

PLANNING COMMITTEE – 17 AUGUST 2023

PART I – DELEGATED

5. **23/0747/RSP – Part Retrospective: Part single, part two storey rear extension, first floor side extension, loft conversion including increase in ridge height, rear dormer windows to the rear, erection of porch, alterations to fenestration, render to exterior and alterations to driveway at SANDLEWOOD, 7A WOLSEY ROAD, MOOR PARK, HERTS, HA6 2HN**

Parish: Batchworth Community Council
Expiry of Statutory Period: 10 July 2023
Extension of Time: 24 August 2023

Ward: Moor Park and Eastbury
Case Officer: David Heighton

Recommendation: That Part Retrospective Planning Permission be granted.

Reason for consideration by the Committee: The application has been called in by three Members of the Planning Committee to discuss overlooking and impact on neighbour privacy.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RU6L8FQFFML00>

1 Relevant Planning and Enforcement History

- 1.1 20/2292/FUL - Part single, part two storey rear extension, first floor side extension, loft conversion including increase in ridge height, rear dormer windows to the rear, erection of porch, alterations to fenestration, render to exterior, new rear patio and alterations to driveway - Permitted - 30.12.2020.
- 1.2 21/0167/COMP: Enforcement Investigation: Works not in accordance with planning permission 21/1370/FUL including land level alterations and erection of air conditioning units. An enforcement notice has been served, see paragraph XX below for more details.
- 1.3 21/1370/FUL - Variation of Condition 2 (Approved Plans) of planning permission 20/2292/FUL: (Part single, part two storey rear extension, first floor side extension, loft conversion including increase in ridge height, rear dormer windows to the rear, erection of porch, alterations to fenestration, render to exterior, new rear patio and alterations to driveway) to include alterations to fenestration - Permitted - 27.07.2021.
- 1.4 21/2425/FUL - Variation of Conditions 2 (Approved Plans) and 4 (Materials) of planning permission 21/1370/FUL: To include additional rear dormer, alterations to fenestration and change to materials - Permitted and implemented (with the exception of the rear patio and fenestration changes) - 10.01.2022.
- 1.5 22/0566/RSP - Part Retrospective: Formation and raising of terrace to rear garden and introduction of privacy screen - Withdrawn - 21.04.2022.
- 1.6 22/1309/RSP – Part Retrospective: Alterations to raised rear patio and rear garden levels including addition of plant room, boundary treatment and installation of privacy screens – Refused - 01.03.2023, for the following reason:

R1: *The raised rear patio including the plant room results in unacceptable levels of overlooking to the neighbouring property at No.9 Wolsey Road which significantly erodes their privacy levels and therefore has a detrimental impact on their living conditions. In addition the proposed introduction of privacy screens by virtue of their siting, height and nature combined with the scale of the raised patio results in an un-neighbourly and overbearing form of development which would have a harmful impact on the visual amenity of the neighbouring occupiers at No.9 Wolsey Road. The development is therefore contrary to Policy 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).*

At the time of writing this report an appeal has been lodged against this refusal (APP/P1940/D/23/3320782) and is currently progressing under the Householder Appeals Service (HAS). This mode of appeal may change if the enforcement notice referred to above is appealed as both enforcement and planning appeals can be linked.

2 Description of Application Site

- 2.1 The application site contains an extended two storey detached dwelling located on the north eastern side of Wolsey Road within the Moor Park Conservation Area. The application site outlined in red on the location plan includes the house and frontage but does not consist of the land to the rear of the dwellinghouse which encompasses the unauthorised rear raised patio and plant room (subject to an enforcement notice) and rear garden.
- 2.2 The dwelling is a modern infill development between No.7 and No.9. The streetscene of Wolsey Road comprises detached dwellings of varied architectural design, located on relatively large plots. The application dwelling is however constructed close to the south eastern boundary. The land levels of the site drop from the front to the rear and the rear amenity space provision contains a number of mature trees.
- 2.3 The neighbouring property to the south east (No.9) is also constructed close to the common boundary. No.9 sits forward of the rear most point of the application dwelling and is set on a similar land level. The neighbouring property to the north west, No.7, is set in a significant distance from the flank boundary, has a similar rear building line to the rear most point of the application dwelling and has a large bay window in the flank elevation facing the application site.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for a part single, part two storey rear extension, first floor side extension, loft conversion including increase in ridge height, rear dormer windows to the rear, erection of porch, alterations to fenestration, render to exterior and alterations to driveway.
- 3.2 Permission was granted under planning application 20/2292/FUL for various works and extensions to the house. The previous description is below:

The proposed part single, part two storey rear extension would extend the dwelling to the rear by a maximum of 5m at ground floor level and 2.9m at first floor level. The extension at both ground and first floor levels would have a width of 13.3m to be constructed in line with the flank elevations of the main two storey aspect of the dwelling. The proposal would include the removal of the existing roof and construction of a replacement pitched roof with a height of approximately 9.4m

(measured from the front elevation) to be set approximately 1m higher than the existing roof form. The development would include a loft conversion including the insertion of three dormers within the rear roofslope. Each dormer would measure a maximum of 1.8m in width, 1.9m in height and 2.8m in depth.

The proposal would include a first floor side extension. This would involve removal of the existing roof over the garage and replacement with a true first floor level and would have a depth of 7.8m and width of 5.4m to be constructed in line with the existing flank elevation. It would have a pitched roof with gabled flank elevation and a height of approximately 8.3m; to be set approximately 1.5m higher than existing. Fenestration would be inserted within the front, side and rear elevations of the development at ground and first floor level. The flat roof of the existing rear projection would be increased in height by approximately 0.7m.

The development would include the removal of the existing single storey front ground floor projections including the covered area to the front of the garage. A single storey front porch projection would be inserted along the front of the dwelling which would have a depth of 1.3m, width of 3.6m and height of 3m with a flat roof design.

The development would also include alterations to land levels to the rear and creation of a raised patio to the rear. The patio and raised planter area would project a total of 5.2m beyond the rear line of the extension and have a width of 13.6m to cover the width of the main aspect of the dwelling. A 1.4m deep raised area would be sited to the rear of the side projection.

To the front the development would include an extension to the existing drive to allow four cars to be parked within the frontage.

3.3 During the course of the build two further applications for variations to the above approved scheme were approved. Planning permission 21/1370/FUL included the following amendments:

- Installation of one window in front elevation over garage in place of three windows;
- Change of design of garage door;
- Insertion of full height window in north west flank elevation;
- Internal alterations.

3.4 Planning permission 21/2425/FUL included the following amendments:

- Removal of windows at ground and first floor elevations along flank elevations;
- Replacement window with a door along southern elevation;
- Addition of dormer within the rear elevation of side projection; the additional dormer would measure 1.8m in width, height of 1.8m and depth of 2.7m.
- Alterations to fenestration along the rear elevation of side projection at ground and first floor level including additional window at first floor level;
- Addition of Juliet balcony to rear at first floor level;
- Changes to fenestration at ground floor to include bi fold doors;
- Removal of the sash windows to the windows to the front elevation.

3.5 With regard to the most recent approved scheme, under reference 21/2425/FUL (the extant scheme), the differences between that approved scheme and the current application are in relation to fenestration changes only and are as follows:

- Front window position over garage door amended
- Ground floor flank door changed to a full length glazed window with the position altered
- Ground floor rear glazing altered with the additional of two further full-length glazed windows forming bi-fold doors
- First floor rear glazing amended over garage to include a full length window the addition of glass balustrade to an existing approved window with alterations to its design.

3.6 No other changes are proposed. All the works forming part of this application have been completed with the exception of the installation of the glass balustrade.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Parish Council: [No objections]

Batchworth Community Council (BCC) and all parties are aware that there has been considerable history in respect of this property with a number (seven since 2020) of applications. Some of these were approved whilst others have been withdrawn and refused. There is also an outstanding Enforcement Notice and Application 22/1309/RSP is subject to an ongoing appeal.

BCC has no comment in respect of the changes to the window over the garage or either ground floor glazing amendments that are different to the consented application. However, BCC is of the opinion that very careful consideration is given to the amended first-floor rear window that is a variance from the consented application. We strongly believe that it needs to revert to the approved form. This window element should be reinstated as per that application and a Juliet Balcony in this location removed. Significant discussion has previously taken place on earlier applications & at TRDC Planning Meeting including some of those that were refused, in part due to the impact on the privacy of the neighbours and the detrimental effect that none approved works have had.

It is for that reason we would urge that the TRDC LPA & PO refuse this application and ensure that this particular window reverts to the form as detailed in the approved planning consent. It should be highlighted that access could potentially be gained onto the roof at some future date and that has been refused in earlier applications.

Finally, we are strongly of the opinion that this application should be refused for the above reason and should not be considered until such time as the appeal has been handled with and even added to the ongoing enforcement notice.

4.1.2 Conservation Officer [No objections]

The proposed alterations would not result in any additional harm to the character and appearance of the Moor Park Conservation Area. I would not raise an objection.

4.1.3 Moor Park 1958 [No objections]

The Directors of Moor Park (1958) Limited consider the amendments to the approved plans as described on the application form to have no detrimental effect and raise no objections to the proposals. However, they would request that conditions be imposed on any grant of permission which state:

A) Should the garage area shown on the plans be used for any purpose other than the parking of cars that the flank window of the area be glazed with obscure glazing and be non-openable, as this window looks into the conservatory of the adjoining property.

B) That the screen shown affixed to the outside of the external doors of bedroom 2 should remain in situ at all times and that the flat roof area outside the doors should at no time be used as a balcony or accessed except for maintenance, as this area looks directly into the adjoining property.

We also request that prior to final consideration of the application more detailed plans of the rear elevation be submitted clearly showing the height of all doors and windows, eaves height and ridge height, as the various plans submitted previously and those subject to the current appeal appear to conflict. Also, the raised ground level that has not been approved should be removed from the drawings as it does not form part of the application as described.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 8

4.2.2 No of responses received: 2 objections received.

4.2.3 Site Notice: Posted: 19.05.2023 Expired: 10.06.2023.

Press Notice: Published: 26.05.2023 Expired: 17.06.2023.

4.2.4 Summary of Objections:

- Window changes impact privacy including access to flat roof at first floor level.
- Ridge height appears higher than neighbours.
- Out of character.
- Retrospective permission sets an unwelcome precedent.

5 Reason for Delay

5.1 Not applicable.

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 as set out within 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 the Conservation Area.

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.

Policy / Guidance

6.2 National Planning Policy Framework and National Planning Practice Guidance.

6.2.1 In 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”.

6.2.2 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).

6.3 The Three Rivers Local Development Plan

6.3.1 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.

6.3.2 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.

6.3.3 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, DM8 and DM13 and Appendices 2 and 5.

6.3.4 The Moor Park Conservation Area Appraisal (adopted 2006)

6.4 Other

6.4.1 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

7 Planning Analysis

7.1 Overview:

7.1.1 Following the refusal of 22/1309/RSP in respect of the raised rear patio, plant room and installation of privacy screens, the local planning authority have served an enforcement notice. The notice seeks to remove the plant room, raised rear patio including associated concrete steps (x2) and concrete base, or amend it so it accords with the raised patio approved via planning permission 21/2425/FUL.

7.1.2 This application simply seeks to formalise other changes to the dwelling from 21/2425/FUL.

7.2 Principle of Development

- 7.2.1 The most recent approved planning permission under reference 21/2425/FUL is an extant permission that has been implemented. The current application including further amendments has been submitted to regularise parts of the development that has been constructed. The development would not result in any changes to the footprint, height or depth or width of the approved extensions to the dwelling and would not alter the depth, height or width of approved raised patio to the rear and no changes to the drive or soft landscaping are proposed.
- 7.2.2 The as built raised patio and plant room to the rear is the subject of a current pending appeal and enforcement notice and does not form part of this application.
- 7.2.3 The analysis section of this report will therefore only discuss the impact of the proposed changes as set out within the 3.5 of the 'Proposed Development' section of this report.

7.3 Impact on Heritage Assets, Character and Street Scene

- 7.3.1 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 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' and 'conserve and enhance natural and heritage assets.'
- 7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area. Extensions should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials. Although it is noted that this criteria relates to extensions to a dwelling and the proposal is for a patio etc, the guidance facilitates the assessment of the proposed development.
- 7.3.3 The site is located within the Moor Park Conservation Area and Policy DM3 of the Development Management Policies LDD 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. The Moor Park Conservation Area Appraisal (adopted 2006) states that the bulk and massing of large extensions will also be considered in terms of consistency with the characteristic building form of the Conservation Area.
- 7.3.4 As previously highlighted the development does not materially change the apparent bulk or massing of the approved scheme. The amendments to the fenestration do not materially alter the appearance of the dwelling in comparison to the approved scheme along the front elevation. The introduction of glazed windows to the side and rear match the as-built fenestration in terms of design, and preserves the character of the Conservation Area and does not result in prominent or contrived features within the street scene or Conservation Area. It is not considered that the alterations to fenestration result in any harm to the overall character and appearance of the Conservation Area or diminish the design objectives of the previously approved schemes.
- 7.3.5 The additional of a further Juliet balcony to the rear on a modern dwelling and similar to previously consented elements would not be visible from Wolsey Road and would be in keeping with what has been approved. As a result, this addition would not result in

any harm to the character and appearance of the Conservation Area. No external access to the flat roof would be permitted from the Juliet balcony. The alterations to fenestration along the rear elevation does not materially change the overall design of the permitted scheme as to result in an unacceptable form of development. Further, taking into consideration the modern nature of the existing dwelling and considering that the dwelling is not a pre-1958 dwelling the design of the rear elevation and alterations to the fenestration preserve the character of the Conservation Area and does not detract from it.

7.3.6 In summary, the proposed amendments to the previously approved scheme preserves the character and appearance of the Conservation Area and does not result in any demonstrable harm to the character and appearance of the host dwelling or Conservation Area. As such, the development complies with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD and the Moor Park Conservation Area Appraisal.

7.4 Impact on amenity of neighbours

7.4.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that extensions should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.4.2 The amendments do not result in any increase in the bulk and massing of the extensions to the dwelling as approved. No other loss of light or harm to visual amenities of any of the other surrounding neighbouring properties results from the alterations and additions of fenestration.

7.4.3 The development as constructed alters previously approved fenestration. This results in a full-height window and the addition of glass balustrade to previously approved fenestration at first floor level and the addition of full length windows at ground floor level towards the south eastern flank. Whilst this results in the addition of slightly larger glazing sited closer to the boundary with No.9 at first floor and ground floor level, it does not result in any materially greater overlooking into the surrounding neighbouring properties in comparison to the approved scheme.

7.4.4 No external balconies are proposed. It is noted that there has been concern raised with regards to the use of the flat roof at first floor level. A Juliet balcony is proposed which would prevent access to the flat roof. However, the use of the flat roof is also subject to a recommended condition that would prevent the use of the first floor flat roof for amenity purposes due to the potential to overlook neighbouring properties. The alterations therefore would not result in any greater overlooking into the surrounding neighbouring properties in comparison to the approved scheme or original dwelling.

7.4.5 The alterations from a door to full length window to the south eastern flank would serve a non-habitable garage, similar in comparison to the approved scheme, which would is not considered to result in overlooking.

7.4.6 The dormer window serving the store, close to the boundary with No.7 was required to be inserted with obscure glazing which has not been done to date. This was a requirement of the extant permission. There have been no changes in the site circumstances which would render this condition no longer reasonable. A suitably

worded condition is therefore imposed to require the window to be altered within 4 months.

- 7.4.7 Subject to conditions, it is not considered that the additional or variations to the glazing along the rear elevation would permit any material greater levels of overlooking into the neighbouring properties in comparison to the approved scheme. In summary it is not considered that the amendments result in demonstrable harm to neighbouring amenity and subject to conditions complies with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD in this respect.

7.5 Parking and Amenity Space

- 7.5.1 Core Strategy Policy CP10 sets out that development should make adequate provision for car and other vehicle parking and Policy DM13 and Appendix 5 of the Development Management Policies document set out requirements for parking provision. Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.

- 7.5.2 The proposed amendments would not affect the parking provision serving the site.

7.6 Trees

- 7.6.1 Policy DM6 of the DMP 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.

- 7.6.2 The application site is located within a Conservation Area and as such all trees are protected. The proposed amendments to the approved scheme would not affect any trees.

7.7 Biodiversity

- 7.7.1 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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

- 7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

- 7.7.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment. As per the approved scheme as the proposal would result in the removal of the existing roof form an informative regarding bats would be added to any approval.

7.8 Conditions:

- 7.8.1 Whilst this application is a new planning application it is necessary to consider whether the conditions imposed under the extant permission are still relevant.
- 7.8.2 The condition relating to the privacy screen along the boundary with No.7 Wolsey Road has been omitted as it is now a requirement of the enforcement notice. In the event the notice is quashed by any Inspector (subject to any future enforcement appeal) and planning permission is granted for 22/1309/RSP, the installation of the privacy screen along the boundary with No.7 is shown on the plans and thus would form part of this planning permission.
- 7.8.3 Other conditions relating to obscure windows to the flank windows and to the dormer window serving the store are still considered relevant and have therefore been attached.
- 7.8.4 Due to the potential to use the flat roofs, as discussed above, conditions preventing their use for amenity purposes is considered reasonable.

8 Recommendation

- 8.1 That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED and has effect from the date on which the development was carried out and is subject to the following conditions:

8.2 Conditions

- C1 WITHIN 4 months from the date of the decision, the windows in the rear dormer serving the store shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties 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 LDD (adopted July 2013).

- C2 The first-floor flank elevations shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties 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 LDD (adopted July 2013).

- C3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties 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 LDD (adopted July 2013).

- C4 The flat roof of the single storey rear projection to the rear of Bed 2 (shown on drawing 1360/P/2B) shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To safeguard the residential amenities of neighbouring properties 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 LDD (adopted July 2013).

- C5 The flat roof of the single storey rear projection to the rear of Bed 1 and Bed 4 (shown on drawing 1360/P/2B) shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To safeguard the residential amenities of neighbouring properties 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 LDD (adopted July 2013).

8.3 **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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes,

where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

A) Making a Non-Material Amendment

B) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/egcl-page/community-infrastructure-levy>).

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. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 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 development maintains/improves the economic, social and environmental conditions of the District.