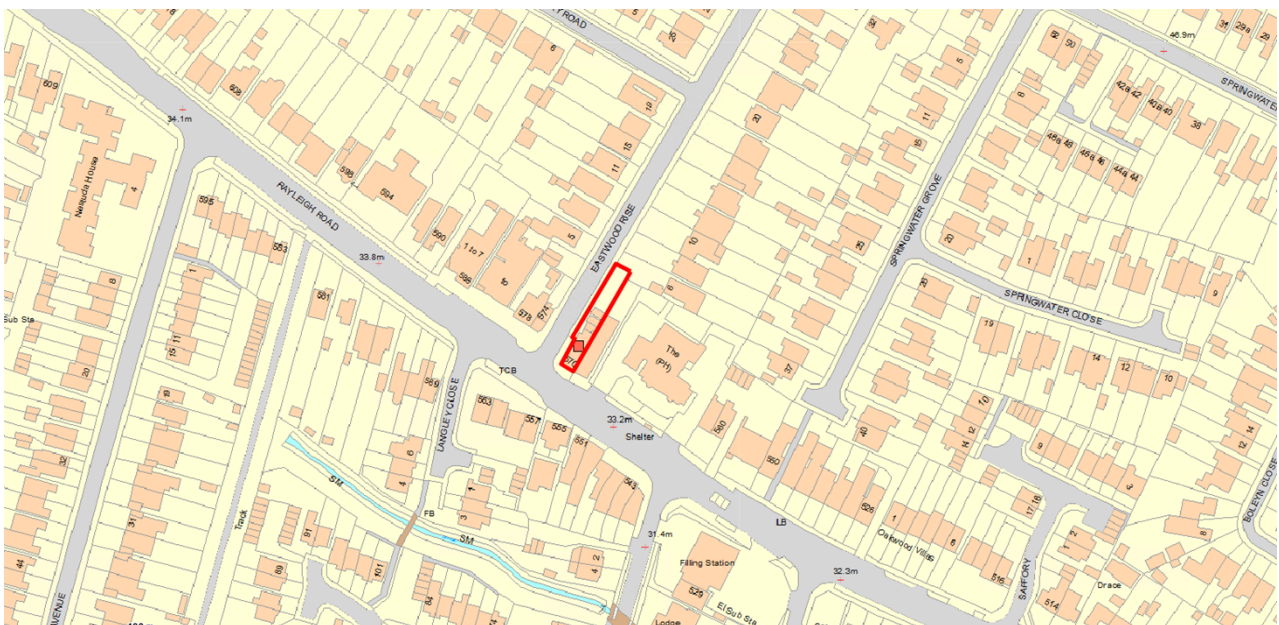


<b>Reference:</b>	20/02091/FUL
<b>Application Type:</b>	Full Application
<b>Ward:</b>	Eastwood Park
<b>Proposal:</b>	Erect single storey rear extension with associated elevation alterations and part change of use of ground floor commercial unit (use class E) to residential use (use class C3), together with remodelling of existing self-contained maisonette to form 2 self-contained flats, with associated landscaping, bin and cycle stores, lay out parking to rear, and extend existing vehicular access onto Eastwood Rise, following demolition of existing outbuildings
<b>Address:</b>	570 Rayleigh Road, Eastwood, Essex
<b>Applicant:</b>	Chaya Parekh
<b>Agent:</b>	Danny Knott of DK Building Designs Ltd
<b>Consultation Expiry:</b>	27th January 2021
<b>Expiry Date:</b>	12th April 2021
<b>Case Officer:</b>	Robert Lilburn
<b>Plan Nos:</b>	<b>3694-11-2 Rev B, 3694-11-1 Rev B</b>
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>



## **1 Site and Surroundings**

- 1.1 The site is located at the junction of Rayleigh Road and Eastwood Rise, on the north side of Rayleigh Road. The immediate context is a mixture of commercial and residential to Rayleigh Road and suburban residential areas extending away from Rayleigh Road.
- 1.2 The subject building is semi-detached with a commercial use at the ground floor frontage and a maisonette to the rear and above. It is finished externally in white painted render and roofing slate.
- 1.3 A row of preserved trees are situated to the east of the application site along the eastern boundary of the neighbouring property at 568 Rayleigh Road.
- 1.4 The site is located with a secondary shopping frontage as identified on the policies map of the Development Management Document. It is situated within flood zone 1.

## **2 The Proposal**

- 2.1 The application proposes the construction of a single storey pitched roof rear extension following removal of existing outbuildings. In association with the development alterations would be carried out introducing a new window facing Eastwood Rise. The extension and alterations would accommodate a two-bedroom flat at ground floor, which would be accessed from a new entrance from Eastwood Rise. The extensions and alterations would be finished externally to match the building as existing.
- 2.2 In association with the development an existing dropped kerb would be removed and another existing dropped kerb would be extended to a width of 4.8m. This would provide for two off-street car parking spaces at the far south end of the site.
- 2.3 The existing maisonette over two floors would be reduced and become a separate first floor flat, with one bedroom rather than two as existing. It would continue to be accessed from an entrance on Eastwood Rise.
- 2.4 The submitted plans show that the existing shop would be reduced in floor area from some 52sqm gross internal area (GIA) and would become an office of some 37sqm GIA. Two existing 8.5sqm ancillary storage sheds would be removed. The proposed office is specified as use class B1; from September 2020 this is Class E. No further details of the proposed office use have been provided. However, the application shows the retention of the existing shop front.
- 2.5 The application is supported by a Design and Access Statement and an Arboricultural Report. It is noted that the submitted application form states that there are no trees within influencing distance of the site. Following a site visit it has been established that there are preserved trees within influencing distance of the site and as such an arboriculturists report with tree survey has since been provided by the applicant. It is therefore considered that the information in the application form does not prejudice the accurate assessment of the application.
- 2.6 The application has been called in to Development Control Committee by Councillor Walker

### **3 Relevant Planning History**

- 3.1 09/00584/FUL Erect detached bungalow at rear of 570 Rayleigh Road and lay out parking space (amended proposal). Refused.
- 3.2 08/00104/FUL Erect detached bungalow at rear of 570 Rayleigh Road and lay out parking space. Refused.
- 3.3 94/0437: Retain grill shutters to front and side of shop. Approved.
- 3.4 90/1429: Erect first floor rear extension. Refused.

### **4 Representation Summary**

#### **4.1 Public Consultation**

13 neighbouring properties were notified and a site notice was posted. One letter of representation has been received and is summarised as follows:

- The development would affect the existing commercial tenancy at the property.

- 4.2 These concerns are noted. However, they are not material planning considerations and therefore would not represent a reasonable basis to refuse planning permission.

#### **4.3 Environmental Health**

No objection.

#### **4.4 Highways Team**

No objections. The boundary fence would need to be reduced (angled at 45 degrees to 1m high) at the back edge of highway to allow a visibility splay. The applicant will be required to apply to highways to construct the vehicle crossover. The applicant would also be required to reinstate any redundant vehicle crossover as part of the development. [**officer comment:** these matters can be reasonably addressed through a condition and informatives on any planning permission should the development be found acceptable].

#### **4.5 Parks (Landscaping)**

If tree removal/other vegetation removal is required then biodiversity enhancing measures should be implemented to prevent net loss of biodiversity.

#### **4.6 Parks (Arboriculturist)**

The proposed extension looks to be approximately in the same footprint as existing structures on site so any root activity from the oak trees may be limited by the existence of these structures, depending on their method of construction.

The two oak trees T8 and T7 overhang towards the site and would probably require pruning in future to lessen any shading or encroachment but this would be minor. An ash and Leyland cypress within the site are suppressed and of little merit and there would be no objection to their removal.

The extension could be constructed without significant harm to the oaks located along the boundary of the adjacent property.

If permission is granted a detailed Tree Protection Plan will be required showing accurate Root Protection Areas and a methodology for protection and working within them and details of supervision if required.

4.7 **Fire Service**  
No objections.

4.8 **Cadent**  
No objection.

## **5 Planning Policy Summary**

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

5.2 Planning Practice Guidance and National Design Guide (2019)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy) KP2 (Development Principles) CP1 (Employment Generating Development), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility), CP4 (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), DM8 (Residential Standards), DM13 (Shopping Frontage Management outside the Town Centre) and DM15 (Sustainable Transport Management)

5.5 Design & Townscape Guide (2009)

5.6 Vehicle Crossing Policy & Application Guidance (2014)

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

5.8 The Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)

## **6 Planning Considerations**

6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area and the street scene, any impact on neighbours, standard of accommodation for future occupiers, highways and parking implications, impact on preserved trees, sustainability, CIL and RAMS implications.

## **7 Appraisal**

### **Principle of Development**

7.1 Policies KP1 and KP2 seek sustainably located development. DM13 seeks to maintain and enhance the vitality and viability of shopping frontages. Policy CP2 seeks to ensure that development does not impact negatively on the ability of local centres to meet the day to day needs of residents.

- 7.2 Policy KP2 of the Core Strategy seeks development that meets the Council's strategic objectives and that secures improvements to the urban environment. Policy CP4 seeks to promote sustainable development, maximising the use of previously developed land. Policy CP8 seeks development proposals that contribute to local housing needs including the re-use of previously developed land.
- 7.3 The proposal would represent the re-use of previously developed land for provision of an additional small dwelling in a broadly sustainable location, with ease of access to shops, services and transport.
- 7.4 Policy DM13 of the Development Management Document states that; *"Primary and secondary shopping frontages within Southend will be managed to reinforce their attractiveness, vitality and viability within the daytime and night-time economies. The character and function of both types of frontage will be protected and enhanced."* It also states that when the property is located within a secondary shopping frontage area, proposals *"must maintain or provide an active frontage with a display function for goods and services rendered and the proposed use will provide a direct service to visiting members of the general public"*.
- 7.5 Further to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the established shop use is from 1st September 2020 classified within Class E of the use classes order. The proposed office provision identified within former Use Class B1 would now be within Class E and therefore no material change of use is involved.
- 7.6 The size reduction of the premises would be relatively modest, taking away mainly incidental and ancillary spaces such as a corridor and low-quality external stores. Policy DM13 seeks the provision of an active frontage displaying goods and services for visiting members of the public. The submitted plans indicate retention of a shop front and given that no material change of use would be taking place it is found that the proposal would not be harmful to the vitality and viability of the local centre and secondary shopping frontage.
- 7.7 The proposal is acceptable and compliant with policy in principle.

### **Design and Impact on the Character of the Area**

- 7.8 Paragraph 130 of the NPPF states that *"permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions"*.
- 7.9 The National Design Guide seeks well-designed places in which development integrates and relates well into its surroundings.
- 7.10 Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and to complement local character.
- 7.11 The Design and Townscape Guide notes the importance of a cohesive local character, and seeks appropriate site-specific design solutions, building on or introducing character.

- 7.12 The proposal would be a single-storey projection, and while subservient to the host building would contrast in scale. As it would replace existing built form of a similar layout, and would address the street positively, there is no objection in this instance to its length.
- 7.13 Suitably matching materials can be reasonably secured by condition in this instance. Appropriate soft landscaping and boundary treatments can also be secured by condition should the development be found acceptable.
- 7.14 The development would be located within influencing distance of a row of trees subject to a Tree Preservation Order (TPO). The council's arboriculturist has noted that the site is already subject to a degree of development and that the proposal is capable of implementation in principle while maintaining the viability of the preserved trees. In light of this full details of protection and mitigation measures can be secured through a condition on any planning permission should the development be found acceptable. In the interests of securing suitable biodiversity enhancements an appropriate landscaping scheme can also be secured through condition.
- 7.15 The proposed car parking layout would not have a harmful impact on the street scene. Details of suitable hard surfacing, to include permeable surfacing as appropriate, can be secured through a condition on any planning permission.
- 7.16 The applicant proposes two external sheds for cycle storage and refuse storage. Whilst limited details have been submitted to date, there is ample scope within the site to achieve a reasonable provision, subject to details which could be secured through conditions on planning permission.
- 7.17 The proposal is acceptable and policy compliant with regards to design and character matters.

### **Impact on Residential Amenity**

- 7.18 Paragraphs 124 and 127 of the National Planning Policy Framework seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy KP2 of the Core Strategy seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.
- 7.19 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that *“protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight”*.
- 7.20 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”*.
- 7.21 The proposed single-storey extension would back on to the commercial premises adjacent. By virtue of its scale and position it would not have a material physical impact on surrounding occupiers in any relevant regard.

7.22 The intensification of the use of the site would be likely to result in more people being present in the building and this might cause some limited additional noise disturbance in general. However, sound transmission is a matter for building regulations and environmental health legislation and in this instance it is considered that the potential for any increased disturbance is unlikely to cause any significant harm to the amenities of nearby occupiers.

7.23 It is found that the proposal is acceptable and policy compliant with respect to neighbour amenities.

### **Living Conditions**

7.24 Paragraph 127 of the NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area and create places that are safe inclusive and accessible, and which promote health and well-being with a high standard of amenity for existing and future users.

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Policy DM8 states that the internal environment of all new dwellings must be high quality and flexible to meet the changing needs of residents.

Development should meet the residential space standards set out in the Nationally Described Space Standards.

The National Housing Standards state that the following gross internal floor areas (GIA) are required to ensure the development is in line with planning requirements:

- Two-bedroom, four-person single-storey dwelling, GIA 70sqm.
- One-bedroom, 1-person single storey dwelling,



GIA 37-  
39sqm.

The proposed flat would have a GIA of 70.4sqm. Individual bedrooms would meet the respective standards for two-person accommodation. Reasonable daylight and outlook conditions would be available. The proposed development incorporates an appropriate amount and layout of useable garden space. It would lead to the loss of direct access from the former maisonette to the garden, which is a negative aspect of the proposal. However, it would not justify refusal of planning permission in isolation, particularly given the reduction in the number of bedrooms for the remaining unit.

The existing maisonette measures some 80.2sqm GIA. It comprises two bedrooms which the submitted plans show

measure some 10sqm each. As a result of the development one of these bedrooms would be removed and the resulting GIA would be some 52.8sqm. As proposed, the size of the first-floor one bed flat (52.8 sqm) would satisfy the adopted standards.

Policy DM8 of the Development Management Document states that all new dwellings should meet the Lifetime Homes Standards, which from the 1st of October 2015 have been substituted by Building Regulation M4(2). Part M4(2) of the Building Regulations requires the need to provide adaptable and accessible dwellings.

Part M4(2) of the Building Regulations adopted by the National Technical Housing Standards 1st October 2015 requires the need

to provide adaptable and accessible dwellings. As the development relates to extensions and alterations to an existing building, it is considered that, in this particular instance, the proposal should not be required to accord with those standards.

Policy DM8 specifies amenity standards including cycle storage and refuse storage. In this instance it is considered that conditions relating to refuse and cycle storage for both flats could be reasonably applied as there is scope for appropriate provision within the grounds.

The proposal is considered acceptable and compliant with the policies relating to living conditions.

### **Traffic and Transportation Issues**

7.33

Policy CP3 of the Core Strategy seeks to improve highway safety and accessibility. Policy DM15 of the Development Management Document (2015) states: "*All development should meet the parking standards (including cycle parking) set out in Appendix 6*". The adopted Vehicle Parking Standards state that one spaces should be provided per flat at this location.

7.34

The existing development has two car parking spaces and two car parking spaces (in a revised layout) are proposed for the proposed development.

7.35

The highways authority has confirmed no objections to the amount of parking provision or the access to the development. Whilst parking provision to serve the commercial unit would not be provided, it is considered that as the site has reasonable transport links and is within a local centre, the quantum of parking is acceptable. A requirement to provide the proposed car parking prior to first occupation of the dwellings can be made by condition.

7.36

The proposal is found acceptable and policy compliant on highways and parking grounds.

7.37

### **Sustainability**

7.38

Policy KP2 of the Core Strategy states: *“All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in Design and Townscape Guide”.*

7.39

The applicant has not provided any details of renewable energy resources, however a condition could be attached to any grant of consent to secure details in this regard.

Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted, this can be dealt with by condition if the application is deemed acceptable.

7.40

### **RAMS**

The site falls within the Zone of Influence for one or more European designated sites scoped into the Essex Coast Recreational Disturbance Avoidance Mitigation Strategy (RAMS). It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species

Regulations 2017. The RAMS Supplementary Planning Document (SPD) which was adopted by Full Council in October 2020 requires that a tariff of £125.58 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement. The applicant has made the relevant payment and the proposed development is therefore acceptable and compliant with the adopted RAMS Supplementary Planning Document (SPD).

### **Community Infrastructure Levy (CIL)**

7.41 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 some 70.4sqm, which may equate to a CIL charge of approximately £1808 (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 acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would be acceptable in principle and would have an appropriate impact on the character and appearance of the application site, street scene and the locality more widely, and on the amenities of neighbouring occupiers. There would be no materially adverse traffic, parking or highways impacts caused by the proposed development. It would offer an acceptable standard of accommodation for future occupiers. A public benefit of the proposal would be the provision of an additional dwelling and the scheme is recommended for approval subject to conditions.

## **9 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

**01. The development hereby permitted shall begin not later than three years from the date of this decision.**

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

**02. The development hereby permitted shall be carried out in accordance with the following approved plans: 3694-11-2 Rev B, 3694-11-1 Rev B.**

**Reason: To ensure that the development is carried out in**

**accordance with the provisions of the Development Plan.**

**03. No development, including demolition, shall take place until a scheme for the protection of the oak trees adjacent to the site, in full accordance with British Standard BS5837 “Trees in Relation to Construction – Recommendations” has been submitted to and agreed in writing by the local planning authority. The protection measures shall include a detailed tree protection plan and provide a methodology to be adhered to from the commencement of development and site preparation, and throughout the construction process. The development shall be implemented in full accordance with the approved statement, protection measures and methodology.**

**Reason: This pre-commencement condition is required in the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).**

**04. Prior to commencement of the development above ground floor slab level, product details of materials to be used in the construction of all the external elevations of the extensions and alterations hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details before it is brought into use.**

**Reason: In the interests of visual amenities, 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) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**

**05. No development above ground floor slab level shall take place until full details of hard and soft landscape works and boundary treatments to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscape works and boundary treatments shall be completed prior to first occupation of the development, and the soft landscaping works within the first planting season following first occupation of the development. The details submitted shall include, but not limited to:**

- i. details of external hard surfacing, to include permeable paving;**
- ii. details of the number, size and location of trees, shrubs and plants to be planted together with a planting specification;**
- iii. details of measures to enhance biodiversity within the**

**site;**

- iv. all and any means of subdividing and enclosing the site, which shall include details of visibility splays to the proposed vehicular access.**

**Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.**

**Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping is implemented pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

- 06. Construction hours for the development hereby approved shall be restricted to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public and Bank Holidays.**

**Reason: To protect the environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Policies 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).**

- 07. A scheme detailing how at least 10% of the total energy needs of the development will be supplied, where feasible, using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.**

**Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Southend-on-Sea Core Strategy (2007), and Policy DM2 of the Southend-on-Sea Development Management Document (2015).**

- 08. The development 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 it is brought into use.**

**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).**

- 09. The development shall not be occupied until and unless details of covered refuse and recycling storage for use by occupiers of both ground and first floor flats, and the commercial unit, have previously been submitted to and approved in writing by the local planning authority. The approved refuse and recycling storage shall be provided and made available for use by the occupants of the development hereby approved prior to first occupation and shall be retained in perpetuity thereafter.**

**Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007).**

- 10. The development shall not be occupied until and unless details of secure, covered cycle storage for use by occupiers of both ground and first floor flats, and the commercial unit, have previously been submitted to and approved in writing by the local planning authority. The approved cycle storage shall be provided and made available for use by the occupants of the development hereby approved prior to first occupation and shall be retained in perpetuity thereafter.**

**Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2019), 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).**

- 11. The development hereby permitted shall not be occupied until and unless the two car parking spaces shown on the approved plans have been provided and made available for use by occupiers of the development and their visitors and shall be retained as such for the lifetime of the development thereafter.**

**Reason: In the interests of the living conditions of future occupiers and highway safety, further to the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15 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.**

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## **Informatives**

- 1. Please note that the development 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](mailto: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/](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/) community\_infrastructure\_levy) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).**
- 2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.**
- 3. The applicant is encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.**
- 4. There is clear evidence that the installation of Automatic**

**Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy. Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.**