

PLANNING COMMITTEE – 20 APRIL 2023

PART I - DELEGATED

7. **23/0191/FUL - Variation of Condition 2 (which requires the construction of a solid rendered wall to be erected to the first floor rear balcony) of planning permission 22/1120/RSP at 44 SANDY LODGE ROAD, MOOR PARK, HERTFORDSHIRE, WD3 1LJ**

Parish: Batchworth Community Council
Expiry of Statutory Period: 29 March 2023
Extension of Time: 24 April 2023

Ward: Moor Park and Eastbury
Case Officer: Clara Loveland

Recommendation: That Condition 1 and 2 of planning permission 22/1120/RSP are varied and Planning Permission be granted.

Reason for consideration by the Committee: Called in by Batchworth Community Council as it is essential that neighbouring privacy is protected.

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 approved.

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).

22/0051/REF - Allowed at appeal, subject to condition that the rooflight B1 facing No.42 within the western roofslope is fixed shut and obscurely glazed. (APP/P1940/D/22/3312909). The Inspector considered that the rooflight B2 within the eastern roofslope facing No.46 was acceptable, contrary to the case officer's previous judgement.

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 Application withdrawn.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 **Relevant Enforcement History:**

1.6 21/0250/COMP Enforcement Enquiry Works not in accordance with 19/1345/FUL - Changes in fenestration and balcony. Case pending, subject to outcome of this application.

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.
- 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 several times, evident by its planning history. The application dwelling has also more recently implemented planning permission 19/1345/FUL and works are substantially completed however, works have also been undertaken which fall outside of the approved plans granted under 19/1345/FUL, namely, the first-floor rear balcony and fenestration alterations and planning permission recently sought to remedy this (22/1120/RSP).

3 Description of Proposed Development

- 3.1 This application seeks the variation of Condition 2 of planning permission 22/1120/RSP.
- 3.2 Condition 2 pursuant to planning permission 22/1120/RSP states:

Notwithstanding the proposed reference to the erection of a obscurely glazed 1.7m privacy screen to the flank of the first floor balcony as shown on drawing number 23219-10 Rev G, within 2 months from the date of this permission a solid rendered wall to match the external appearance of the dwellinghouse shall be erected up to the eaves height of the adjacent gabled roof for the depth of the first floor balcony along the eastern flank. Once erected, the solid wall shall be permanently maintained as such thereafter in terms of appearance, design and height.

- 3.3 The applicant seeks that the condition is varied, in line with the Officer recommendation pursuant to 22/1120/RSP which read:

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.

- 3.4 Additional details have been provided during this application and include plans and elevations (plan number 23219-B-01) confirming that the height of the obscure screen would be 1.8m from the floor of the accessible balcony and would extend across its depth. The privacy screen would be an obscure glass screen with a minimal privacy level 5

(photographic examples have been provided showing the level of obscurity, appended to this report at Appendix 1). The obscure glass would be fixed above the existing rendered wall.

4 Consultation

4.1 Statutory Consultation

Batchworth Community Council: [Objection]

This application follows directly from an approved application 22/1120/RSP, which following our review, Batchworth Community Council (BCC) set out below our comments and objections below.

Batchworth Community Council are aware of the extensive background relating to this property, as a result of 6-7 applications in the past 4+ years, plus more before.

The current application arises because of unapproved works having been undertaken previously. This, in turn, has resulted in the submission of two “retrospective applications” being applied for in 2022. The second of these was approved, after various objections from neighbours, MP58 & BCC.

The significant issue in this instance is the loss of privacy, arising from the unauthorised works. This has led to the outstanding “Enforcement Case (21/0250/COMP)” which was issued specifically because of the works not being in accordance with application 19/1345/FUL and as a result of changes in fenestration and balcony.

The submitting of the current application has arisen following Application 22/1120/RSP being approved after it had been “called in”. This resulted to a decision by the TRDC Councillors agreeing that the proposed balcony finish had to be changed from an “Obscured Gazed Privacy Screen” to “a solid rendered wall to match the external appearance of the dwelling house shall be erected up to the eaves height of the adjacent gabled roof for the depth of the first floor balcony along the eastern flank”.

This application has purely sought to remove Condition 2 of the decision as detailed above.

BCC are of the opinion that this application should be refused, with the previous decision having been made at a TRDC Planning Committee Meeting upheld. With the decision clearly discussed and agreed at a previous TRDC Planning Committee and the decision that was reached by the TRDC Councillors & Officers it is essential that we protect the neighbours privacy. Privacy is a key aspect of all Planning Applications that must be protected.

Batchworth Community Council would ask that this application is called in for a decision by the Planning Committee unless the Planning Officers are minded to refuse.

4.2 Moor Park 1958: [Neutral]

While we do not consider that a glass screen, with a minimum height of at least 1.8m and fitted with glass of the highest possible level/grade of obscuration should necessarily be refused planning permission, nevertheless we do fully understand and support why the Council considered it appropriate and necessary, in the circumstances of this case, to require a solid, brick/rendered wall as the permanent and long term means of mitigating overlooking, and resultant loss of privacy, to the neighbouring property.

We trust the above response, based on what we regard as very relevant and material planning considerations will be taken full cognisance of.

4.3 National Grid: No response received. Any response received will be verbally updated at Committee.

4.4 Public/Neighbour Consultation

4.5 Number consulted: 7

4.6 Number of responses received: 1 objection.

4.7 Site Notice: Posted 14.02.23. Expired 07.03.23.

4.8 Press notice: Published 13.02.23. Expired 10.03.23.

4.9 Summary of Response: Objection.

- Application disingenuous/misinformed misuse of planning documents.
- The balcony was built without permission.
- The addition of the rendered privacy wall is a requirement to preserve privacy where glass balustrade will not suffice.
- The invasion of the balcony is immense, anyone standing on the balcony can view directly into neighbour bedroom, changing room and family living area.
- The glass screen has not been constructed so erecting a brick wall is not complicated.
- Insist that the requirement for privacy is a basic right and should be upheld.

5 Reason for Delay

5.1 Committee cycle and additional information 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).

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, 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 follows planning permission 22/1120/RSP which was granted at the Council's Planning Committee. Condition 2 was re-worded by Members of the committee.

7.3 This application has been submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) which allows the submission of applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. This is subject to the following:

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application. Paragraph 56 of the NPPF sets out that planning condition should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable and reasonable in all other aspects.

- 7.4 Planning application 22/1120/RSP came forward to assess works which had not previously been approved. This included an accessible first floor rear balcony. In granting the accessible balcony within application 22/1120/RSP Members imposed a condition to install a solid rendered wall to the eaves height of the adjacent gabled roof. This differed from the previous Officer recommendation pursuant to 22/1120/RSP which recommended that the existing solid wall in addition to the propose obscure screening with a total height of 1.8m along the depth of the accessible balcony would not give rise to any overlooking towards either neighbour.
- 7.5 During this application, Officers sought further clarity on the level of obscurity and the applicant's agent has submitted details regarding the level of obscurity of the proposed glass privacy screen attached at Appendix 1. It is proposed the glass would be a minimum level 5 obscure glass screen. Officers consider the proposed minimum level 5 obscure glass privacy screen is sufficient in height, design and depth to prevent any unacceptable overlooking to neighbours. The proposed rewording of Condition 2 is therefore considered necessary to prevent overlooking, relevant, enforceable, and reasonable to the planning permission granted 22/1120/RSP and therefore, in accordance with Paragraph 56 of the NPPF. Thus, no objection is held to the proposed rewording of Condition 2. The applicant has confirmed their agreement to this.
- 7.6 This report assesses only the variation of Condition 2 and does not assess any other elements pertaining to the planning permission which were considered acceptable and are not subject to change.
- 7.7 Impact on Character and Street Scene and Conservation Area
- 7.8 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'.
- 7.9 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.
- 7.10 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.
- 7.11 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.

- 7.12 The proposed rewording of Condition 2 to erect an obscure glass screen instead of a brick wall will not be readily visible from public vantage points and will be of a design and positioning which would fit within the context of the existing glazing within the rear elevation. It should be noted that the dwelling is of a modern design and the use of modern glazing would not result in any further adverse impacts the character and appearance of the host dwelling or conservation area.
- 7.13 Therefore, the variation of Condition 2 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).
- 7.14 Impact on amenity of neighbours
- 7.15 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'.
- 7.16 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.
- 7.17 Officers retain the views and recommendation as put forward during planning application 22/1120/RSP where the Officer stated:
- 7.18 *"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."*
- 7.19 *"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."*
- 7.20 *"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. "*

- 7.21 In addition to the previous views held, it should be noted that refused planning application 22/1119/RSP regarding the installation of flank rooflights at 44 Sandy Lodge Road was granted at appeal APP/P1940/D/22/3312909. In paragraph 8 of the appeal, the Inspector stated *“a degree of overlooking is commonplace in residential areas. That said, the properties in Sandy Lodge Road are laid out in large plots amongst significant landscaping, thus giving the area a secluded ambience, where the occupants may reasonably expect to enjoy a significant degree of privacy”*. The Inspector went on to state in paragraph 12 that *“whilst roof light B2 can be seen from No46, and the occupier has raised an objection regarding views from it towards his patio, kitchen, bedroom and changing rooms, given the significant distance involved and intervening features, it has not caused a significant degree of overlooking, nor, in my opinion, a significant perception of overlooking. Having regard to the context of the area, it has not impacted those occupiers’ living conditions to a harmful degree. Although I cannot be certain that landscaping will be retained, given my assessment I see no cogent planning reason why B2 should be fixed shut or obscurely glazed”*.
- 7.22 Given the site circumstances, similarities can be drawn from this appeal and this application. It should be noted that the roof light B2 is at a higher level than the accessible balcony which is located at first floor level. Furthermore, the proposed obscure screen, which would be at a height of 1.8m along the depth of the balcony, would act as an intervening feature between the balcony and No.46. The obscure screen would be of a height, depth and design, which would restrict views across to No.46. Thus, whilst objection comments are noted from this neighbour, there would be no significant degree of overlooking or perception of overlooking from this neighbour once the screen is erected. Moreover, it should be noted that rear accessible balcony is not readily visible from the perception of No.46 due to the boundary screening and distance from this neighbour(as was confirmed during an Officer Site visit within a previous application).
- 7.23 It should be noted that the applicant has provided detail of the level of obscurity for the glass screen, available within Appendix 1. Details (Pilkington report) set out that the obscure glass screen would be “optifload Opal Privacy Level 5”.
- 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.
- 7.28 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.
- 7.29 Trees and Landscaping

7.30 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.

7.31 The proposal does not impact any trees.

7.32 Summary

7.33 It should be noted that Conditions 1 and 2 pursuant to 22/1120/RSP would alter because of the recommendation owing to the additional plan which has been provided within this application (23219-B-01 REV A). Condition 2 would be reworded accordingly to secure that a minimum level 5 obscure privacy screen is installed along the depth of the accessible rear balcony.

7.34 Officers consider the variation of these conditions acceptable for the reasons set out above.

8 Recommendation

8.1 That 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; 23219-B-01 REV A. 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 TWO MONTHS from the date of this permission, an obscure privacy screen at a minimum obscurity level 5 shall 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 and 23219-B-01 REV A. Once erected, the minimum level 5 obscure privacy screen 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:

I1 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 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.

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.

Appendix 1 (Obscurity Details)



Pilkington -
Optifloat Opal (Private)



Pilkington **Optifloat™** Opal Privacy Level 5