 1519.103c or details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out solely in complete accordance with the approved details before it is brought into first use.**

Reason: In the interest of visual amenity in accordance with 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 within the National Design Guide (2019) and the Design and

Townscape Guide (2009).

- 04 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details.**

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interest of visual amenity in accordance with 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 within the National Design Guide (2019) and the Design and Townscape Guide (2009).

- 05 The use of the development hereby approved shall not commence until a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of materials to be used on hardsurfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site.**

Reason: In the interest of visual amenity in accordance with 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 within the National Design Guide (2019) and the Design and Townscape Guide (2009).

- 06 Notwithstanding the details submitted and otherwise hereby approved, the development hereby approved shall be constructed to ensure that the dwelling complies with building regulation M4 (2) “accessible and adoptable dwellings” prior to their first occupation.**

Reason: To ensure the development hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

- 07 Construction works for the approved development on site shall only be undertaken between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.**

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 08 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding v) measures to control the emission of noise, dust and dirt during construction vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.**

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

- 09 The side facing windows shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or equivalent) and be permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room served by that window. 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. The window shall be retained in line with these details in perpetuity for the lifetime of the development.**

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 10 The flat roof areas above the first floor level and the flat roofs over the single storey rear projections of the development hereby approved shall not be used as balconies, roof gardens or similar amenity area or for any other purpose unless planning permission has first been obtained by the local planning authority. These areas can however be used for the purposes of maintenance or to escape in an emergency.**

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 11 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the development shall not be first used unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of privacy screens, which shall be a minimum of 1.7m in height, to be installed at the rear balcony of the property hereby approved. Before the development hereby approved is first used the privacy screens shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.**

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 12 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any Order amending, revoking or re-enacting that Order) no extensions, conservatories, dormers, roof extensions or other form of development normally permitted under Class A or Class B of Part 1 of Schedule 2 of the above Order shall be erected within the site without planning permission having been obtained from the local planning authority.**

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 13 The use of the development hereby approved shall not commence unless and until two parking spaces have been provided and made available for use on site in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be retained in perpetuity for the lifetime of the development for the purposes of car parking solely for residents of the approved dwellings on site and their visitors.**

Reason: To ensure the provision of adequate parking in accordance with Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

- 14 Notwithstanding the information submitted and details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and excavation works, shall take place unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage and surface water management strategy shall be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.**

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

- 15** Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

- 16** The dwelling hereby approved shall incorporate water efficient design measures 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 such as grey water and rainwater harvesting before they are occupied.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

- 1** Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable.

If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (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.**

APPENDIX 1

Southend Borough Council Development Control Report Application Ref: 19/02062/FUL

Delegated Report

Reference:	19/02062/FUL
Application Type:	Full Application
Ward:	Belfairs
Proposal:	Demolish existing bungalow, erect new two storey dwellinghouse with basement, balcony and juliette balcony to first floor rear
Address:	88 Woodside, Leigh-On-Sea, Essex
Applicant:	Mr And Mrs N Stevens
Agent:	Mr John Jackson of Architectural Design Associates
Consultation Expiry:	19th December 2019
Expiry Date:	22nd January 2020
Case Officer:	Spyros Mouratidis
Plan Nos:	1519.02, 1519.12B, 1519.13B, 1519.14B
Recommendation:	GRANT PLANNING PERMISSION subject to conditions

1 Site and Surroundings

- 1.1 The site is on the south-western side of Woodside and is occupied by a bungalow built in the '50s which is shaped like an "h" in plan. The materials used on the building are red brick and render, plain clay tiles, uPVC for windows and doors. The building appears to have been extended to the rear in the past. The site benefits from a garage and a vehicular access from Woodside. The front is partly soft-landscaped and partly covered by hard surface which allows for parking. To the rear, the site abuts the Belfairs Wood and Golf Course. There are no designations affecting the site.
- 1.2 The area within Woodside is residential in character. The properties in the vicinity of the site comprise an eclectic mix of bungalows, chalets and two-storey houses. Many properties in this area have been remodelled or undergone substantial extensions. The frontages are open, with low level enclosures. On the south-western side of Woodside, most rear gardens are verdant, hosting large trees, blending with the adjoining woodland. Belfairs wood is designated as Green Belt, ancient woodland, Local Wildlife Site and Protected Open Space.

2 The Proposal

- 2.1 Planning permission is sought for the demolition of the existing bungalow and the erection of a two storey, five-bed dwellinghouse. The proposed dwelling would have a rectangular footprint and would measure some 10.5m wide by 21m deep. The roof form would comprise a variety of styles and shapes, including gables, hipped, crown

and flat roof with parapet. The main eaves height would measure some 5m and the maximum height of roof would reach 7.6m from the ground. The proposed dwelling would sit 1m from the boundary to the site to the south-east and 1.2m from the north-western boundary of the site. The submission notes an aspiration that the new building would achieve passive house standards in terms of energy consumption. The application is supported with a Design and Access Statement and with a Site Investigation report.

3 Relevant Planning History

3.1 None.

4 Representation Summary

Public Consultation

4.1 Five (5) neighbouring properties were consulted and a site notice has been displayed. Six representations from three individuals objecting to the application have been received and are summarised as follows:

- Impact of flood risk in the area as a result of the basement and the high water table of the area.
- The proposed development is too large for the streetscene.
- The proposed development would cause noise and disturbance.
- Impact on residential amenity of neighbouring residents.
- The application should have been presented to the Development Control Committee to allow for verbal submissions.
- The design is unacceptable.

4.2 The comments have been taken into consideration and the relevant to planning matters raised are discussed in subsequent sections of the report. The objecting points raised by the representations are not found to represent material reasons for recommending refusal of the planning application.

London Southend Airport

4.3 No objections subject to condition that no part of the development is higher than the neighbouring property at 90 Woodside.

Environmental Health

4.4 No objections subject to condition regarding hours of construction.

Highways

4.5 No objections.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (NPPF) (2019)

5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).

- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land) DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM14 (Environmental Protection) and DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009)
- 5.6 Technical Housing Standards Policy Transition Statement (2015)
- 5.7 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.8 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character of the streetscene and wider area, the standard of accommodation for future occupiers, the impact on residential amenity, any traffic and transportation issues, the impact of the development on the flood risk in the area, the provision of refuse and recycling storage and whether the development would be liable for CIL.

7 Appraisal

Principle of Development

- 7.1 Paragraph 117 of the NPPF states: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other users, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high quality homes
- 7.2 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly the Council's Five Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. The HDT and 5YHLS are weighing in favour of the principle of the development. The South Essex Strategic Housing Market Assessment identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of 1-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.
- 7.3 Policy CP8 of the Core Strategy states that the Council will: "[...] 2. resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough, the need to safeguard an adequate stock of single family dwellinghouses and to protect the character of residential areas". The proposal is for the replacement of a four bed bungalow with a five-bed house a type of housing which would be suitable for families.
- 7.4 Policy DM3 states that: "The conversion or redevelopment of single storey dwellings

(bungalows) will generally be resisted. Exceptions will be considered where the proposal: (i) Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend's older residents having regard to building regulation M4 (2)".

- 7.5 The character of the area has been altered in the recent years with the addition of chalets and two storey houses. As such the proposal would not result in an unacceptable juxtaposition within the streetscene. Furthermore, the applicant confirms the development will comply with building regulation M4 (2). On this basis, the proposal is acceptable in principle. Other material planning considerations are discussed in the following sections of the report.

Design and Impact on the Character of the Area

- 7.6 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. 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."
- 7.7 Paragraph 124 of the NPPF 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." 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."
- 7.8 Policy KP2 of the Core Strategy states that new development should: "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy requires that development proposals should: "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development".
- 7.9 The Design and Townscape Guide states that: "The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant [...] the easiest option is to draw reference from the surrounding buildings."
- 7.10 The layout of the replacement dwelling would be a rectangular shape fully covering the existing footprint of development within the site. It would not project further forward from the front building line or further rearward from the rear of the adjacent property to the east. In terms of urban grain the proposed layout is acceptable. Considering that the proposal is for a two storey house, the large footprint would result in significant increase of built form within the site. Nevertheless, the scale and bulk is not incongruous in the surrounding area. It is noted that the proposed dwelling would not exceed in height the maximum height of the neighbouring dwelling at no. 90

Woodside.

- 7.11 In terms of form and appearance, the proposal seeks to deliver a modern dwellinghouse. However, some design features strongly reference design solutions from the 1960s and 1970s. There is a combination of different styles of roofs and asymmetrical volumes. Whilst this is not a positive aspect of the scheme, the form and elevations of the proposal, following pre-application advice, have been resolved to an acceptable degree and this area is not subject of any designation that would necessitate a particular approach to design issues. Therefore, it would not be warranted to refuse planning permission on these grounds. The choice of materials reflects the local area and is considered to be acceptable.
- 7.12 No details of landscaping have been submitted with the application. Some landscaping to the front of the site is necessary to soften the proposed development and the associated parking provision. This could be required with a condition. On the basis of the previous analysis, the proposal is, on balance, considered to be acceptable and policy compliant in the above regards.

Standard of Accommodation and Living Conditions for Future Occupiers

- 7.13 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents.

Space Standards

- 7.14 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace, bedroom size and storage size. There is no set minimum standard for a five-bed, ten-person dwelling. The minimum standard for a five-bed, eight-person dwelling laid out over three storeys is 134m² which is exceeded by the proposal. The proposed development exceeds the 3.5m² of minimum storage space required. All bedrooms exceed the minimum width and area for double bedrooms.

Daylight, Sunlight and Outlook from Habitable Rooms

- 7.15 All habitable rooms would receive adequate daylight and sunlight. During pre-application discussions concerns had been raised about the outlook from bedroom 5. This concern is proposed to be overcome with a lower level roof light window. Whilst this arrangement is not ideal and not a positive aspect of the proposed scheme, it would be adequate on its merits to offer acceptable outlook from this bedroom. All other habitable rooms would have acceptable outlook.

M4 (2) – Accessibility

- 7.16 As already discussed in the section about the principle of the development, it has been confirmed by the applicant that the proposal will satisfy building regulation M4 (2). A condition to that effect can be imposed.

Amenity Provision

- 7.17 The existing garden exceeds 300m² in area. The garden is sufficiently screened from the highway and is adequately distanced from adjacent buildings. This is a useable private amenity space of sufficient size for a family dwelling.
- 7.18 Overall it is considered that the proposal would not result in substandard accommodation for future occupiers and would not be detrimental to their living conditions. The dwelling would exceed the overall space standards, would have appropriate amenity space and all habitable areas would have adequate outlook, daylight and sunlight. The proposal is therefore acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.19 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 7.20 The nearest residential properties to the application site are the residential units at no.86 and 90 Woodside. The proposed development would result in an increased bulk of building form on site. All proposed windows located on the side elevations of the building would be obscured glazed. The proposed rear balcony would not overlook the adjacent dwellings unacceptably as designed. A condition can be imposed to require details of side screens on the balcony to avoid any undue overlooking of the neighbouring amenity areas. Some overlooking of part of the rear gardens would not be materially harmful to the residential amenity of neighbouring occupiers. With this in mind, it is not considered that the proposed development would cause any materially harmful overlooking or loss of privacy.
- 7.21 Some overshadowing of the neighbouring properties would occur as a result of the proposal. The side windows at nos.90 and 86 Woodside are secondary sources of light or serve non-habitable rooms. The part of the building at no.86 which is nearest to the proposed development is a garage. At no.90 Woodside there is an extant planning permission (12/00168/FULH) for a side garage between the application site and the neighbouring main building. The proposal would not materially impact the residential amenity of these neighbours in terms of overshadowing or loss of light.
- 7.22 Given the separation distances between the proposed building and the neighbouring properties, the proposal would not, on balance, materially harm the residential amenity of any neighbouring occupiers in terms of dominance or by creating an overbearing relationship or sense of enclosure. The size of the adjacent properties' gardens also assists in avoiding an overbearing relationship. No material impact would be caused on the residential amenity of any other nearby neighbour in any of the above regards due to relationship and distances involved. On this basis, the proposal is, on balance, acceptable and policy compliant in these regards.

Traffic and Transportation Issues

- 7.23 Policy DM15 of the Development Management Document states: "Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a

safe and sustainable manner". The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.

- 7.24 Outside of the central area, for dwellings with two or more bedrooms, the minimum requirement is two parking spaces per unit. There is on-site parking provision to the front part of the site for at least two cars. The adopted parking standards also require the provision of one cycle storage space per unit. Whilst this is not shown on the submitted plans, there is sufficient space to be accommodated within the site and a condition to require this can be imposed if planning permission were to be granted. The Highways team raised no objections. The proposed development would, subject to conditions, be acceptable and policy compliant in the above regards.

Flooding and surface water drainage

- 7.25 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposed dwelling would replace an existing building on the land and with the creation of a basement would take up additional space (volume) in the ground where water would otherwise permeate. Third party comments raised the issue of a high water table in the area. The submitted Site Investigation Report states that this is not of concern in this instance as the water table appears to be at 3.6m below ground. In any event, adequate drainage should be installed to ensure that there is no increased risk of flooding on site or elsewhere. Details of drainage arrangements incorporating principles of Sustainable Drainage Systems can be required by condition. Subject to such a condition, the development would be acceptable and policy compliant in these regards.

Energy and Water Sustainability

- 7.26 Policy KP2 of the Core Strategy requires that: "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)". Policy DM2 of the Development Management Document states that: "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions". This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.
- 7.27 No information has been provided regarding proposed renewable energy to demonstrate how the proposal meets the 10% policy requirement. However, it is considered that the requirement for renewable energy and restrictions on water usage could be controlled with conditions provided any such externally mounted technologies respect the character and appearance of the area if the proposal were otherwise found to be acceptable. This aspect of the proposal is therefore considered to be acceptable and policy compliant in this regard, subject to conditions.

Community Infrastructure Levy (CIL)

- 7.28 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 446.7m², which may equate to a CIL charge of approximately £7,720.54 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be, on balance, acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal, subject to conditions, would have an, on balance, acceptable impact on the character and appearance of the area, on the amenities of neighbouring occupiers and on the living conditions of future occupiers. The highways impacts of the proposal and its flooding implications are acceptable.

9 Recommendation

9.1 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 hereby approved shall be carried out in accordance with the approved plans: 1519.02, 1519.12B, 1519.13B, 1519.14B.**

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

- 03 The external surfaces of the development hereby permitted shall be constructed only of the materials details of which are shown on plan number 1519.13B prior to the first occupation of the development hereby approved.**

Reason: In the interest of visual amenity in accordance with 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 within the National Design Guide (2019) and the Design and Townscape Guide (2009).

- 04 No construction above ground level for the development hereby approved shall take place until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of materials to be used on hardsurfacing and elevations and details of materials for the boundary treatment of the site. The hard landscaping scheme shall be carried out in full accordance with the approved details prior to the first use of the development hereby approved. The soft landscaping scheme shall be carried out in full accordance with the approved details within the first available planting season (October to**

March inclusive) following the first use of the development hereby approved.

Reason: In the interest of visual amenity in accordance with 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 within the National Design Guide (2019) and the Design and Townscape Guide (2009).

- 05** Construction works for the approved development on site shall only be undertaken between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 06** The first floor side facing windows of the dwelling hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or equivalent) and be permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level. 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: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 07** Notwithstanding the information submitted and details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and excavation works, shall take place unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage and surface water management strategy shall be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and KP3 and Development Management Document (2015) Policy DM14.

- 08** Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details.

- Reason:** To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).
- 09 The dwelling hereby approved shall incorporate water efficient design measures 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 such as grey water and rainwater harvesting before they are occupied.

- Reason:** To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Policy KP2 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).
- 10 The development hereby approved shall be constructed to ensure the dwelling complies with building regulation M4 (2) "accessible and adoptable dwellings" prior to its first occupation.

- Reason:** To ensure the dwellinghouse hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM8 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).
- 11 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the development shall not be first used unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of privacy screens, which shall be a minimum of 1.7m in height, to be installed at the rear balcony of the property hereby approved. Before the development hereby approved is first used the privacy screens shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

- Reason:** In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).
- 12 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any Order amending, revoking or re-enacting that Order) no extensions, conservatories, dormers, roof extensions or other form of development normally permitted under Class A or Class B of Part 1 of Schedule 2 of the above Order shall be erected within the site without planning permission having been obtained from the local planning authority.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

- 1 Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy or the Council's website (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.