

4/01388/15/FUL - CONVERSION OF EXISTING BUILDINGS TO CREATE 2 X TWO BEDROOM AND 1 X THREE BEDROOM FLATS. CONSTRUCTION OF 2 TWO BEDROOM 1.5 STOREY DWELLINGS TO THE REAR OF THE PROPERTY WITH ASSOCIATED ANCILLARY WORKS.

44 HIGH STREET, KINGS LANGLEY, WD4 9HT.

APPLICANT: Mr Cain.

[Case Officer - Nigel Gibbs]

Summary

The principle is acceptable in accordance with Policies CS1, CS4 and CS18 of the Dacorum Core Strategy.

The proposal provides an opportunity to reinvigorate this empty listed building, supported by enabling development. The development would revitalise the site within Kings Langley Conservation Area in a location where residential development is supported. The development's form reflects a careful approach involving rejuvenating the site, a flexible approach to applying garden and parking standards in this sustainable location and the consideration of the Applicant's case based upon viability.

This flexible approach enables the provision of a fundamentally important area of communal structural planting within the layout which benefits both parts of the development and their respective settings.

There are no detailed objections to the scheme subject to the imposition of a range of conditions

Background

The application was considered by the DCC at the meeting held on 9 July 2015. At the meeting Members considered the associated Addendum and were advised of the additional representation from 16 York Close regarding the construction implications.

The application was debated at length by the Committee.

It was resolved that the application be deferred to give further consideration to the proposal. This was with reference to the adequacy of parking/availability of spaces in the public car park, construction management and whether the current proposal is overdevelopment of the site.

Since then the applicant has submitted additional information including :

1. A Revised Plan reducing the number of new units at the rear of the site from 3 to 2 two bedroom units.
2. Supporting Letter (Annex A). The applicant has requested this to be submitted in full to Members.
3. Parking Survey - 10 July 2015 to 20 July 2015. Hours : 7.30 to 8.30 am and 6. 30 to 7.30 pm. This comprehensive document is supported by detailed graph presented data for each day and associated photographs and analysis.

4. Construction Management Plan.

Items 3 and 4 are held in the Members Room. There has been re consultation with Kings Langley Parish Council and local residents.

The documents include reference to the following:

Parking Survey Document : 10 Day Parking Survey :10th July up until the morning of the 20th July

The surveys were conducted between the hours of when it was considered that the residents cars would be parked in the evening and early morning before and after work.

The survey included:

A. Langley Hill Car Park. This is a 24 hours free car park and has a gated access to the proposed development. It has a total of 56 spaces including 2 disabled and 2 doctor spaces

B The High Street bays outside are available for free between the hours of 6.30pm and 830am and thereafter there is no return within 2 hours with 1 hour maximum stay. This was split into 4 sections

1. Rose and Crown Pub to Traffic lights outside 44 high street 15 spaces including 1 disabled.

2. Bus Stop to Saracens Head Pub opposite 44 high street 11 spaces.

3. Bus stop to Spar 44 high street side 14 spaces.

4. Saracens Head to Oscars opposite side 44 high street 15 spaces.

C .The NAP Car Park is 24hrs free and is approximately 150m from the site access. It has a total of 68 spaces including 3 disabled.

There are survey tables for each recording with a specification of the numbers of spaces available. With regard to the Langley Hill Car Park referred at the previous meeting the findings were:

10th July am 12 cars / pm 23 cars

11th July am 10 cars /pm 25 cars

12th July am 11 cars /pm 20 cars

13th July am 12 cars /pm 25 cars

14th July am 13 cars /pm 16 cars

15th July am 10 cars /pm 10 cars

16th July am 10 cars /pm 12 cars

17th July am 10 cars /pm 8 cars

18th July am 8 cars /pm 10 cars

19th July am 10 cars/ pm 8 cars

20th July 8 cars

Use Findings included the following free capacity at the specified times:

- Langley Hill . 81 % (45 spaces free in the morning) and 72% (40 spaces free in the evening).
- Rose and Crown Pub to Traffic lights outside 44 High Street on average 74% (11 spaces free in the morning) and 67% (10 spaces free in the evening).
- Bus Stop to Saracens Head Pub opposite 44 High Street on average has 73% (8 spaces free in the morning) and 55% free (6 spaces free in the evening).
- Bus stop to Spar 44 High Street side on average 79% (11 spaces free in the morning) and 50% free (7 spaces free in the evening).
- Saracens Head to Oscars opposite side 44 high Street on average 74% (11 spaces free in the morning) and 47% free (7 spaces free in the evening).
- The NAP Park Street on average 93% (63 spaces free in the morning) and 81% free (55 spaces free in the evening).

The Report's Conclusion was the number of car park spaces available in the central Kings Langley area outside of peak shopping times is more than adequate for the current demand and can accommodate any small variation due to the proposed site development 'with ease'.

Construction Management Plan

The Plan's introduction explains the company's/ applicant's work /experience in carrying development on restricted sites.

It explains that the company have been developing since 2006 with majority of its sites based throughout London. Having tight access sites is nothing new to the company which has 'years of experience' and have put multiple practices in place dealing with multiple issues resulting from 'tight sites'. The company's last 2 developments had similar issues to the application site and it liaised with the local community, professionals and local authority to successfully develop both these sites.

Examples of the company's work include:

- Central London on Chapel Market in a conservation area where access for deliveries and refuse clearance was limited to 1 day due to a 6 day market and access to the site was through an existing shop door due to the requirement of keeping the entire frontage of the building . The company 'successfully completed' the development of both residential units 4 storeys high and commercial unit below.
- West London on a 'red route', where the company had a total of 32 party wall awards and access was restricted to a gated entrance. The company successfully completed the demolition of a metal frame warehouse and construction of both flats and residential housing. It limited deliveries to certain days and utilized smaller machinery in both cases to overcome certain height and width restrictions that applied. It utilised precise ordering of smaller steel frames with timber, brick and block blocks to allow the company to work in confined areas and limit any needs for cranes or heavy goods vehicles.

At the application site the company would again be utilizing all the above along with associated experience at the site to '... make this a successful project along with limiting any impact on the local community'.

This site will be registered in both the considerate contractor scheme and premier guarantee new home warranty scheme involving two unions who both set very rigid regulations and standards to be adhered to at all times. The company also have a designated CDM Manager at all times during the duration of each project.

In this context the company considers that with the site's managed correctly it does not foresee the access way as a problem or hindrance to its work.

The main document provides a comprehensive explanation of the very wide range of issues which would be addressed during construction.

Additional Representations

(As reported to the DCC previously)

Conservation Team

Conditions

Conservation considered the recommended conditions and recommended the following additional conditions:

- Notwithstanding the submitted details no works shall be undertaken to reduce the external door openings of the former stable block attached to the existing (listed) building until details of the brick mortar, mix and brick bonding to be used have been submitted to and approved in writing by the Local Planning Authority. The works to the openings shall then be carried out in accordance with the approved details.

Before the commencement of the development hereby permitted and notwithstanding the submitted details, a full and detailed schedule of all external and internal changes to the existing (listed) building is to be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out fully in accordance with the approved details.

Notwithstanding the submitted details hereby approved no services pipework shall be installed on the exterior elevations of the existing (listed) building, and any attached structures, without details (to include scaled elevation drawing to proposed location) having been submitted to and approved in writing by the Local Planning Authority prior to undertaking the works. The works shall then be carried out in accordance with the approved details.

Notwithstanding the submitted details hereby approved no external vents, flues or other form of opening shall be formed on the elevations or roofs of the existing (listed) building, and any attached structures, without full details (to include scaled elevation drawing to proposed location) having been submitted to and approved in writing by the Local Planning Authority prior to undertaking the works. The works shall then be carried out in accordance with the approved details.

Notwithstanding the submitted details hereby approved no works shall be commenced until full details of the design and finish of window(s), roof- lights and door(s) (external and internal) to the existing (listed) building, and attached structures, have been submitted and approved in writing by the Local Planning Authority. The details shall include scaled drawings of the window (s) and door(s) at a scale of 1:10 and are to be accompanied by horizontal and vertical cross sections, shown in relation to the surrounding fabric, along with moulding and glazing bar detail shown at 1:2 scale. The works shall then be carried out in accordance with the approved details.

Notwithstanding the submitted details hereby approved all rainwater goods are to be in metal with a black painted finish.

Notwithstanding the submitted details hereby approved the historic fabric of the building where damaged, shall be repaired on a 'like for like' bases, to match the original.

Third Party Representation : 2 Church Lane

Only 3 spaces have been provided for the 7 dwellings. In which case are the remaining cars going to park? The plans seem to suggest (without explicitly stating) that the parking will be in the public car park to the rear. One would expect between 7 and 10 cars for 7 dwellings which would mean 4-7 cars parking regularly in the car park. The car park was nearly full when the writer visited today at 4.45pm on 6 July 2015. Therefore the writer does not believe there is capacity for the extra cars.

Also this approach would surely set a precedent for future developments on the High Street to use the car park to count towards parking provision.

It is not known if there are any covenants on the car park but it wouldn't be beyond the realms of probability for the Council to sell the car park in future to raise funds. The rule no 2. of the car park, "Re-parking within 2 hours of leaving", would also appear to

prevent it being used for the dwellings.

Kings Langley Parish Council

Response to the Additional Information: Comments awaited.

Local Residents

Response to the Additional Information: Comments awaited.

Considerations

These relate to the reasons for the deferment, the change to the scheme and the additional information.

Revised Layout

The modified layout and design would be compatible with the setting of the listed building and the character and appearance of the Conservation Area.

With due regard to the layout's form, the role of the strategic communal green space, the number of units and the approach to limiting parking (see below), the proposal would not represent over development. Whilst there is not a rigid adherence to the standards for residential layout specified through the saved DBLP Appendix 3, as explained by the previous report the development would be compatible with the site's setting given the resultant balance between the building footprint/ amount of development and communal green space.

Parking

The previous report addressed the provision of a lower level of on site parking.

Based upon the post DCC submitted survey evidence there is apparent off site capacity to accommodate parking within the immediate vicinity of the site. This involves the availability of local car parks and the highway in this sustainable location.

There are no parking objections to the proposal. This is given the policy context, survey findings, HCC Highways previous advice, the earlier assessment of the parking implications and reduction of the number of units to six.

For clarification saved Dacorum Borough Local Plan Policy 58 (Private Parking Provision) addresses 'Residential Development' under page 186: .

Parking needs, calculated by reference to the parking guidelines in Appendix 5 of the Plan, will normally be met on site.

Car free residential development may be considered in high accessibility locations. Parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g. special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport)'.

As explained at the previous DCC meeting the approach to limiting parking at the site

is due to a combination of factors. These include the sustainable location, the importance of minimising the impact upon the setting of the listed building through limiting curtilage parking, proximity of available public car parking, restricting vehicular movements through the archway access in the interests of highway safety, providing parking for persons with disabilities and limiting the effect upon residential amenity.

Construction Management Plan

This is addressed by a recommended condition.

Community Infrastructure Levy

Members will be updated at the meeting.

Conclusion

The application is recommended for permission subject to wide range of conditions.

The conditions include those referred by the previous Addendum recommended by the Conservation Team, the development's phasing and construction management.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding the submitted details no development hereby permitted shall commence until a full schedule of all materials (including samples) to be used in the construction of all parts of the development shall have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall be carried out in accordance with the approved details.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10, CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 3 Before the commencement of the development hereby permitted and notwithstanding the submitted details no development hereby permitted shall commence until a full schedule of all external changes to the existing building is submitted to and approved by the local planning authority. The development shall be carried out fully in accordance with the approved details.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 4 **Rainwater gutters and downpipes shall be of metal all windows and doors shall be of timber and and the rooflights shall be of a Conservation type.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 5 **The hard surfaced courtyard shall be constructed of permeable material in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: In the interests of sustainable drainage to accord with Policy CS 29 of Dacorum Core Strategy.

- 6 **Notwithstanding any of the submitted details no development shall take place until details of the proposed slab, finished floor and ridge levels of the new buildings and the proposed ramps in relation to the existing and proposed levels of the site and the surrounding land shall have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved levels.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan. In the interests of residential amenity to accord with the requirements of Policy CS12 of the Dacorum Core Strategy.

- 7 **Before the first occupation of any of the dwellings hereby permitted full details of soft landscaping shall have been submitted to and approved in writing by the local planning authority. These details shall include a management plan for the maintenance of the communal landscaped area, the planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and existing planting to be retained and measures for their protection during construction works.**

The approved landscape works shall be carried during the first planting season following the first occupation of any of the dwellings hereby permitted.

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 8 Any tree, hedge or shrub which forms part of the approved landscaping scheme within a period of ten years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree , section of equivalent hedge or shrub of a species, size and maturity to be approved by the local planning authority. After the ten years the submitted management plan subject to Condition 7 shall be carried out and maintained at all times.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 9 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of all the boundary fences/ walls The boundary walls/fences shall be provided fully in accordance with the approved details before the dwellinghouse hereby permitted is first occupied and thereafter shall be retained at all times.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area and in the interests of residential amenity to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 10 The first floor bathroom windows of the dwellinghouses hereby permitted shall be and permanently fitted with obscured glass.**

Reason: In the interests of residential amenity to accord with the requirements of Policy CS12 of the Dacorum Core Strategy.

- 11 **Before the first occupation of the dwellinghouses hereby permitted the vehicular access under the archway shall be upgraded fully in accordance with details submitted to and approved by local planning authority.**

Reason: In the interests of highway safety in accordance with Policy CS12 of Dacorum Core Strategy.

- 12 **The parking spaces numbered identified on Drawing Number 980-SL02 shall be provided fully in accordance with this drawing before the first occupation of any of the dwellings hereby permitted. These spaces shall only be used for parking thereafter.**

Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining highway in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy and Policy 58 of the Dacorum Borough Local Plan.

- 13 **No dwelling hereby permitted shall not be occupied until the turning space shown on Drawing No. 980-SL02 shall have been provided and shall not be used thereafter for any purpose other than the turning of vehicles.**

Reason: To ensure that vehicles may enter and leave the site in forward gear in accordance with Policy CS12 of Dacorum Core Strategy.

- 14 **A gate shall be provided at all times linking the rear of the site with the adjoining car park fully in accordance with details approved in writing by the local planning authority.**

Reason: To ensure opportunities for occupiers of the dwellings hereby permitted to have direct access to the adjoining car park and in the interests of security and crime prevention to accord with Policies CS8, and CS12 of the Dacorum Core Strategy.

- 15 **Before the commencement of the development hereby permitted a Sustainable Design and Construction Statement shall be submitted to the local planning authority. The development shall be constructed and maintained in accordance with approved scheme.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 of the Dacorum Core Strategy.

- 16 **The development hereby permitted shall not be commenced until a sustainable surface water and foul drainage scheme for the site has**

been submitted to and approved in writing by the local planning authority. The scheme shall be carried out fully in accordance with the approved details before the development is completed and any part is first brought into use. No soakaways which shall not be constructed on contaminated land.

Reason To ensure that the site is served an acceptable drainage infrastructure to accord with Policy CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

- 17 Before the first use of any of the dwellings hereby permitted an exterior lighting scheme shall be submitted to the local planning authority. The approved exterior lighting scheme shall be installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 18 No development shall be carried out until additional bat surveys have been submitted to the local planning authority, In the event that bats are found to inhabit the respective buildings a bat mitigation strategy shall be submitted to the local planning authority. The development shall be carried out fully in accordance with the approved bat mitigation strategy.**

Reason: In the interests of safeguarding bats to accord with the requirements of Policy CS26 of the Dacorum Core Strategy.

- 19 No development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**

- 1.The programme and methodology of site investigation and recording**
- 2.The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 6. Nomination of a competent person or persons/organisation to**

undertake the works set out within the Written Scheme of Investigation.

Reason: In order to ensure investigation and preservation of archaeological findings in accordance with Policy CS27 of the adopted Core Strategy

- 20 **No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years shall have been submitted to and approved in writing by the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority for its approval in writing.**

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS 32 of the Dacorum Core Strategy

- 21 **No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years shall have been submitted to and approved in writing by the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority for its approval in writing.**

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS 32 of the Dacorum Core Strategy

- 22 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out**

without the prior written approval of the local planning authority within the residential curtilages of the dwellinghouses of Plots 5 , 6 and 7 :

Schedule 2 Part 1 Classes A, B, C, D and E.

Reason: To enable the local planning authority to retain control over the development in the interests of ensuring that the limited gardens serving the dwellinghouses hereby permitted are maintained and retained for their designed purposes , in the interests of safeguarding the residential amenity of the dwellinghouses hereby permitted and adjoining dwellings , to ensure that there is an acceptable balance between buildings and retained space and in the interests of the appearance of the development in accordance with Policies CS10, CS11 ,CS12 and CS27 of Dacorum Core Strategy

- 23 **Before the first occupation of any of the dwellings within the listed building a scheme shall be submitted confirming how the basement is to be used and maintained .**

Reason: To ensure that the basement's future is clarified in the carrying out of the development to accord with Policy CS27 of Dacorum Core Strategy.

- 24 **The four flats shall be served by a communal refuse storage building unit which shall be provided s fully in accordance with an approved scheme at all times.**

Reason: To ensure that refuse disposal is addressed through Policy CS 12 of the Dacorum Core Strategy and to ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 25 **Notwithstanding the submitted details no development shall be undertaken to reduce the external door openings of the former stable block attached to the existing (listed) building until details of the brick mortar, mix and brick bonding to be used have been submitted to and approved in writing by the local planning authority. The wdevelopment to the openings shall then be carried out in accordance with the approved details.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 26 **Before the commencement of the development hereby permitted and notwithstanding the submitted details, a full and detailed schedule of all external and internal changes to the existing (listed) building shall be**

be submitted to and approved in writing by the local planning authority. The development shall be carried out fully in accordance with the approved details.

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 27 **Notwithstanding the submitted details no external vents, flues or other form of opening shall be formed on the elevations or roofs of the existing (listed) building, and any attached structures, without full details (to include scaled elevation drawing to proposed location) having been submitted to and approved in writing by the local planning authority prior to carrying out of the development hereby permitted . The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 28 **Notwithstanding the submitted details no development shall be commenced until full details of the design and finish of window(s), roof- lights and door(s) (external and internal) to the existing (listed) building, and attached structures, have been submitted and approved in writing by the local planning authority. The details shall include scaled drawings of the window (s) and door(s) at a scale of 1:10 and are to be accompanied by horizontal and vertical cross sections, shown in relation to the surrounding fabric, along with moulding and glazing bar detail shown at 1:2 scale. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 29 **Notwithstanding the submitted details hereby approved all rainwater goods are to be in metal with a black painted finish.**

Reason: To ensure that the development is compatible with the setting of

the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 30 **Before the commencement of the development hereby permitted a scheme for phasing of the development shall be submitted to and approved in writing by the local planning authority**

Reason: To ensure that the listed building is converted at the same time or before contemporaneously with the new dwellinghouses within the rear of the site ensuring that the development is compatible with the setting of the existing listed building, the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 of 120 of the Dacorum Borough Local Plan.

- 31 **The development shall be carried out fully in accordance with Construction Management Plan dated 21 July 2015 accord with the requirements of Policy CS12 of the Dacorum Core Strategy.**

Reason: In the interests of safeguarding the residential amenity of the locality and in the interests of highway safety.

- 32 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following drawings:**

Reason: For the avoidance of doubt and in the interests of proper planning.

NOTE 1:

Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012

INFORMATIVES

Bats : Demolition Works

Notwithstanding the content of the e mail dated 3 December 2014 the local planning authority regarding bats :

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;
Recklessly disturb bats;
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

- *Contacts:*

English Nature	01206 796666
UK Bat Helpline	0845 1300 228 (www.bats.org.uk)
Herts & Middlesex Bat Group	01992 581442

Removal of Asbestos

Advice should sought from the Council's Environmental Health Unit and the Health & Safety Executive.

Construction

Best practical means should be taken at all times to ensure that all vehicles leaving the site during the construction of the development are in a condition such as to not emit dust or deposit mud, slurry or other debris on the highway to minimise the impact of construction vehicles whilst the development takes place.

All areas for storage and delivery of materials associated with the construction of this development should be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway; in the interest of highway safety and free and safe flow of traffic.

The highway authority requires that all new vehicle crossovers are constructed by approved contractors. All works must be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact www.hertsdirect.org or telephone 0300 1234 047 for further instruction.

Air Safeguarding Area

The site is in an air safeguarding area.

Water Supply

This is within the area covered by the Affinity Water Company. It is recommended that the developer contacts Affinity Water.

Land Stability

Before the commencement of development it is recommended that the developer checks the site's land stability.

ANNEX 1 : Applicants Supporting Letter dated 21 July 2015

Please see enclosed our construction management survey, parking survey over a 10 day period and a new revised scheme comprising of 6 units in total

We were extremely disappointed with the committee's comments regarding both access and parking to the scheme that was presented to them. No reflection of the past 12 months hard work that has gone into our proposed scheme was spoke of, neither was our sole aim. As you are aware our sole aim had been to rejuvenate this property and breathe new life into this. A lot of detailed professional expertise and cost has produced a scheme that allows minimal works for sub division of a property that is at risk, it has subsidence, damp and the last 2 rain storms have caused further water penetration from the failing windows and roofs.

The committee spoke of access and parking and commented briefly on over development at the end before deferring the application.

At no point was it mentioned that this property had over 34 viewings, 5 failed offers due to the financial implications of restoring this property and structural issues that were further evident once we completed as disclosed earlier our completion almost didn't happen due to these concerns.

This has been a complicated project from the start and with so many boxes to tick along the way, but we feel we have done our utmost to meet all the planning policy guidelines and this can certainly not be viewed as standard case when it comes to parking. There are too many other factors involved in this project.

We have the support of all consultees that you have discussed the scheme with, archeologically, conservation, fire, police, highways, yourselves, strategic team, ecology, all in fact bar the parish council. With detailed reports supporting our proposed scheme undertaken and conclusions agreed to by the above consultees. The detailed neighbour's discussions barring 2 have been extremely positive.

As outlined on many occasions our sole aim is to rejuvenate this property so it may stand proud as a centre of history within Kings Langley high street for many years to come. But this is only financially viable through a scheme that includes development to the rear garden area.

As always during our negotiations with yourselves over a pre application, main submission and countless consultees meetings over a 12 month period we listen and take on board your comments. In this case we have listened to the committees comments.

A lot was spoken of access to the site. In correct dimensions of height were given and lots of discussions took place within the committee members under false information. We have produced a detailed construction management report detailing deliveries,

equipment etc. I want to reiterate we don't see this access as a problem and have encountered far worse than this in our experience.

The members spoke of parking. We have included a detailed parking survey highlighting how much parking is available to the development and how this would not influence shopkeepers or the local community. There are various free parking options all within 150 m of the site including free off street parking but for our report we have concentrated on Langley Hill, High Street bays and the Nap Car Park. I want to reiterate that the cars left over night in these car parks are residents within Kings Langley.

Kings Langley is a very sustainable area. The site is located in a sustainable position of the High Street close to all services and facilities in the centre of Kings Langley. There are 3 bus stops available less than 30 secs walk from 44 High Street. The High Street is used as a bus route for 318, 500 and 501 buses north bound to Tring, Aylesbury, Hemel Hempstead and Watford. As well as excellent bus links there is also a Train station with direct services to London and Birmingham New Street and all stops in between. This is approx a 10 min walk from the development.

In light of the committee's comments and showing our commitment to this project even further we have reduced the number of units from 7 to 6. We have reduced the number of units from 3 to 2 within the rear garden area, further limiting any impact on the surrounding community.

Losing a 2 bedroom unit, 33% of the scheduled new build. This is considerable financial loss and stresses the financial viability to breaking point but enables this project to be undertaken.

The current property 44 High Street is an existing property with an existing footprint to work too. We could not reduce the units without making further structural changes that could cause greater structural works than our current floor plan proposed. And being listed we simply could not or would not propose any demolition works to this historic property.

We have produced a floor plan for the current listed building that limits any mass internal works, utilizing the external features, windows, internal doorways and current stairs with minimal subdivision. A floor plan that has the support of conservation after many months of negotiations.

I hope with this information and the detailed reports that the committee will see where we are coming from with our design approach and answer any comments they may have.

May I also request that any question that the committee may have during the meeting be directed to us as applicants. There was a lot of misleading, undetailed and inaccurate information, that caused debate within the committee itself, and I hope you agree that the correct and accurate facts need to be dealt with so they can make an accurate decision.

ORIGINAL REPORT TO THE DCC : 9 JULY 2015

Summary

The application is recommended for approval.

The principle is acceptable in accordance with Policies CS1, CS4 and CS18 of the Dacorum Core Strategy.

The proposal provides an opportunity to reinvigorate this empty listed building, supported by enabling development. The development would revitalise the site within Kings Langley Conservation Area in a location where residential development is supported.

The development's form reflects a careful approach involving rejuvenating the site, a flexible approach to applying garden and parking standards in this sustainable location and the consideration of the Applicant's case based upon viability.

This flexible approach enables the provision of a fundamentally important area of communal structural planting within the layout which benefits both parts of the development and their respective settings.

There are no detailed objections to the scheme subject to the imposition of a range of conditions.

Site Description

No. 44 (Village House) is a circa 17th Century Grade 2 vacant listed terraced hipped and gable roof two storey dwellinghouse located on the south western side of the High Street within the Conservation Area. It adjoins / is close to a range of listed buildings including Grade 2* Langley House.

It is within Flood Zone 1, an Area of Archaeological Significance and straddles the Local Centre and Residential Area designations.

It is served by a narrow arched gated cobbled rising carriageway/ access linked to the High Street. The access leads to a yard featuring a two storey stable block. Beyond the yard there is a raised garden which adjoins established housing and Kings Langley Local Village Centre Car Park.

The dwelling was built in phases and features a basement. The oldest timber framed part is late 17th century incorporating major alterations during the 19th century. The roof void is of timber construction with a bitumen liner to the roof tiles. Much of the historic interior remains intact.

During much of the 19th Century the building formed two dwellings. One was a bakers shop and bakehouse. It is confirmed that evidence for this may survive in the form of an inglenook style fireplace within the historic core of the building. This may originally have formed the baker's oven.

In the later part of the 19th Century the building was converted back to a single private

residence, and ceased to function as a bakery. In the latter part of the 20th Century it was subdivided into flats. The installation of modern facilities has obscured much of the previous layout of the building.

Proposal

This is for the building's conversion into 4 flats and the construction of 3 two bedroom dwellings in the rear. The development will be served by the existing vehicular access. The courtyard will provide 3 spaces to accord with the size for persons with disabilities and turning facilities.

The Conversion/ Renovation

This comprises of one 1 bedroom, 2 two bedroom and one 3 bedroom flats. Part of the main loft void will be converted into residential use and the whole building will be re-roofed. There are no planned works to the basement/ cellar. The conversion would incorporate sound and fire insulation. Part of the main loft void will be converted into residential use and the whole building will be re-roofed.

The Rear Development

This would provide three new hipped / gable roof 2 bedroom units on the garden land . The one and a half storey dwellings served by 'non standard ' gardens' would be built on lowered land (about 0.8m) above the courtyard. Access would be via pedestrian ramps within a substantial communal planted area incorporating an internal footpath providing access to the adjoining public car park.

The Revised Viability Assessment

A copy of this is at Annex A. For clarification the Applicant recently confirmed:

- Viability: Over 50 % of the construction costs are to reinvigorate no. 44. The 4 units and 3 houses at the rear enable this.
- Buildings at Risk : Recent property valuation. A specialist subsidence insurance at great expense has been necessary after the latest surveyor's valuation report to the Applicant's lenders. The surveyor for the lender was extremely concerned at the property's structural condition.
- The surveyors report was so critical that the completion on the house almost didn't happen as several lenders were put off by the issues that 44 High Street currently faces.
- The neighbours next door are also experiencing cracking from the joining party wall and are worried at this continuing with roof tiles sliding and damaging their property.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Kings Langley Parish Council.

Planning History

Planning Permission 4/00961/05. Change of use from dwelling to mixed use of dwelling and rehabilitation treatment rooms. Hertfordshire Highways raised no highway

issues. The report noted 3 off-street car parking spaces were to be provided 'with many public car parking spaces in close proximity' . There was an associated listed building consent.

There has been historic and more recent pre application advice regarding the current proposals.

At the pre application stage it was accepted that there was scope to convert the building into separate residential units and accommodate three dwellings at the rear based upon minimum curtilage / off street parking. The Conservation Officer raised concerns regarding the conversion of the property to 5 units and the impact upon the fabric and character of the listed building. The revised approach at that stage reduced the conversion to 4 units.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Guidance Notes

Adopted Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS9 - Management of Roads

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS17 - New Housing

CS19 - Affordable Housing

CS25 - Landscape Character

CS26 - Green Infrastructure

CS27 - Quality of the Historic Environment

CS28 - Renewable Energy

CS29 - Sustainable Design and Construction

CS31 - Water Management

CS32 - Air, Water and Soil Quality

Kings Langley Place Strategy

Saved Policies of the Dacorum Borough Local Plan

Policy 19

Policy 43

Policies 57 & 58

Policy 119

Policy 120

Appendices 1, 2, 3, 4, 5 and 8

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

Water Conservation & Sustainable Drainage (June 2005)

Energy Efficiency & Conservation (June 2006)

Accessibility Zones for the Application of car Parking Standards (July 2002)

Landscape Character Assessment (May 2004)

Affordable Housing SPD (Jan 2013)
Advice Notes and Appraisals
Sustainable Development Advice Note (March 2011)
Refuse Storage

Representations

Kings Langley Parish Council

The Council objects to this application as it considers that the development would be an over-cramping of the site and that there is insufficient parking provision for the number of dwellings.

Strategic Planning

Note that this proposal was subject to pre-application advice and that 44 High Street has been vacant for some time and would support it being brought back in to active use, particularly to ensure the fabric of the Listed Building (saved DBLP Policy 119). No objection in principle to housing development in this general location that straddles the Local Centre and Residential Area designations (Policy CS4). Also whilst the existing building has a High Street frontage the ground floor does not form part of the frontage within the shopping area of the Local Centre under saved Policy 43.

This appears to be a sensitive site given it falls within the Conservation Area (saved DBLP Policy 120 and Core Strategy Policy CS27) and the existing building is Grade 2 listed (saved Policy 119 and Policy CS27). This will therefore require a high quality and sympathetic scheme to safeguard the original building and the setting of the site, particularly in respect of the impact of the new building housing the dwellings to the rear of the plot. The views of the Design and Conservation team should be sought. Saved Policy 19 provides general advice on converting properties to residential. It promotes the conversion of non-residential buildings to flats in Local Centres subject to achieving an appropriate mix of other uses. The policy encourages the provision of a range of amenities including adequate garden space, drying areas, bin stores and parking, etc.

The proposal will provide very limited opportunities for parking as only 3 spaces are to be provided for the proposed 7 units. Some flexibility is acceptable given that this is a reasonably sustainable location being close to a range of services and facilities within the local centre and its reasonable access to passenger services (saved DBLP Policy 58). However, the views of the local Highway Authority should be sought on the proposed level of parking. 7 cycle spaces are to be secured and this is welcomed. The new dwellings should be carefully justified in relation to its impact on the setting of the Listed Building and Conservation Area and its potential impact on adjoining residential properties (Policy CS12 c)). Are the new dwellings required as part of enabling development to maintain the Listed Building? Is the conversion of the original building alone sufficient to achieve such improvements?

The new building is relatively bulky and occupies much of the rear of the plot. It sits quite close to neighbouring property boundaries which limits space around it and opportunities for amenity / garden space and landscaping (saved DBLP Appendix 3). Normally the new dwellings should be provided with their own garden space at a minimum of 11.5m depth. A more communal approach to garden space could be

acceptable if this seeks to better complement/safeguard the setting of the listed building.

Conservation & Design

Initial Advice

The property is Grade II listed and dates to the 17th century or earlier, it has a timber frame core with the front in red brick (19th century) and comprises various phases of construction. At its north end is a gated carriageway entrance to the rear of the site. The property lies in a prominent corner position on the High Street, within the Kings Langley Conservation Area. To the rear, and adjoining the house and forming part of the listed building is a small stable block. The garden extends to the rear and the ground level rises up considerably.

The property is of a good size and has functioned as a family home during the 20th century, it has been used in part as offices in the past and as flats but is currently one unit.

The application includes a detailed Historic Building Appraisal which adequately details the history, fabric and development of the listed building and assesses the impact of the proposals on the listed building.

The property is structurally sound and whilst in need of redecoration and repair internally CO does not consider it to be 'at risk' at this present time. The applicants have submitted a viability statement attempting to justify its conversion to 4 units and the construction of 3 further units in the rear garden, this statement lacks substance and the CO would like to see a viability statement that is backed up by more facts / figures. However it has been accepted at the pre-application stage that the property is fairly large and there is scope to convert it to separate residential units. At the pre-app stage CO raised concerns regarding the conversion of the property to 5 units and the impact upon the fabric and character of the listed building; now a total of 4 units are proposed, 3 units in the house and 1 unit in the stable block.

Following an extensive amount of pre-application discussions the current application entails limited physical alteration to the listed building however the subdivision will naturally entail blocking up of openings, creation of new openings and insertion of fire / sound proofing measures – all of which will have some degree of harmful impact upon the internal character of the listed building. The external appearance of the house will remain unaltered, existing windows and doors are all proposed to be retained and renovated (no replacement is proposed).

There are a number of historic doors within the property, a couple with older spring latches and some vertical board doors. It is likely that the creation of four separate flats will entail the need to block many of these openings up, insert fireproof partitions / doors etc. which will harm the character and internal fittings of the listed building. I would like to see the door between rooms F1 and F2 (both flat 3?) retained, it is a late 18th century panelled door with a spring latch and if within the same flat I believe this could be retained in situ and nailed shut if necessary.

The cupboard in room F4 is to be retained and the former stairs (now part of a

cupboard) leading from G6 to F5 will be used again, this re-instates the older staircase within the oldest part of the property. Other historic doors and door frames can potentially be fireproofed and re-used rather than replaced.

It is recommended the roof-lights to the rear elevation (for the attic conversion) are either a single roof-light (enlarged) or the two roof-lights are placed further apart. External alterations to the stable block are proposed, inserting windows where there are doors currently existing. In principle this is acceptable as the building will be put fully into residential use thereby keeping it in a better state of repair. The proposed fenestration does seem rather muddled and the proposed French doors and side lights to the large front opening is overly domestic in character and should be simplified. It is suggested the full opening is infilled with framed glazing, with the central doors opening and side lights – no glazing bars. The front door can have glazing in its upper part but a reduced amount. It would reduce the domestic appearance of this converted stable building if the door closest to the house could also feature a fully glazed window (non-opening) or remain as a timber door. The other window within the upper part of the existing door opening is acceptable but the glazing bars should be omitted or reduced to a single glazing bar.

The rear development. 44 High Street has a good sized garden area to the rear, it also extends to the west to the rear of 46 – 50 High Street, the land level rises up considerably to the rear. Whilst any development is unlikely to be easily visible from the street scene it may be visible from the car park on Langley Hill and due to the raised levels to the rear any development will have an elevated position. The impact upon the setting of the Grade II* Langley House will also need to be considered, following a site visit I did not consider the new development would have a neutral impact in terms of its harm to the setting of Langley House. In terms of design CO appreciates the reason for hipping the roof ends etc to reduce bulk however CO considers the design could be improved and probably the flint panels omitted. The blank east elevation of the westernmost property is unfortunate and the dormer looks too cramped in this position.

Cycle and refuse storage has been indicated on the site plan adjacent to the rear of the stable building but not shown on elevation plans. Can this be clarified.

Whilst the principle of converting 44 High Street is acceptable the subdivision of the main house into four separate units is considered to harm the layout and character of the interior of this grade II listed building. However, CO is aware that the listed building has been vacant for a few years and is beginning to fall into a state of disrepair; furthermore it seems as if attempts to sell the property as one unit have not been successful; whilst neither of these are a reason to grant consent they could provide weight to the proposals. The NPPF requires the Council to weigh up any harm to the listed building against any public benefit the proposed conversion may provide (para. 134).

Suggest an enhanced viability statement would help justify the harm to the grade II listed building.

The revisions suggested above to the fenestration of the stable block and a reconsideration of the design / appearance of the rear development would be welcomed.

Response to the Revised Viability Assessment

If the suggested amendments regarding the listed building are provided (as per the applicant's additional submission) CD would be happy to recommend approval of the proposed scheme (subject to a number of conditions).

Building Control

Comments awaited.

Trees & Woodlands

Comments awaited.

Scientific Officer

The site is located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site. I recommend that the contamination condition be applied to this development should permission be granted.

Noise & Pollution

Comments awaited.

Refuse Controller

Comments awaited.

Hertfordshire County Council :Highways

Recommendation

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1).Best practical means shall be taken at all times to ensure that all vehicles leaving the site during the construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.

Reason: To minimise the impact of construction vehicles whilst the development takes place.

2) All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

Reason: In the interest of highway safety and free and safe flow of traffic.

3) The proposed car parking space shall have measurements of 3.6m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

Highway Comment

This latest amended details shows that the 3 disabled compliant car parking spaces and discusses the construction methodology of the build.

HCC Fire and Rescue department will comment separately on the accessibility of the site and whilst visitor parking is a matter for the LPA to determine the applicant has confirmed that the refuse will be collected from the dwellings at kerb side which is on par with other similar residential dwellings in the vicinity.

Conclusion The Highway Authority has no objection to the construction of these houses and the refurbishment of the existing. On balance, this proposal is unlikely to have a significant impact on the safety and operation of the adjacent highway, consequently the Highway Authority does not consider it could substantiate a highway objection to this proposal. The Highway Authority has no objection subject to the above conditions to the grant of permission.

Hertfordshire County Council: Historic Environment

Comments awaited.

Note: Based upon pre application advice there are no fundamental objections

Hertfordshire Ecology

HE has reviewed the bat report.

1. HE has no existing species records on the database for this site, however there are four records of bats within 1 km.
2. The 2015 bat report found limited evidence of bat use at this site (four old droppings in the roof void and two fresh droppings in the ground floor workshop), but this indicates that a bat had been present in the building at some point. This report stated that there was moderate potential for bats and that further surveys were necessary. HE has no reason to believe these were undertaken as no further information has been provided in this respect. The report did provide an outline mitigation strategy assuming a maternity colony of pipistrelle bats were present.
3. Technically the LPA **should not determine an application without demonstrating how a European Protected Species can be satisfactorily dealt with** if required, thus satisfying the third Habitats Regulations test. In this case, further surveys are still needed having been recommended but a worst case scenario has also been provided to demonstrate the type of mitigation considered necessary, based on the evidence seen thus far.
4. Consequently if the application is to be approved, **the LPA should condition the further surveys outlined in the 2015 report to determine whether bats are present at the site and to inform what specific mitigation is appropriate.** Whilst surveys should not be conditioned, the current evidence is weak and mitigation options have been outlined so HE considers there is reasonable justification to proceed with determination having taken bats sufficiently into account.
5. HE has no reason to consider there are any other ecological issues associated with this proposal.

Environment Agency

Flood risk is the only constraint at this site. This site is in Flood Zone 1 and is under a hectare. There was no need for consultation.

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere.

Recommend the EA surface water management good practice advice in cell F5 to ensure sustainable surface water management is achieved as part of the development.

Note: Given the site is a former land use there is usually consultation with the EA.

Hertfordshire Constabulary: Crime Prevention Officer

On the basis of information available am content with the development.

The rear gateway access to the public car park on the North West corner of the site, should be full height, ideally self-closing, and with number lock to the car park and thumb turn to the inside face. This is to prevent casual intrusion into the proposed development from this car park.

Any new doors, ground floor windows and flat access doors off communal areas should be to the Secured by Design standard of BS Pas 24:2012.

It is hoped that this will help the development achieve that aims of the National Planning Policy Framework's Policy 69 (safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion) Dacorum Core Strategy policies CS12 (safe access, layout and security) and CS13 (pedestrian friendly, shared spaces in appropriate places).

Hertfordshire Fire & Rescue Service

HRFS has examined the drawings and note that the access for fire appliances and provision of water supplies appears to be adequate.

Further comments will be made upon the receipt of the Building Regulations application.

Thames Water

Surface Water Drainage

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer.

Recommended that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Reason

- to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes shared your neighbours, or are situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes Thames Waters should be to discuss their status and to determine if a building over / near to agreement is required.

Sewerage infrastructure capacity

No objection.

Water Supply

This is addressed by the Affinity Water Company.

Affinity Water

Comments awaited.

Historic England

The proposed works of demolition would be limited and would not seem to affect the more significant element of the building. The subdivision of the house into 4 flats would substantially affect its character.

Langley House is as substantial building whose settling appears to have been eroded by modern development. Development to the rear would seem likely to erode it further, to the detriment of the house's character.

The NPPF provides clear policies for conservation of the historic environment and of designated heritage assets in particular 7, 14,17, 131 132.

The Council should consider whether the proposal work would harm its significance , and whether the development to its rear would harm that of Langley House. Should either proposal entail such harm the Council should weigh that harm against such public benefit as the proposals might provide , in accordance with the Framework (NPPF 134

Ancient Monuments Society/ Council for British Archaeology/ Society for the Protection of Ancient Buildings/ The Georgian Group/ The Victorian Society

No responses.

Response to Publicity / Site Notice/ Neighbour Notification

16 York Close

Will there be a secure lorry off loading bay in the High Street?

How will the excavation spoil be removed?

How many High Street car parking spaces will be taken up by the construction hoarding?

Will the local shop keepers be compensated for the loss in trade?

Can Section 106 be invoked for the benefit of the shop keepers and Kings Langley residents?

If access is from the High Street, a detailed logistics plan and vehicle management strategy is surely required before planning permission is considered.

Or, is the site to be serviced from the rear public car park?

This will mean a loss of premium public car parking spaces forcing more cars to park on the pavements of the surrounding streets.

How many spaces will be lost?

How will the many large construction vehicles be managed, loaded / off loaded and manoeuvred in such a tight space?

Again, a detailed logistics plan and vehicle management strategy is surely required before planning permission is considered.

With 7 properties and a total of 13 bedrooms, there is the potential of 13 car parking spaces required. With only 3 on site, where are the other 10 going to park? As a local resident, I don't want any more pavement / street parking. On street parking is a real problem in Kings Langley and it is not good enough for the authorities to bury their heads in the sand and hope it will go away!

Surely, the application has to provide adequate off street parking in line with Dacorum polices for the 7 properties.

It is a sad situation we are in where there is more concern about bats than the local residents environment and businesses issues. I know we have to move forward and get the most out of our existing housing stock and land assets but it must be to the benefit of all and not just the few.

7 York Close

The total density of units is far too high for such a small area - 14 bedrooms, potentially 14 cars. Where will they park with restricted parking on the High Street, the threat of charging in the car park will result in parking on Langley Hill and nearby closes.

The nearest unit to our garden is very close and would be visually intrusive to our garden and property. The next nearest unit in the garden is very close to the south wall and will be clearly visible to our detriment.

The entrance to the whole development is very tight - how will fire engines, ambulances gain access?

There is a grave danger for pedestrians walking along the pavement- there would be very restricted views for cars entering/leaving the property.
All in all too high density, especially for a listed property.

Langley House

From the plans it is not clear how tall the new buildings at the back of the existing property will be. If they are taller than our wall then our garden will be directly overlooked to which I would be seriously opposed. Seek would like clarification from the Council ..

1 Edmund's Mews

The plans do not appear to consider the requirements in relation to parking for a total of seven units. What parking is shown it is very limited. Please could you clarify how the parking will be managed and where this will be placed on the development so that it does not interfere with the existing premises enjoyment of my/their own homes/gardens.

Further, the parking on the High Street is already overloaded and access to/from Edmund Mews is often blocked or restricted by vehicles parking in this area. Please could you confirm what, if any, plans have been proposed to deal with the increased traffic.

The proposed path (?) which appears to run along the side of the existing wall abutting 1-3 Edmund Mews properties. It is assumed that this is a path and not a driveway. The elevation of this path is critical as people walking along it will potentially be able see directly into the back gardens/conservatories of Edmund Mews. This would be a significant change to the current situation and unacceptable. Any change in elevation might also impact on the security of the property and this should be taken into account. Request for the Council to confirm that the changes/plans will not impact on the elevation of the land running alongside the wall with Edmunds Mews.

Considerations

Policy and Principle

The principle of new housing is acceptable.

Core Strategy Policy CS 1 supports 'Large Villages' such Kings Langley accommodating new development for housing. This is provided it satisfies a range of criteria. These include that it is of a scale commensurate with the settlement and the range of local services and facilities, helps the vitality and viability of the settlement and there is no damage to the existing character.

The principle is reinforced by Policy CS4. There is no objection in principle to housing development in this general location which straddles the Local Centre and Residential Area designations.

The proposal also accords with Policy CS17 in providing additional housing and retaining the existing. Policy CS18 supports a mix of housing.

Also whilst the existing building has a High Street frontage the ground floor does not form part of the identified Shopping Area of the Kings Langley Local Centre Frontage under saved DBLP Policy 43

Impact upon the Listed Building /Setting of adjoining Listed Buildings/Design /Layout/Character and Appearance of the Conservation Area

This is with due regard to Policies CS 10, CS11 CS12, CS13 and CS 27 and saved DBLP Policies 19, 119 and 120 and its relevant Appendices.

The reinvigoration of the site is supported in principle as confirmed by the Conservation Officer. As clarified by the CO this is not a straightforward development proposal.

In considering the application holistically due weight should be given to the respective specialist advice of Historic England and the CO. This is in conjunction with the site conditions and the opportunity for redevelopment, with due regard to applying flexibility in assessing the existing layout/ parking standards and the Applicant's viability issues.

Key Issues/ Outcomes are the following with regard to the CO's specific advice :

1. Condition of the Building.

According to the CO the property is structurally sound and whilst in need of redecoration and repair internally the CO does not consider it to be presently 'at risk'. The Applicant has since confirmed the outcome the subsidence assessment and has a different view.

2. Principle.

Whilst the principle of converting 44 High Street is acceptable the subdivision of the main house into four separate units, the CO's initial assessment considered that it would harm the layout and character of the interior of this Grade II listed building. However see below.

3. Initial Viability assessment.

The CO considered this lacked substance to justify its conversion to 4 units and the construction of 3 further units in the rear garden. There was a request for a more detailed viability statement supported by more facts / figures. However it was accepted at the pre-application stage that the property is fairly large and there would be scope to convert it to separate residential units.

4. A Way Forward.

As observed by the CO the listed building has been vacant for a few years, is beginning to fall into a state of disrepair and attempts to sell the property as one unit has not apparently been successful.

Therefore CO noted whilst neither of these are a reason to approve the scheme they could provide weight to the proposals. The NPPF requires the Council to weigh up any harm to the listed building against any public benefit the proposed conversion may provide (para. 134). It was therefore concluded that an enhanced viability statement would help justify the harm to the grade II listed building.

5. Revised Viability Statement.

The CO acknowledges the viability issues giving weight to a generally positive overall approach to the proposals..

6. Internal Changes to the Listed Building.

As explained by the CO the current application entails limited physical alteration to the listed building.

However the subdivision will involve blocking up of openings, the creation of new openings and insertion of fire / sound proofing measures – all of which will have some degree of harmful impact upon the internal character of the listed building. With some 'fine tuning 'in reconciling the heritage implications with Building Regulations (Fire. Noise)- which can be relaxed for listed buildings- there are no overriding objections. Conditions aim to address these circumstances.

7. External Changes to the Listed Building.

The external appearance of the main house will remain unaltered, existing windows and doors are all proposed to be retained and renovated and no replacements are proposed. The proposed alterations to the stable block require some re-evaluation but are not fundamental. Conditions can address these.

8. Rear Garden Development.

According to the Applicant this is a fundamental pre requisite for facilitating/ enabling the conversion.

Since the receipt of Historic England's response and the COs initial advice the Applicant has provided a levels drawing showing the relationship of the proposed buildings to their surroundings .

With some 'fine tuning' of the detailed external design, the impact would be neutral to the wider setting of the respective listed buildings and the Conservation Area.

It is fully acknowledged that the private gardens for the new dwellings are very limited and well below the DBLP Appendix 3 standards. However they are south facing, useable and will have privacy. The limited size of the respective gardens has to be balanced against the adjoining significant benefits of the communal landscaped area.

In assessing the role of this part of the proposal it should not be in isolation. There needs to be the collective consideration of the visual context (the site conditions and surroundings/ setting) and the development's layout, form/ design and amount . This is in addition and parallel to applying some flexibility to the specified standards for garden sizes and parking in order to achieve a high quality design and layout. This land does not lend itself to a 'standard' approach in terms of applying saved DBLP's Appendix 3's spacing and garden sizes and the parking standards. To do so would significantly stifle the opportunity for innovative approaches to design and layout. In particular it would undermine the role of the communal structural landscaping.

The benefits of the large communal landscaped area is the key 'visual fulcrum' to the whole scheme, reinforced by the footpath link to the public car park. It is the 'glue' that creates a cohesive approach to the whole layout.

Overall the layout prevents a clash between 'old ' and 'new'. The setting of the listed building will not be affected by the new buildings which are very different in design. The layout enables each distinctive part of the development to separately benefit from the ' green setting ' provided by the communal structural planting .

In itself the new building forms a visually cohesive block quite subtly located in relation to the converted historic existing buildings around the courtyard with the communal structural planted / landscaped area creating the visual focus from the arched entrance important **replicating in part the role of the existing garden**. This will be reinforced by the effect of the very limited curtilage parking served by the necessary turning area, with an emphasis upon parking for persons with disabilities/ limited mobility. The low key car parking will be visually and discretely integrated within the layout at a key transitional point set against the higher large area of planting which will create a visual buffer to the site.

The collective effect of the layout , positions and heights of the buildings, levels, limited parking and the fundamentally pivotal important role of the communal structural planting should maintain the historic identity and setting of the listed building remaining in its 'garden setting context. At the same time the new building will establish its own identity and context , ensuring a careful balance between the existing and new building, with the linking internal footpath integrating the development.

Materials will be key to the overall appearance, in addition to the location/ design of the refuse bin store.

As a contrast if there was adherence to the normal parking standards this would result in the rear garden converted into parking/ garaging with the potential to visually dominate and sterilise the rear of the site. Moreover there would be adverse highway safety implications associated with the level of use of the access.

Therefore the opportunity to re-energise the site is dependent upon the need for flexibility to achieve the design/ layout benefits.

Impact upon the Residential Amenity of Existing Dwellings

Despite the smaller gardens, based upon the expectations of Core Strategy Policy CS12, the site conditions and the submitted documentation, the development would be compatible with adjoining residential development. This is in terms of physical impact, privacy, the receipt of sun and day light and noise/ disturbance and takes into the effect of lowering the ground level with the proposed floor level by approximately 0.8m.

Highway Safety (Vehicle/ Pedestrian), Sustainable Location/ Parking / Traffic Generation/ General Access/ Access for Persons with Disabilities- Inclusive Access/ Fire Access

Recent Background Information. Following dialogue between HCC Highways the Applicant, has confirmed:

- Servicing- Refuse would be collected from council waste bins which would be placed at the kerbside on collection days.
- Deliveries – These would be made to the kerbside of the property as they are at present like the other residents in the street.
- Access- Utilising the site's lawful vehicular access. The aim has always been to minimise any impact on the vehicular access to the site. There will be a net decrease in two way movements onto the highway network, as a residential C3 dwelling of this size would generate not only more in vehicular trips but also the amount of off street parking that would be utilized in the current courtyard. Highway Safety/ Access/ Traffic Generation. By restricting the amount of curtilage parking and the need to maintain adequate turning space to enable ingress/ egress in forward gear there will be limited movements across the existing access. This will be in the interests of pedestrians and motorists.
- Sustainable Location. The site's location is ideal in this central village location with access to a range of facilities and services, with bus stops on the main A41 route nearby. The cycle provision will complement this advantage.
- Parking. This is low level of on site parking has also taken into account the sustainable location, the gated access to Kings Langley centre car park enabling residents to use the car park, the environmental effect of more parking within the site and the importance of limiting the number vehicular movements in terms of pedestrian safety from the access onto the highway.
- Inclusive Access/ Access for Persons with Disabilities/ Limited Mobility. All the dwellings will have access to the 3 wider spaces. It will be necessary for the new buildings to be served with levels to ensure that the ramps/ layout provide access.

General Access. Hertfordshire County Council Highways have raised no highway safety/ access objections.

Fire access. The restrictive effect of the archway access prevents tenders entering the site. However Hertfordshire Fire Service is satisfied with the scheme / layout. This will have taken into account the separation distance from the highway and the availability of a fire hydrant. This is set against the usual requirement for fire appliances to be within 45 metres of all parts of dwellinghouses and that part of the furthestmost dwelling on the proposed layout exceeds this, albeit it is partially achieved to the front door of this proposed new dwelling. A dry riser or similar provision of internal fire mains and other facilities at the entrance archway to mitigate this small shortfall to this one property is indicated along the northern boundary.

Pedestrian access from Kings Langley Car Park. This pedestrian link is a benefit FOR residents and visitors.

Refuse. This will be necessary from the site frontage on collection day. A communal bin store is a recommended condition.

Parking. In this location in applying it is expected that between 7 and 9.5 spaces should be provided under the Accessibility Zone assessment. Given the sustainable location the lower level can be applied. The proposal's 3 spaces is however significantly below this. Justification for such takes into account the availability and accessibility of the adjoining public car park from the site, the safety implications of the increased use of the access and additional on site parking would compromise the overall layout. It is feasible for the current layout to accommodate one additional space.

Ecological Implications/ Biodiversity

An additional bat/ habitat survey is necessary based upon Hertfordshire Ecology's advice. Depending upon the findings this may have implications for the final design/ layout. If a roost is confirmed and/or high levels of bat activity are recorded during further surveys, this would indicate an increased likelihood of the cellar being utilised by hibernating bats.

New planting in the communal landscaped area would benefit urban biodiversity.

Flooding/ Drainage

There are no fundamental issues. A condition should address the details, including sustainable drainage, taking into account no soakaways should be installed on contaminated land.

Contamination and Land Stability

Contamination can be addressed by conditions given the site's former land use.

There is no evidence available to the local planning authority regarding land stability. An informative is recommended.

Archaeological Implications

A condition is recommended.

Note: The submitted supporting report notes:

Evidence for each of the phases of the building's development survives within the fabric of the building, and also in many of the fixtures and fittings that are present within the property.

It is understood that the current development will be carried out sensitively, and much of the historic character of the building will be retained.

There may be some negative impact on the historic fabric of the building during building works, but this could be mitigated by the implementation of a historic building watching brief during these works, to ensure the proper recording of any affected areas. This may also contribute to a better understanding of the development of the building through its different phases of use.

Crime Prevention/Security

There are no apparent fundamental objections. The layout ensures excellent natural surveillance. The installation of a locked rear gate to the public car park would be essential.

Approach to Sustainable Construction

The Council will expect that there is full attention to this in accordance with Policy CS29. and is addressed by a recommended condition.

External Lighting

This should be kept to a minimum and subject to a condition.

Affordable Housing / Planning Obligation

No affordable housing will be required due to the number of units and the development's floorspace.

Environmental Impact Assessment

This is not be necessary.

Conditions

These are wide ranging to reflect the site conditions and the responses of the respective technical consultees.

Conclusions

According to the Applicant a lower density development for the site is 'viability challenged'. The layout ensures maintenance of the listed building's long established green setting by re-interpreting the role of part of its garden through an innovative approach to the communal structural soft landscaping. This area visually integrates the two components of the development reinforced by the important role of the connecting footpath to the public car park. The setting of both parts of the development will benefit from the position of the communal planting.

It is fully acknowledged that the normal parking and garden standards are not complied

to, however this is actually what makes the scheme work, functionally, environmentally and viably in a very sustainable location. A different scheme involving less dwellings would not apparently deliver the necessary enabling development achieved through building at the rear of the site in this proposed holistic approach. A lower density scheme would however potentially generate more vehicular movements if maximum parking standards are applied using the existing access onto the High Street where pedestrian, motorist and cyclists safety is paramount and result in a far less innovative design approach.

Therefore, in this highly sustainable location the proposal provides an opportunity to reinvigorate the site in the centre of Kings Langley if a flexible approach is adopted in applying the LPA's saved DBLP standards for parking and layout. In this context the application is recommended for permission Subject to the imposition conditions.

ANNEX A: Proposed viability and development considerations

The financial cost of repairing and retaining most of the original grade 2 listed properties is only financially viable with the sub division and creation of new dwellings in the rear garden area. The design is very sympathetic to the historic fabric of 44 High Street and our impact assessment shows that we are reinstating several key features such as original stairs etc retaining original staircase, windows, doorways and room layouts etc. With minimal renovation where ever possible. And as stated in the impact assessment the new rear dwellings will have a neutral impact on the historic fabric of 44 high street. Alongside this our sun light and daylight, over shadowing report also reveals that these new dwellings will have no physical impact on the surrounding neighbours on any sides.

Without such a scheme of 4 units in the existing property and 3 new dwellings(which have been negotiated over many months and supported at officer level and with conservation and your consultees) the renovation of the 44 High Street and its features would not take place. The number of units proposed in the scheme, allows the proposed development to release funding for this renovation and also will allow 44 High Street to be an integral part of Kings Langley history for many years to follow and breathe new life into this grade 2 listed property.

If repair or refurbishment is not undertaken soon then the building will fall into a serious condition. As a company the Applicant has previously undertaken conversions and refurbishments of other listed buildings working with the local authority to retain these buildings that otherwise would have not survived.

And as all are aware the building works on listed buildings are both time consuming and expensive in nature and as well as the items visible there could be other issues not seen at present such as subsidence and many more unforeseen that wouldn't present themselves until we started the construction phase.

This coupled with the Applicant's s revising schemes and reducing the number of units, room sizes, ensuites etc as below and being sensitive with the design leaving original features in place with 4 large apartments means we feel we have done everything within our power to appease everyone, meet the council's planning and building regulations requirements and also make the project financially viable for ourselves.

There are proposed a total of 4 apartments (3 in the main house and 1 in the stable block) and 3 new builds at the rear making a total of 7 units.

They are all arranged so that nearly all of the upper floors accommodation is directly above their living accommodation with exception of that above the living room unit 2, but is living room over living room which is an accepted preferred arrangement

To unit 1 the proposal includes our agreement to the exclusion of the earlier proposed staircase to the front room and the reintroduction of the original staircase thereby allowing these front rooms onto the street at ground level and first floor levels to be retained in their current configuration, bedroom 2 has been kept the same size space which was considered important as this being the oldest part of the original building

A new stair has been added in unit 2 is arranged in the more modern central rear

extension which was built more recently than the front part of the property

The Applicant has taken on board the LPA's comments as above but also since the first proposal, removed 1 unit from the plans taking number of 5 to 4 units, removed the basement, staircase in oldest part of house living room, side extension to stable block, utilized 2 original staircases, amended the main bathroom and kept original features such as bedroom store cupboard etc now throughout the conversion and limited any works to the oldest part of the house,

Within the existing main building and in relation to the subdivision to provide 2 or 3 units in coming to our final architectural proposal the Applicant has considered a numerous options, and have previously concluded that conversion into 2 units would produce houses with sizes of over 150 sqm both would be large properties. Between them only one existing High Street entrance door is available, as we wished, and are required to retain the front elevation (with 3 structural openings at ground floor level) as intact as far as possible. Even without the new build the houses these 2 would have a poor relationship to garden space and to car parking arrangement and could not offer suitable accommodation that would attract higher values which must be achieved if only 2 units were required.

In considering the conversion into 3 dwellings this is not realistic, in that the connection of the accommodation to the rear stable block to the potential connection zone in the front house, long circulation areas would require resulting in an expensive and ineffecient plan layout. These houses would be in the order of 100sqm each and also with less than ideal setting and ancillary facilities, that would fail to attract the essential higher values required.

The Applicant consider that this latest proposal provides a well balanced approach in that it allows a sensitive conversion, maximise the use of the accommodation and secures the retention and refurbishment of the building to a good state of repair together with the proposed new building accommodation would not otherwise be economically possible, and this allows us to breathe new life into the property for many years to come.

The submitted scheme makes the project financially viable. The financial calculations that have been carried out have utilized the current construction rates and normal levels of developers return on investments.

The Applicant believes everything has been to satisfy all parties and have dealt with all matters such as lowering the new builds (again at expense) to have a neutral effect on the garden and limit any physical impact on neighbouring areas on all sides. Produced a car parking layout which limits the physical impact and vehicular access onto the highways and arch way. Design 4 apartments that take into consideration the historical fabric and value of 44 high street, reinstating old features and keeping features throughout.

The Applicant has produced specialist reports substantiating all of the above. It has also dealt with all enquires as they have come forward and had very positive feedback from neighbours and consultees hi-lighting that this project is viable as we have presented it within the community .

The Applicant trusts that the above satisfies your requirements and that this application can be seen as a well considered proposal and that can be supported by the Planning Authority.