

ITEM NUMBER: 5d

22/02770/FUL	Erection of a 3 bedroom dwelling	
Site Address:	2 Coniston Road, Kings Langley, Hertfordshire, WD4 8BU	
Applicant/Agent:	Tyson	Mr Roger Clarke
Case Officer:	Sally Robbins	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Contrary view of Parish Council	

1. RECOMMENDATION

1.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

2. SUMMARY

2.1 The principle of residential development in this location is acceptable. The proposal comprises the demolition of the existing garage and the construction of a two storey detached dwelling within the garden of 2 Coniston Road. The proposed development would optimise the use of available land within an urban area and the design would sit comfortably within the surrounding area, noting the prevailing form of development within the streetscene. The amenity space and parking provision are considered to be acceptable and, whilst visible from surrounding units, the proposal will not have a significant impact on the living conditions of neighbouring properties. No objections have been received from neighbours.

2.2 The proposal is therefore in accordance with Saved Appendix 3 of the Dacorum Borough Local Plan, Policies CS4, CS10, CS11 and CS12 of the Core Strategy, Policy KL1 of the Kings Langley Neighbourhood Plan and the NPPF.

3. SITE DESCRIPTION

3.1 The application site is located on the corner of Coniston Road and Hempstead Road in Kings Langley. The site comprises the garage and side garden of no. 2 Coniston Road, which is a two-storey detached dwelling.

3.2 The surrounding area is residential in character, comprising a mix of predominantly two-storey semi-detached and detached dwellings in a range of architectural styles and material finishes.

3.3 Coniston Road is situated on the western valley side of the River Gade, therefore levels rise up steeply towards the west away from Hempstead Road.

4. PROPOSAL

4.1 The application seeks full planning permission for the demolition of the attached garage and the construction of a detached two storey dwelling with associated car parking and landscaping.

5. PLANNING HISTORY

Planning Applications:

4/00152/05/LDP - Conservatory
GRA - 11th March 2005

6. CONSTRAINTS

Canal Buffer Zones: Min
CIL Zone: CIL2
Large Village: Kings Langley
Oil Pipe Buffer: 100
Parish: Kings Langley CP
Residential Area (Town/Village): Residential Area in Town Village (King Langley)
Parking Standards: New Zone 3
EA Source Protection Zone: 3
EA Source Protection Zone: 2

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)
Kings Langley Neighbourhood Plan (November 2021)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

- Principle of Development

- Quality of Design / Impact on Visual Amenity
- Impact on Residential Amenity
- Impact on Highway Safety and Parking
- Other Material Planning Considerations.

Principle of Development

9.2 Core Strategy Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged. Furthermore, within the Core Planning Principles outlined in the NPPF (2021) there is heavy emphasis on the planning system's responsibility to make effective use of land (section 11). Paragraph 119 promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. This is supported by Saved Policy 10 of the Dacorum Borough Local Plan, which seeks to optimise the use of available land within urban areas.

9.3 In addition, Kings Langley Neighbourhood Plan Policy KL1 (Location of development) states that development in the neighbourhood area will be focused within the settlement boundary, within which Coniston Road is located.

9.4 Taking all of the above into account, the proposal is acceptable in principle and would be located in a sustainable location that would seek to optimise the use of urban land. The proposal is in accordance with policies CS1 and CS4 of the Core Strategy, Saved Policy 10 of the Dacorum Borough Local Plan and the NPPF.

Quality of Design / Impact on Visual Amenity

9.5 Policies CS10, CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and paragraph 130 of the NPPF seek to ensure that new developments are visually attractive and integrate with the surrounding area in terms of layout, design, scale and materials.

9.6 The site resides within the Peripheral Zone Character Area, according to the Kings Langley Neighbourhood Plan. This area is characterised by a variety of typologies with densities from low to medium with a prevalence of detached houses with deep front and back gardens situated to the west, some modern terraced houses at the top of Coniston Road and semi-detached properties with narrow front gardens to the east. Kings Langley Neighbourhood Plan Policies KL3 (Character of Development) and KL4 (Design of Development) seek to ensure that development proposals conserve and, where practicable, enhance the character of the Character Area in which it is located, reflecting architectural variety found locally and using materials that are in keeping with those used in existing buildings in the immediate locality. Development proposals should demonstrate a high quality of design, which responds and integrates well with their surroundings and meets the needs of the population of the neighbourhood area.

9.7 The surrounding area comprises predominantly two-storey detached houses finished in white painted render and plain roof tiles over hipped roofs. The proposed dwelling would have an L shaped footprint comprising a hipped roof and finished in white painted render and plain roof tiles to match the neighbouring property, no. 2 Coniston Road. The dwelling would be set down from its neighbour, as land levels decrease towards Hempstead Road.

9.8 The dwelling would follow the build line of the existing neighbouring properties and would retain sufficient space around it to avoid a cramped appearance. To the frontage, there would be hard landscaping in order to provide off-street parking for two vehicles. Should planning permission be granted, conditions would be recommended requesting further details of external materials and hard/soft landscaping.

9.9 The Council's Conservation & Design Officer was consulted and raised concerns regarding the 'crown roof'. Whilst the Conservation & Design Officer is mistaken in that there is actually no crown roof proposed, the Case Officer did agree that the roof form could be amended in order for the proposed dwelling to sit more comfortably within the street scene. The originally proposed roof pitch was somewhat steep. This was subsequently amended to a shallower pitched roof, to match that of the neighbouring dwelling no. 2 Coniston Road. This has resulted in an overall reduction in roof height, which is considered to help the proposed assimilate into the street scene.

9.10 Taking all of the above into account, it is considered that the layout, architectural style and built form of the proposed dwelling will not have a detrimental impact upon the character and appearance of the surrounding area. The proposed development will integrate with the surrounding area in terms of layout, design, scale and materials. The proposal therefore complies with Policies CS10, CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan, the NPPF and Policies KL3 and KL4 of the Kings Langley Neighbourhood Plan.

Impact on Residential Amenity

9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space. Thus, proposals should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy.

9.12 In relation to no. 2 Coniston Road, the main rear wall of the proposed dwelling would project beyond the main rear wall of the existing dwelling by 2.5m. The proposed dwelling would nonetheless clear a line drawn at 45 degrees from the centre of the nearest habitable windows. In addition, the proposed dwelling would be set down by 1m in relation to 2 Coniston Road. Thus, it is considered that the proposed dwelling would not appear unduly prominent or overbearing when viewed from the neighbouring property of the neighbouring rear garden.

9.13 There would be no side-facing windows and at first floor level there would be rear-facing windows overlooking the garden. This would introduce an additional level of overlooking, however it would be commensurate with the overall layout and levels of privacy found within the vicinity.

9.14 No objections have been received from neighbouring properties. It is considered that the proposal would be acceptable with respect to the impact on the residential amenity of neighbouring properties in accordance with Policy CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and the NPPF.

Impact on Highway Safety and Parking

9.15 The NPPF, Policies CS8 and CS12 of the Core Strategy and the Parking Standards SPD all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.16 The proposed dwelling would utilise the existing vehicle crossover and two off-street car parking spaces would be provided for the new dwelling. The parking requirement set out in Appendix A of the Parking Standards SPD is 2.25 spaces for a three-bedroom dwelling within Zone 3. The provision of two off-street spaces is therefore considered acceptable, particularly given that the site is located within a sustainable location, within walking distance to Kings Langley village centre and with good access to public transport routes (50m to nearest bus stop and 1.2km to Kings Langley train station).

9.17 Two car parking spaces would also be provided for the existing dwelling, which would require a new vehicle crossover (dropped kerb) to be created. In terms of access and highway safety, the Highway Authority has been consulted and initially raised concerns in relation to the proposed dropped kerb to serve the new car parking spaces for the existing dwelling. The Highway Authority requested detailed plans in order to demonstrate that the dropped kerb can fit between the existing dropped kerbs without joining and that the vehicles can park within the site. The applicant provided the requested detailed plans, demonstrating that there is sufficient space for the new dropped kerb and satisfactory parking arrangements.

9.18 It is noted that the new dropped kerb lies outside of the application site boundary, however in certain circumstances it is possible to impose a condition requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body, by using a 'Grampian condition'. This condition would require the new vehicle crossover to be completed prior to the occupation of the new dwelling (and thereafter retained). The Highway Authority has subsequently raised no objection to the proposed development, subject to the above condition and relevant informative notes.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.19 Saved Policies 99 and 100 of the Local Plan and Policy CS12 of the Core Strategy seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.20 There are no Tree Preservation Orders or otherwise protected trees within the application site. An area of hedge would be removed along boundary fronting onto Hempstead Road. However, the remaining conifer hedge along the boundary would be retained. Furthermore, the proposed scheme has the potential to provide further soft landscaping on site, as well as appropriate screening. The submitted site plan does indicate boundary treatment, however should planning permission be granted a condition would be recommended requesting further details of hard surfacing materials and other soft landscaping details.

9.21 Subject to the above landscaping condition, the proposal is considered to accord with Saved Policies 99 and 100 of the Dacorum Borough Local Plan and Policy CS12 of the Core Strategy.

Waste Management

9.22 Saved Policy 129 of the Dacorum Borough Local Plan seeks to ensure that developments have adequate storage for refuse and recycling. The Highway Authority has commented that 'provision would need to be made for an on-site bin-refuse store within 30m of the new dwelling and within 25m of the kerbside/bin collection point.'

9.23 The submitted proposed site plans shows that bins would be securely stored within the site, behind a 1.8m-high close-boarded fence and gate. This storage area would be adjacent to the dwelling and within 14m of the kerbside. As such, it is considered that the proposed storage and collection points are acceptable and the development could be incorporated into the existing refuse and recycling service and therefore complies with Policy 129.

Habitats Regulations Assessment – Chilterns Beechwoods SAC

9.24 As part of its ongoing work to prepare the Local Plan, Dacorum Borough Council is required by law to undertake a Habitats Regulations Assessment (HRA) to understand the impacts that current and planned future growth is having on sites designated under the Habitats and Birds Directive. Evidence gathered to date concludes that the integrity of the Chilterns Beechwoods SAC,

particularly at Ashridge Commons and Woods SSSI, is being harmed as a result of public access and disturbance.

9.25 Natural England recognises that there could be a serious potential conflict between the plans for any new housing development in the area surrounding the Chilterns Beechwoods SAC, and the conservation objectives for the protected features there. As such, a mitigation strategy needs to be developed to offset the current harm to the sites.

9.26 The application site resides within the Chilterns Beechwoods 'zone of influence', therefore following advice from Natural England, a mitigation strategy is needed, which sets out the actions necessary to protect the SAC from both existing and future pressures. At a meeting held on 15 November 2022, Dacorum Borough Council Cabinet approved the Chilterns Beechwoods Special Area of Conservation Mitigation Strategy. It also approved two Suitable Alternative Natural Greenspace (SANG) Management Plans for Bunkers Park and Chipperfield Common.

9.27 The new Mitigation Strategy sets out targeted measures to protect the site and to accommodate the predicted pressures associated with future growth within the 12.6-kilometre Zone of Influence that extends from Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). These measures will be delivered through a range of projects by the National Trust over a period of around 80 years (to 2102-2103).

9.28 The National Trust has confirmed that these Strategic Access Management and Monitoring (SAMMS) measures will cost a total of £18.2million. This cost will be shared across all of the affected local authorities. In Dacorum, this means that developers will be required to pay a tariff for each new home built.

9.29 To help to reduce recreational pressures on Ashridge Commons and Woods, alternative green spaces need to be identified. All new developments within the Zone of Influence will need to make provision for a new Suitable Alternative Natural Greenspace (SANG), or alternatively contribute towards the maintenance of a suitable SANG project elsewhere.

9.30 Larger developments (10 or more new homes) must be located close to a suitable SANG. Smaller developments can contribute towards an existing SANG. Developers that are unable to provide a suitable new SANG will be required to make a payment to us towards the long-term management and maintenance of these sites.

9.31 The proposed development would be eligible to financially contribute to the two SANG Management Plans for Bunkers Park and Chipperfield Common, which would be secured via legal agreement should planning permission be granted.

Response to Parish Council Comments

9.32 Kings Langley Parish Council has objected on the grounds that 'it feels that the layout and design density is inappropriate for the site, it is concerned with highways safety, and it cannot understand the stated floorspace proposed in the limited area shown; there does not appear to be sufficient space for a house of the dimensions specified.'

9.33 The proposed layout and design have been discussed above. Highways safety has also been addressed in the relevant section above. The submitted plans have been assessed and found to be accurate, true to scale and consistent insofar as they have been measured by the Case Officer. In addition, the Case Officer has assessed the application site on the ground and does not feel that the proposed plans are a misrepresentation of the site area or dimensions.

9.34 Whilst the Parish Council's comments are valued, it is also noted that no objections have been received from any local residents.

Community Infrastructure Levy (CIL)

9.35 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable and resides within CIL Zone 2.

10. CONCLUSION

10.1 By virtue of its layout, design and scale the proposed dwelling will integrate with the street scape character and will not adversely impact upon the residential amenity of neighbouring occupants. No objections have been received from local residents and, whilst the Parish Council's comments are appreciated, the concerns raised do not warrant refusal and have been adequately addressed. The proposal would make effective use of land and would meet the requirements in terms of parking provision. The proposal is therefore in accordance with Saved Appendix 3 of the Dacorum Borough Local Plan, Policies CS4, CS10, CS11 and CS12 of the Core Strategy, Policies KL1, KL3 and KL4 of the Kings Langley Neighbourhood Plan and the NPPF.

11. RECOMMENDATION

11.1 That the application be **DELEGATED** with a view to **APPROVAL** subject to appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Conditions and Reasons:

- 1. The development hereby permitted shall begin 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. No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

- 3. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- a) all external hard surfaces within the site**
- b) soft landscape works, including a planting scheme with the number, size, species and position of trees, plants and shrubs.**

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 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 or shrub of a similar species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

- 4. The new dwelling hereby approved shall not be occupied until the new vehicular access shown on drawing number 'PL004 Rev A' has been completed in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The vehicular access shall thereafter be retained for the use of the dwelling known as 2 Coniston Road. Prior to the occupation of the dwelling hereby approved, appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway, in accordance with Dacorum Borough Core Strategy (2013) Policies CS8 and CS12.

- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no windows, dormer windows, doors or other openings other than those expressly authorised by this permission shall be constructed without the prior written approval of the local planning authority.**

Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

- 6. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**Planning Statement
PL/001 - Location & Site Plan
PL/002 - Proposed Plans
PL/003 Rev A - Proposed Elevations
PL/004 Rev A - Crossover Details**

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

Informatives:

- 1. New or amended vehicle crossover access (section 184):** Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal

and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

2. **Storage of materials:** The applicant is advised that the storage 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 public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. **Obstruction of highway:** It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. **Debris and deposits on the highway:** It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. **Working Hours:** Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

6. Construction Dust: Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
7. Waste Management: Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.
8. Air Quality: As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

9. Invasive and Injurious Weeds: Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency [website](https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants) at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>.
10. Contaminated Land Informative 1: In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the

Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

11. Contaminated Land Informative 2: Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.
12. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	<p>Objection</p> <p>The Council objects to this application because it feels that the layout and design density is inappropriate for the site, it is concerned with highways safety, and it cannot understand the stated floorspace proposed in the limited area shown; there does not appear to be sufficient space for a house of the dimensions specified.</p>
British Pipeline Agency	<p>Thank you for your correspondence enclosing details of your proposals.</p> <p>Having reviewed the information provided, the BPA pipeline(s) are not affected by these works, and consequently no site visit or supervision will be required and the works are free to continue as planned. However, if the location of your work should change, please contact us immediately, by emailing landsteam@bpa.co.uk.</p>
Hertfordshire Highways (HCC)	<p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Prior to the first occupation use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number PL004 in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.</p>

Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN 2) Storage of materials: The applicant is advised that the storage 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 public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 3) Obstruction of highway: It is an offence under section 137 of the

Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments

The proposal is regarding amendments for the construction of a new 3 bed detached house at 2 Coniston Road, Kings Langley. Coniston Road is a 30 mph unclassified local access route that is highway maintainable at public expense. The amendments were in relation to the siting of the new dropped kerb in relation to the adjacent existing dropped kerbs.

Highway Matters

The existing dwelling is served by a dropped kerbs which accesses a garage. The proposal is to create a new dropped kerb to access the existing dwelling, whereas the new dwelling will be located where the existing garage is and will be served by the existing dropped kerb. The new dropped kerb should be constructed by a contractor chosen by HCC and under a section 184 agreement - please see informative 4. Each dwelling will have 2 parking spaces. Parking is a matter for the local planning authority and therefore any parking arrangements will need to be agreed by them. The nearest bus stop is 50 metres from the proposed dwelling and 1.2 km from Apsley station. Both of these location are within achievable walking and or cycling distance from the dwelling and are therefore in line with policies stipulated in Hertfordshire Local Transport Plan (adopted 2018).

	<p>Drainage</p> <p>The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the existing and the new driveway would need be collected and disposed of on site.</p> <p>Refuse / Waste Collection</p> <p>Provision would need to be made for an on-site bin-refuse store within 30m of the new dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Vehicle Access</p> <p>The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative (in relation to entering into a Section 184 Agreement) and condition.</p>
Strategic Planning & Regeneration (DBC)	<p>Strategic Planning do not intend to provide a formal response to this application. The principle of development is likely to be determined by the particular details of the proposed new dwelling, rather than something more strategic. Let me know if you think differently.</p>
Conservation & Design (DBC)	<p>2 Coniston Road is a 1930s detached house on the corner of Coniston Road and the Hempstead Road. On the opposite side of Hempstead Road is the Grand Junction Canal built along the route of the River Gade. The proposal is for a new house of similar scale, design and materials to the east of the existing house.</p> <p>There is no in principle objection to the new house. However, the use of a crown roof does make the building bulkier than the existing house which will be apparent in views from the east and south east as the existing tall hedge screening the house along the eastern boundary will be removed and a new fence installed. The design would benefit from the removal of the crown roof so that the massing and bulk is reduced. The site is already quite tight and an overly bulky design in this location</p>

	<p>might appear too overbearing.</p> <p>Recommendation: Amend design to reduce visual impact</p>
<p>Environmental And Community Protection (DBC)</p>	<p><u>Noise, Odour & Air Quality:</u></p> <p>With reference to the above planning application, please be advised Environmental Health would have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice. I would also be minded to advise the developer of the distance from the existing railway line (200m) when considering glazing and insulation specifications.</p> <p>Please note the construction working hours have been updated since the previously granted applications and I would therefore request that you draw this to the attention of the applicant.</p> <p>Working Hours Informative Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously</p>

and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Waste Management Informative

Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.

Air Quality Informative.

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

Invasive and Injurious Weeds - Informative

	<p>Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p> <p><u>Contaminated Land:</u></p> <p>The proposed development is not for a change in land use and is not on a site with a potentially contaminative land use history. It is, however, a proposal that will involve significant ground works and so the following informative is recommended.</p> <p>Contaminated Land Informative 1: In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.</p> <p>Contaminated Land Informative 2: Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.</p> <p>Please let me know if you have any questions.</p>
Canal & River Trust	<p>Thank you for your consultation. We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and</p>

	<p>promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process. Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal. Please do not hesitate to contact me with any queries you may have.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
3	0	0	0	0

Neighbour Responses

Address	Comments