

## PLANNING COMMITTEE – 15 DECEMBER 2022

### PART I - DELEGATED

7. **22/1120/RSP - Part Retrospective: Proposed two storey and single storey rear extensions with accommodation within the roof served by front dormer windows and internal alterations, single storey front infill extension, addition of first floor Juliet balcony, ground floor window, addition of accessible first floor balcony, alterations to balustrading to rear and alterations to roof form of existing single storey flat roofed extension at 44 Sandy Lodge Road, Moor Park, Hertfordshire, WD3 1LJ.**

Parish: Batchworth Community Council  
Expiry of Statutory Period: 28 October 2022  
Extension of Time: 16th December 2022

Ward: Moor Park and Eastbury  
Case Officer: Clara Loveland

Recommendation: That Part Retrospective Planning Permission be granted.

Reason for consideration by the Committee: Called in by three Members of the Planning Committee unless Officers are minded to refuse “to discuss the conformity of the balcony in the application within Appendix 2 – Design Criteria in the current Local Plan”.

#### 1 Relevant Planning History

- 1.1 22/1829/FUL- Construction of a single storey front extension and three new windows to the side elevation. Application pending.
- 1.2 22/1119/RSP: Retrospective: Installation of flank rooflights. Application refused:
- The rooflight within the eastern flank roofslope of the two storey gable projection by virtue of its elevated height, flank positioning, clear glazed nature and openable design allows for unacceptable levels of direct and perceived levels of overlooking into No.46 Sandy Lodge Road which adversely affects their privacy levels to the detriment of their enjoyment of the property. The rooflight within the eastern flank roofslope of the two storey gable projection is therefore contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).*
- 1.3 22/0506/FUL: Variation of Condition 2 (Plan Numbers) and 4 (Windows/Doors) of planning permission 19/1345/FUL (Proposed two storey and single storey rear extensions with accommodation within the roof served by front dormer windows and internal alterations, and single storey front infill extension) to insert two rooflights within the roof of two storey rear extension to provide additional natural light and ventilation to the bedroom. Application withdrawn.
- 1.4 19/1345/FUL: Proposed two storey and single storey rear extensions with accommodation within the roof served by front dormer windows and internal alterations, and single storey front infill extension. Application permitted.
- 1.5 18/2370/FUL: Proposed two storey and single storey rear extensions with accommodation within the roof served by front dormer windows and internal alterations. Application withdrawn.
- 1.6 17/0098/FUL: Variation of Condition 4 of planning permission 15/2411/FUL which requires the demolition of the existing ground floor extension prior to the construction of the approved first floor side extension. Application permitted.

- 1.7 15/2411/FUL Part demolition of ground floor and construction of first floor side extension, and alterations to fenestration. Application permitted.
- 1.8 15/1748/FUL: First floor side extension, internal alterations and alterations to fenestration. Application refused.
- 1.9 15/1114/FUL: Single and two storey rear extension, single storey front infill porch and addition of dormer windows to front and rear and rear rooflights (Amendment to application 14/2523/FUL to include conservatory to rear, alterations to fenestration and rear gable). Application permitted.
- 1.10 14/2523/FUL: Two storey rear extension, single storey front infill porch and addition of dormer windows to front and rear and rear rooflights. Application permitted.
- 1.11 14/0279/FUL: First floor side extension with dormer to front and Juliet balcony to rear. Application refused.
- 1.12 07/2433/FUL: Amendment to planning permission 07/1270/FUL: Enlargement of window in flank elevation and change of first floor window to a Juliet balcony on rear elevation. Application permitted.
- 1.13 07/1270/FUL: Amendment to planning permission 07/0695/FUL: First floor rear extension, change to front porch, change to rear dormer, change to fenestration details and new velux window. Application permitted.
- 1.14 07/0695/FUL: Single storey front porch extension, first floor side extensions, single storey and two storey rear extensions, three storey rear extension, roof alterations involving increase in ridge height to allow a loft conversion with rear dormer window, new patio area to rear with new retaining walls and changes and demolition of front of garage and existing single storey side extension. Application permitted.
- 1.15 06/1635/FUL: Single storey front porch and first floor side and rear extension and part single and part two storey rear extension, roof alterations, construction of additional driveway and new patio to rear with retaining wall to front and rear garden areas. Application refused.
- 1.16 06/0593/FUL: Single storey front porch and first floor side and rear extension and part single, part two storey rear extension, roof alterations, construction of additional driveway and alterations to vehicular crossover. Application withdrawn.
- 1.17 95/0220 - Single storey conservatory to the rear. Application permitted.
- 1.18 8/166/89 - Extensions to garage, pitched roofs to 1st floor flat roofs. Application permitted.
- 1.19 Relevant Enforcement History:**
- 1.20 21/0250/COMP Enforcement Enquiry Works not in accordance with 19/1345/FUL - Changes in fenestration and balcony. Case pending.

## **2 Description of Application Site**

- 2.1 The application site contains a two storey extended detached dwelling located on the southern side of Sandy Lodge Road within the Moor Park Conservation Area. The streetscene is characterised by dwellings of varied architectural design located on spacious plots. The dwellings on this side of Sandy Lodge Road are set at an elevated position in relation to the adjacent highway.
- 2.2 The application dwelling is finished in white render and has a pitched roof form which includes dormers to the front and photovoltaic panels to the rear roofslope. To the front elevation there is a two storey gable ended projection and to the east flank of the dwelling

is a single storey side projection which includes an integral garage. To the rear of the dwelling there is a flat roof projection and the rear elevation includes extensive glazing and a first floor central balcony (subject to this application).

- 2.3 To the rear of the dwelling is a large garden which slopes up towards the rear boundary with Moor Park Golf Course. There is a patio adjacent to the rear elevation with the remainder of the site predominantly laid to soft landscaping.
- 2.4 The neighbour at no.42 Sandy Lodge Road to the west of the site is on a similar building line to the application dwelling and has a single storey garage and rear conservatory close to the boundary. The neighbour at no.46 to the east is set slightly forward in comparison the application dwelling.
- 2.5 The application dwelling has been extended a number of times, evident by its planning history. The application dwelling has also more recently implemented planning permission 19/1345/FUL and works are substantially completed. Works have also been undertaken which fall outside of the approved plans, namely, the first floor rear balcony and fenestration alterations.

### **3 Description of Proposed Development**

- 3.1 This application seeks part retrospective planning permission for two storey and single storey rear extensions with accommodation within the roof served by front dormer windows and internal alterations, and single storey front infill extension and addition of first floor Juliet balcony, ground floor window, addition of first floor balcony and alterations to balustrading to rear and alterations to roof form of existing single storey flat roofed extension.
- 3.2 This application has come forward as a result of enforcement investigation 21/0250/COMP where it has been established that development built on site do not accord with approved plans pursuant to 19/1345/FUL and requires planning permission. As a result of the unauthorised works, planning application 19/1345/FUL was not built in accordance with the approved plans and thus has not lawfully been implemented. Consequently, during the course of this application the description was altered to include the previous works in addition to the deviations. The description change resulted in a 14 day re-consultation which remains ongoing at the time of writing this report.
- 3.3 Given that the principle of the development has been approved via 19/1345/FUL, this application assesses only the deviations from the approved plans.
- 3.4 The deviations from the approved plans, of which this application seeks permission for are:
  - The addition of a ground floor window (A1) located to the rear of the utility room.
  - The addition of first floor Juliet balcony (A2) located to the rear of bedroom 4.
  - The addition of a first floor rear Juliet balcony (labelled A3 on Drawing 23219-10 Rev E) serving bedroom 4. The balconies are located centrally, to the rear of the two storey centrally projection.
  - The addition of a first floor rear accessible balcony (labelled A4 on Drawing 23219-10 Rev E) with glass balustrade. It has a width of 7.5m and a depth of 2.2m. It is located to the rear of bedroom 1 and bedroom 5. It has a clear glass balustrade to the rear across its full width. It has a solid wall at a height of 1.2m. It is also proposed to install an obscure screen at a height of 0.6m on top of the solid wall for the depth of the balcony. The obscure screening (wall + screen) would have a height of 1.8m along the depth of the balcony.
- 3.5 It should be noted that amended plans were received during the course of this application. Amended plans omitted the flank roof lights subject to application 22/1119/RSP and do not

form part of this application. Amended plans also introduced obscure privacy screen along the depth of the first floor rear balcony.

## **4 Consultation**

### **4.1 Statutory Consultation**

#### **4.1.1 Batchworth Community Council: [No objection]**

*No objection subject to Officers ensuring that the balcony and changes to the windows do not affect the privacy of neighbours. If they do ensure that suitable amendments are implemented to preserve neighbours privacy.*

#### **4.1.2 Conservation Officer (verbal comments): Balconies are not favoured. However, in context of what has been approved there is no additional harm to the Conservation Area.**

#### **4.1.3 Moor Park 1958: [Neutral]**

*No materially planning issues of concern in regard to any impact on the character and appearance of the Conservation Area. Mindful of the new windows, balconies, glazed balustrade on the rear elevation. Consider that individually or collectively have the potential to materially increase the perception of overlooking and cause a loss of privacy to neighbouring properties.*

#### **4.1.4 National Gird - No response received. Any response received will be verbally updated at Committee.**

### **4.2 Public/Neighbour Consultation**

#### **4.2.1 Number originally consulted: 7**

#### **4.2.2 Number of responses originally received: 1 objection.**

#### **4.2.3 All neighbours were re-consulted for a further 14 days due to description change and amended plans. No comments received to date. Any comments received will be verbally updated at Committee.**

#### **4.2.4 Site Notice: Posted 05.10.22. Expired 26.10.22.**

#### **4.2.5 Press notice: Published 23.09.22. Expired 14.10.22.**

#### **4.2.6 Summary of Responses (initial consultation) :**

- Balcony causes overlooking;
- Disregard for planning regulation;
- Direct views into neighbours bedroom (no.46);
- Application title mentions only a Juliet balcony and not the addition of the balustrade without consent;
- Drawings are misleading e.g. side elevation omits the full sized balcony;
- Criminal act of overlooking from the balcony into neighbours bedroom;
- Applicant has a history of making applications which are in breach of planning laws, conservation rules, laws and regulations;
- An obscure screen should be acceptable only if described accurately in future applications and be of permanent material such as brick. A trellis screen will not offer privacy. A 1.8m solid wall may be suitable way to prevent overlooking;
- The balcony should be removed;
- The roof lights should be static and non-opening with obscured glazing;
- The use of a retrospectively planning application has become a more prevalent way of forcing through non-compliance development.

- 4.2.7 **Officer comment:** It should be noted that objection comments were received prior to amended plans which removed the rooflights subject to 19/1345/FUL and the introduction of the obscure privacy screen along the depth of the first floor rear balcony. The 14 day re-consultation period has arisen as a result of the description change and amended plans to incorporate the works which were previously approved (19/1345/FUL) as well as the deviations.

## 5 Reason for Delay

- 5.1 Committee cycle and amendments sought.

## 6 Relevant Planning Policy, Guidance and Legislation

### 6.1 Legislation

- 6.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

- 6.1.2 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 6.1.3 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

- 6.1.4 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

### 6.2 National Planning Policy Framework and National Planning Practice Guidance

On 20 July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework.

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area). Relevant chapters include: Chapter 2; Chapter 4; Chapter 16.

The NPPF states that '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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

### 6.3 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM9, DM13, Appendix 2, and Appendix 5.

#### 6.4 Other

The Moor Park Conservation Area Appraisal (2006).

### 7 **Planning Analysis**

#### 7.1 Overview

7.2 This application has been submitted following enforcement investigation 21/0250/COMP which has determined that the development built on site does not accord with approved plans as part of planning permission 19/1345/FUL and is not "permitted development" and therefore requires express planning permission. This application therefore seeks part retrospective planning permission.

7.3 During the course of the enforcement investigation it has also come to light that flank rooflights have been installed within the flank roof slopes of the two storey gable projection, closest to neighbour no.42. These rooflights do not form part of this application and a separate planning application has been submitted (22/1119/RSP) for these which has been refused. During the course of this application, amended plans were received which have removed these roof lights from the plans and they do not form part of this application. Amended plans were also received to show the previously approved works and the deviations from the approved plans for which this application seeks planning permission for with the intention to obtain a valid planning permission following the implementation of unauthorised works.

7.4 During the course of the enforcement investigation it has also been raised by officers that the gable end rooflights serving the loft space on either flank are top-hinged openable and non-obscurely glazed ('labelled as pre-existing windows installed circa 2007' on plan number 23219-10 REV G). These rooflights appear to have been in situ since circa 2007 however, when these windows became top-hinged openable and clearly glazed remains under investigation. This application (22/1120/RSP) does not assess the acceptability of these rooflights nor does any grant of permission subject to this application give permission for these rooflights.

#### 7.5 Impact on Character and Street Scene and Conservation Area

7.6 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.7 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual

deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

- 7.8 The application site is located within Moor Park Conservation Area, therefore, Policy DM3 of the Development Management Policies document is applicable. Policy DM3 sets out that within Conservation Areas, development will only be permitted if the proposal is of a scale and design that preserves or enhances the character and appearance of the area; uses building materials and finishes that are appropriate to the area; and results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing feature.
- 7.9 The Moor Park Conservation Appraisal (2006) does not give reference to balconies and gives limited reference to privacy and overlooking. However, it does set out that all proposals for development shall be judged on their effect on the character, appearance and special interest of the conservation area as defined in the appraisal.
- 7.10 The fenestration changes from the previous approved application (introduction of the ground floor rear window and the first floor rear Juliet balconies (labelled A3 on the submitted plans)) are limited in size and owing to their rear positioning are not visible from the wider street. They are also finished in a design and profile which matches the other fenestration within the dwellings and reflects its modern appearance. Given their limited size, positioning and matching profile, the addition of the windows does not adversely impact the character and appearance of the host dwelling, wider street or Conservation Area. It is considered these elements are acceptable.
- 7.11 The first floor rear accessible balcony (labelled A4 on Drawing 23219-10 Rev G) (including the proposed additional obscure privacy screening) is located to the rear of the dwelling and positioned centrally, between the gable ends. As such, it is set in from either flank and not visible from the wider street nor at an oblique angle from the wider street. The Conservation Officer advised during the course of this application that balconies are not favoured. However, when considering the limited views of the balcony and the modern appearance of the dwelling, and its positioning within the context of the glazing which has previous been approved, it is not considered the addition of the first floor rear accessible balcony and privacy screen results in any further adverse impacts the character and appearance of the host dwelling or conservation area.
- 7.12 Therefore, the development would accord with Policy CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM3 and Appendix 2 of the Development Management Policies Document (adopted July 2013) and the Moor Park Conservation Area Appraisal (2006).
- 7.13 Impact on amenity of neighbours
- 7.14 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.15 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties. Appendix 2 states that development should not incorporate balconies, or first floor conservatories which overlook neighbour properties to any degree.
- 7.16 The addition of windows (introduction of the ground floor rear window and the first floor rear Juliet balcony) are of limited size and hold a rear positioning. Therefore, they do not give rise to any unacceptable overlooking. No objection is raised in this regard.

- 7.17 This application has been called into the planning committee as a result of the first floor balcony. It is further noted that neighbour objection comments received during the course of this application regarding the perception of overlooking arising as a result of the first floor rear accessible balcony.
- 7.18 The first floor rear accessible balcony (labelled A4 on Drawing 23219-10 Rev G) is centrally located to the rear of the dwelling between the two gables. As a result, it is positioned some 10m from the boundary line with western neighbour no.42 and some 7m from the boundary line with neighbour no.46 to the east. It should also be noted that both neighbours are set off the shared boundary line. In particular, neighbour no.46 is set off the boundary line circa 5m. It is also noted that the application site is bounded by mature vegetation along both the boundary line with either neighbour which provides extensive screening of the application site.
- 7.19 As a result of the two storey gable closest to no.42 to the west, the balcony is screened along its full depth toward this neighbour. Therefore, there is no possible flank views across to this neighbour. It is noted that due to the rear glass balustrade and the elevated height of the balcony, users of the balcony would have an elevated outlook across the rear of the application site. It is also noted that some views across the rear of the neighbouring site (e.g. rear garden) could be possible. However, the application site is heavily vegetated along the boundary with this neighbour which screens this perception. Furthermore, any views would be towards the rear of the site and would not be materially different to the outlook possible from the other existing first floor rear windows existing within the dwelling. Therefore, it is considered that the rear balcony does not give rise to any unacceptable overlooking across to neighbour no.42 to the west.
- 7.20 Objection comments raised by neighbour no.46 are fully acknowledged and have been considered as part of this application. It should be noted that an officer site visit was conducted to this neighbouring house during the course of this application. During the site visit it was observed that no.46 is set forward of the application dwelling, set off the boundary line, mature vegetation of varying heights runs along the boundary line and this neighbour benefits from a two storey bay window with flank windows which a face in the direction of the application site.
- 7.21 The first floor accessible balcony as existing has a solid white rendered wall at a height of 1.2m. During the course of this application amended plans have been provided which propose an obscure screen with an additional height of 0.6m on top of the solid wall for the full depth of the balcony. The obscure privacy screening in addition to the solid wall would have a height of 1.8m. It is considered that obscure screening with a total height of 1.8m would overcome the concerns raised by this neighbour with regard to overlooking and the perception of this. Furthermore, given the separation distance of the balcony from the boundary line, the additional screening height would not result in a loss of light, nor would it be intrusive on this neighbour. Appendix 2 states that development should not incorporate balconies which overlook neighbour properties to any degree. The proposed additional screening height and level of obscurity would be secured by condition and as such would ensure that the balcony would not give rise to any overlooking towards this neighbour which would accord with the guidance within Appendix 2.
- 7.22 As is the case with neighbour no.42, the rear glass balustrade and the elevated height of the balcony, users of the balcony would have an elevated outlook across the rear of the application site and may have some views across the rear garden of neighbour no.46. However, as a result of the flank obscure screening any views would be some way towards the rear garden of this neighbour. Views would be further limited by virtue of the mature vegetation along the boundary line. It is acknowledged that vegetation cannot be relied upon. Nevertheless, the rear outlook from the balcony is not materially different to the outlook possible from the other first floor rear windows existing within the dwelling. In light of the amended plans to install 1.8m obscure screened, the first floor flank balcony does not give rise to any unacceptable overlooking across to neighbour no.46 to the east.

- 7.23 Whilst neighbour objections are noted, the perception of overlooking would not be justification to refuse this application given that amended plans have been provided with a sufficient obscure screening height and depth which overcomes this concern. This is coupled with the separation distance of the balcony from this neighbour and the relationship between the neighbours.
- 7.24 The proposal, subject to a condition to secure obscure screening, would not arise in significant harm to adjacent neighbours and would accord with CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies Document (adopted July 2013).
- 7.25 Wildlife and Biodiversity
- 7.26 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.27 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

- 7.28 Trees and Landscaping
- 7.29 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.30 The proposal does not impact any trees.

## **8 Recommendation**

- 8.1 That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 Those parts of the development hereby permitted which have not been undertaken as of yet shall be carried out in accordance with the following approved plans: Proposed Plans: 23219-06 REV E; 23219-07 REV E; 23219-08 REV E; 23219-09 REV E; 23219-10 REV G. Pre-existing Plans: 23219-01 REV A; 23219-02 REV A; 23219-03 REV A; 23219-04 REV A; 23219-05 REV A; 23219-11 REV A.

Reason: For the avoidance of doubt, in the proper interests of planning and residential amenity and to safeguard the character and appearance of the Moor Park Conservation Area; in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (2006).

- C2 Within ONE MONTH from the date of this decision, details of the obscurity level of the glazed privacy screen shall be submitted to and approved by the Local Planning Authority. Within TWO MONTHS from the date the Local Planning Authority agree the obscurity details the glazed screening shall thereafter be erected in accordance with the approved details and at a height of 1.8m (including retaining wall) from the surface of the first floor rear balcony for the depth of the balcony as shown on approved plan 23219-10-REV G. Once erected, the obscure glazed screening shall be permanently maintained thereafter in terms of its siting, depth, height and obscurity level.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies (adopted July 2013).

## 8.2 **Informatives:**

- 11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.