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| <b>Reference:</b>           | 21/01722/FUL   |  |
| <b>Application Type:</b>    | Full Application   |  |
| <b>Ward:</b>                | West Leigh   |  |
| <b>Proposal:</b>            | Erect dormers to north, west and south including a recessed balcony to south elevation, rooflights to the east, and extension of existing roof to create 1no. self-contained flat  |  |
| <b>Address:</b>             | 137 Marine Parade<br>Leigh-On-Sea<br>Essex<br>SS9 2RB  |  |
| <b>Applicant:</b>           | Natalie Batrouni   |  |
| <b>Agent:</b>               | William Tozer Associates Ltd   |  |
| <b>Consultation Expiry:</b> | 26.11.2021   |  |
| <b>Expiry Date:</b>         | 03.12.2021   |  |
| <b>Case Officer:</b>        | Janine Rowley  |  |
| <b>Plan Nos:</b>            | <b>A/01/100; A/01/101/B; A/01/102/B; A/01/103/B; A/01/104;<br/> A/01/105; A/01/106; A/01/501; A/02/4101; A/02/4102;<br/> A/02/4103/D; A/02/4104/C; A/02/4105/C; A/02/4106/C,<br/> A/02/04107, A/02/4108</b><br><b>Planning Statement dated August 2021</b> |  |
| <b>Recommendation:</b>      | <b>GRANT PLANNING PERMISSION subject to conditions</b>   |  |



## 1 Site and Surroundings

- 1.1 The application site is a detached property that has been previously converted into two flats (reference 88/1052). The application site is located to the north of Marine Parade on the junction of Thames Drive to the east of the site. The site is not located within a conservation area. The site is located within Seafront Character Zone 1 as defined by Policy DM6 of the Development Management Document.

## 2 The Proposal

- 2.1 The application seeks planning permission to erect dormers to the north, west and south including a recessed balcony to south elevation and rooflights to the north, east and west. It is also proposed to extend the existing roof to the south elevation with the removal of the hipped roof to the corner projection along Marine Parade to create 1no. self-contained flat.
- 2.2 The proposed dormers would measure as follows:
- North elevation- 3.1m wide, 2.2m high, 3.2m deep, flat roof, materials terracotta cladding.
  - West elevation- 5.5m wide, 2.6m high, 3.2m deep, flat roof, materials terracotta cladding and tiles to match the existing roof.
  - South elevation- 1.7m high, 2.7m wide dormer and balcony recessed within the roof 5sqm.
- 2.3 The internal floorspace of the two bedroom flat proposed is 61.3sqm. No parking is proposed and refuse and cycle storage has not been shown on the proposed plans.
- 2.4 During the course of the application the plans have been amended altering the size of the dormers, including the omission of the dormer from the east elevation, and which have increased the amount of rooflights. Residents have been re-notified following these changes for a further 14 days.

### **3 Relevant Planning History**

- 3.1 21/00778/FUL- Erect single storey rear extension to ground floor flat, external alterations, new boundary fence and bin and cycle store to rear- Planning permission granted.
- 3.2 21/00906/FUL- Demolish existing garage and carport and erect residential annexe to rear of property- Refuse planning permission.
- 3.3 88/1052 – Convert dwellinghouse into two self-contained flats lay out parking to the rear and retain the existing garage – planning permission granted.

### **4 Representation Summary**

#### **4.1 Public Consultation**

6 neighbouring properties were consulted and a site notice posted. No letters of representation have been received.

#### **4.2 Highways**

There are no highway objections to this proposal as the site benefits from being in a sustainable location with regard to public transport with good links in close proximity.

It is not considered that the development will have a detrimental impact on the local highway network.

#### **4.3 Environmental Health**

No objections, subject to conditions relating to construction management and recycling and waste storage on site.

#### **4.4 Fire Service**

No objections.

#### **4.5 Member call in**

Councillor Evans has requested this application be determined at the Development Control Committee.

### **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guide (PPG) – National Design Guide (2021)
- 5.3 National Housing Standards (2015)
- 5.4 Core Strategy (2007) Policies KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); and CP8 (Dwelling Provision)

- 5.5 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront), DM7 (Dwelling Mix Size and Type), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 5.6 Design & Townscape Guide (2009)
- 5.7 Technical Housing Standards Policy Transition Statement (2015)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.10 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, 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 of neighbouring occupiers, any traffic and transportation issues, refuse and recycling storage, energy and water sustainability, water drainage, ecology and compliance with the Essex Coast RAMS SPD and CIL liability.

## **7 Appraisal**

### **Principle of Development**

- 7.1 Paragraph 119 of the NPPF states: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, 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. Paragraph 120 (e) states that planning decision should "support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers."
- 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 South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of one-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 While the proposal would not result in any dwellings suitable for families, the provision of additional housing carries significant weight, particularly in light of the application of the tilted balance, albeit the proposed amount of housing would not make a significant contribution towards the needs of the Borough.
- 7.4 The proposed development 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**

- 7.5 Local and national planning policies and guidance seek to ensure that new development is well designed. 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.
- 7.6 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm. Policy DM1 and the Design and Townscape guide provide further details on how this can be achieved. Policy DM6 of the Development Management Document states all development within the Seafront Areas should incorporate measures that limit adverse impacts on biodiversity and protect the valuable natural amenity areas of International, European, national importance. Development Principle iv) for Seafront Character Zone 1 seeks to retain the character and building height and type along Marine Parade.
- 7.7 Section 10.2.10 of the Design and Townscape Guide provides guidance on roof extensions and dormer windows. This section states:

*“366. Proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider townscape. Dormer windows, where appropriate, should appear incidental in the roof slope (i.e. set in from both side walls, set well below the ridgeline and well above the eaves). The position of the new opening should correspond with the rhythm and align with existing fenestration on lower floors. (Note: one central dormer may also be an appropriate alternative.) The size of any new dormer windows, particularly on the front and side elevations, should be smaller to those on lower floors and the materials should be sympathetic to the existing property. The space around the window must be kept to a minimum. Large box style dormers should be avoided, especially where they have public impact, as they appear bulky and unsightly. Smaller individual dormers are preferred”.*

*367. There are many types of dormers and it is important to choose the most appropriate one for the style of property. For example, small dormers with a vertical emphasis tend to suit the Borough’s older properties, whereas thin dormers with a horizontal emphasis (flat roofed or catslide) are better suited to the chalet style post war properties.*

*368. Some contexts, for example where there are unbroken roof slopes in a terrace or street, where the existing pitch is too shallow or where it would over dominate*

*neighbouring properties, dormers and roof extensions will mainly be inappropriate. Where dormers to the front would disrupt the overall balance of the property or the wider streetscene they also will be considered unacceptable.”*

- 7.8 In terms of scale, the ridge height of the building remains unaltered, however the proposal seeks a roof extension to facilitate the dormers to the existing building. It is noted Marine Parade has a number of properties extended within the roof and therefore alterations to the roof in terms of dormers and inclusion of rooflights would not be out of keeping with the surrounding area.
- 7.9 The roof extension to the front of the property to enable a recessed balcony to be installed would not be out of keeping with the existing property or streetscene taking into account the number of properties with balconies fronting Marine Parade and other similar developments in the vicinity. The dormer to the north elevation will be visible from Thames Drive but is set in from the sides of the roof, is set above the eaves and below the ridge height and given the number of properties within the vicinity of the site that benefit from dormer extensions, this part of the proposal is not considered to be significantly out of keeping with the wider area. With respect to the dormer to the west elevation, whilst it will be visible from the north and south and whilst it is relatively large, the dormer is set 5m back from the front elevation, has been set down from the ridge and in from the side and eaves and given its location would have limited views as it would be partially screened by the dwelling to the west and therefore it is not considered the proposal would result in significant harm to the character and appearance of the site, the streetscene and the area more widely on balance.
- 7.10 The overall appearance of the dormers, rooflights and alteration to the roof would, on balance, be sympathetic to the existing building and therefore not result in significant harm to the character and appearance of the host building or the wider surrounding area.
- 7.11 The proposed choice of materials would include terracotta cladding to the dormers to the north and west of the site, matching roof tiles and black painted metal frame windows and frameless glass panels. A condition to require details of the external materials is suggested in the interests of the character and appearance of the area.
- 7.12 The proposal would not include any changes to the landscaping available on site. No details of the siting and appearance of the proposed cycle storage and refuse storage facilities have been submitted for consideration but can be secured with a condition to ensure the proposed facilities would not cause significant harm to the character and appearance of the area.
- 7.13 Overall, the proposal would not be significantly harmful to the character and appearance of the site, streetscene or wider surrounding area. The proposal is considered to be acceptable and policy compliant in the above regards subject to the conditions recommended.

### **Living Conditions**

- 7.14 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. It is considered that most weight should be given to the Nationally Described Space Standards (NDSS) that have been published by the government.

- 7.15 Minimum property size for single storey residential units are as follows; 61sqm (2 bedroom 3 persons).
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5sqm for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
  - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
  - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.
- 7.16 Weight should also be given to the content of policy DM8. These include standards relating to private outdoor amenity space, cycle storage and refuse facilities.
- 7.17 The proposed flat satisfies the minimum size required by the NDSS standards and satisfies the minimum bedrooms sizes with an area of 11.5sqm for the double bedroom and 7.5sqm for the study/store which could provide a single bedroom and the proposed flat provides sufficient storage in accordance with policy requirements. All habitable rooms will be provided with suitable fenestration to provide adequate levels of light and outlook for future occupiers. The proposal is therefore acceptable and policy compliant in this respect.
- 7.18 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. Part M4 (2) of the Building Regulations requires the need to provide accessible and adaptable dwellings. However, in this case, it is not considered reasonable to enforce building regulation M4 (2) given the proposal is for an extension to the existing building.
- 7.19 Policy DM8 of the Development Management Document states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this can take the form of a balcony or semi-private communal amenity space. The Design and Townscape Guide states: "Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development".
- 7.20 The ground floor flat has a dedicated garden area to the rear and the first floor flat benefits from an enclosed terrace area currently. The proposed new flat would benefit from a balcony to the front along Marine Parade some 5sqm in size. Taking into account that the location of the site within walking distance of green space it is considered this would provide adequate living conditions for the future occupiers of the proposed unit.

7.21 The proposal is considered acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

7.22 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.

7.23 The proposed extensions to the building are within the roof. The nearest neighbouring residential properties are 138 Marine Parade to the west, 99 Thames Drive to the north and 135 Marine Parade to the east.

7.24 In relation to privacy and overlooking, the proposed balcony to the front along Marine Parade is recessed within the roof and given its design and position would not result in any significant overlooking or loss of privacy to the amenities enjoyed by existing occupiers to the west of the site at 138 Marine Parade. The recessed balcony would not result in any significant harm to the amenities enjoyed by occupiers to the east and north of the site given the location and separation distances. A condition to ensure the windows and rooflights to the west elevations are obscure glazed to protect the amenities of nearby residential occupiers is required.

7.25 Given the nature, size and scale of the proposal and given the location of and the distance of the proposed roof extensions from the neighbouring dwellings, the proposal would not result in any significant loss of light or outlook, overbearing impact or sense of enclosure to the amenities enjoyed by occupiers at no. 138 Marine Parade.

7.26 The rear dormer would face the flank elevation of no. 99 Thames Drive and would be some 15m from the rear boundary of the site and the site is separated by Thames Drive to the east and the proposed dormers would be approximately 19.3m away from no. 135 Marine Parade. It is not considered the proposal would have an adverse impact on the residential amenities of nearby residential occupiers in any regard.

7.27 A condition to control the hours of construction is suggested in order to avoid significant harm to the residential amenity of neighbours during the construction period.

7.28 Overall, subject to conditions, the proposal is acceptable and policy compliant in the above regards.

### **Traffic and Transport**

7.29 Policy DM15 of the Development Management Document requires flats to have a minimum of one parking space, however the Policy also states '*Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the*

*development is proposed in a sustainable location with frequent and extensive links to public transport...'*

- 7.30 The existing two flats on site will continue to benefit from two parking spaces via the existing vehicle crossover on Thames Drive. The proposed self-contained flat would not benefit from off street parking, however taking into account the sustainable location of the site with Leigh-on-Sea Train Station to the south within walking distance and a number of bus services available along Thames Drive and to the north along London Road, the development is considered acceptable in this instance. The Council's Highway Officer has also raised no objection to the proposals.
- 7.31 Policy DM15 of the Development Management Document states one cycle space is required per flat. Whilst no details have been provided there is sufficient space on site to accommodate cycle storage and this can be controlled by condition. In addition, details of waste storage can also be dealt with by condition.
- 7.32 The impact on traffic, transport and parking is found to be acceptable and policy compliant.

### **Sustainability**

- 7.33 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". The same policy requires all new development to provide "water efficient design measures that limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption). Such measures will include the use of water efficient fittings, appliance and water recycling systems such as grey water and rainwater harvesting".
- 7.34 No information has been provided to demonstrate whether renewable energy can be provided on site to meet at least 10% of the anticipated energy consumption in line with policy requirement or how the water consumption would be limited. It is considered that the requirement for renewable energy and restrictions on water usage can be controlled with the suggested conditions.
- 7.35 This aspect of the proposal is, therefore, considered to be acceptable and policy compliant in these regards, subject to conditions.

### **Flooding and Surface Water Drainage**

- 7.36 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposal would be erected on top of existing impermeable areas and would not significantly increase the runoff of surface water. It is expected that the development would be connected to the sewer system.

7.37 The development would be acceptable and policy compliant in these regards.

### **Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and Ecology**

7.38 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging 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 £127.30 (index linked) is paid per dwelling unit.

7.39 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.

7.40 It is considered that the proposal would not result in any significant adverse impact on ecology with this payment and the conditions recommended.

### **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 application site is located within Zone 3. The proposed development equates to approximately 61.3sqm of new residential floorspace which may equate to a CIL charge of approximately £4,710.67 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, 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 concluded that subject to compliance with the suggested conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local and national policies and guidance. The proposal is acceptable in principle and it would have an acceptable impact on the living conditions of future occupiers, the character and appearance of the area, the highway and parking conditions in the area and drainage. Subject to conditions, the proposed development would also be acceptable in terms of its impact on the residential amenity of neighbouring occupiers. Conditions are suggested to deal with energy and water sustainability. The development offers suitable mitigation for its in-combination effects to protected ecology sites.

- 8.2 This proposal creates new housing. Therefore, if any harm is identified, including in those areas for judgement identified within this report's analysis of the proposal, it would be necessary to demonstrate that in reaching the decision an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any such harm. The Council has a deficit in housing land supply so the tilted balance in favour of sustainable development should be applied when determining the application as relevant. The test set out by the NPPF is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the NPPF taken as a whole. The proposal would make a contribution to the housing needs of the borough which must be given increased weight in the planning balance, albeit the weight to be attached to this would not be so significant in this instance in view of the number of units involved. This application is recommended for approval subject to conditions.

### **Recommendation**

**1.1 MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin no 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 approved shall be carried out in accordance with the approved plans: A/01/100; A/01/101/B; A/01/102/B; A/01/103/B; A/01/104; A/01/105; A/01/106; A/01/501; A/02/4101; A/02/4102; A/02/4103/D; A/02/4104/C; A/02/4105/C; A/02/4106/C, A/02/04107, A/02/4108.**

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

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the works to construct the dormer windows which form part of this consent shall not commence unless and until full details and specifications of the materials to be used for all the external surfaces of the proposed extensions and alterations at the site including facing materials, roof detail, windows, doors and balustrade details have been submitted to and approved in writing by the local planning authority. The works must then be carried out in full accordance with the approved details before the dwelling hereby approved is first occupied.**

**Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).**

- 04 Prior to the first occupation of the development hereby approved, full details of refuse, recycling and secure covered bicycle storage facilities for the flat hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, the refuse, recycling and**

bicycle storage facilities shall be provided at the site and be made available for use in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and refuse and recycling stores and in the interests of visual amenity as set out in the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

- 05 Construction and demolition 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 Bank and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

- 06 The proposed windows in the western elevation of the development 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) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level. The windows shall be retained as such in perpetuity and 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 on the Pilkington scale.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and advice contained in The Design and Townscape Guide (2009).

- 07 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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 08 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 (lppd) (110 lppd 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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) 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](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 [www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](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 No waste materials should be burnt on the site, instead being removed by licensed waste contractors. No dust emissions or fumes should leave the boundary of the site. Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site.**
  
- 4 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and the noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Regulatory Services Officer in Environmental Protection for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ER'.**