

ITEM NUMBER: 5

23/00922/FUL	Construction of a replacement dwelling and part demolition of garage.	
Site Address:	The Barn, 1 Chipperfield Road, Kings Langley, Hertfordshire, WD4 9JB	
Applicant/Agent:	Mr P Massingham	DLA Town Planning Ltd
Case Officer:	Nigel Gibbs	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	The recommendation is contrary Kings Langley Parish Council's objections (before noting details of 18.07.2023) and has been called in by Councillor Alan Anderson	

1. RECOMMENDATION

1.1 That planning permission be **GRANTED** subject to conditions.

2. SUMMARY

2.1 The existing dwelling is located within the Green Belt and abuts the Kings Langley Conservation Area. It is not considered to be of special design / heritage quality. On this basis its loss and replacement does not give rise to any concerns.

2.2 The proposed replacement dwellinghouse is substantially larger than the existing and is of the same design to that which was refused under application 22/00628/FUL. The reason for refusal related to overall size of the development and thus represented inappropriate development in the Green Belt, which is, by definition, harmful. There were no very special circumstances to outweigh the harm. It is important to note that application 22/00628/FUL was not refused due its design.

2.3 Notwithstanding the aforementioned refusal, the existing dwelling could be considerably enlarged through the Local Planning Authority's (LPA) subsequent approval of two single storey extensions at the side and rear of the dwelling, and an upward extension through exercise of 'permitted development' rights. The cumulative approved development would be larger than the proposed development and would create a lower quality design when compared to the proposed scheme. In this respect, these approved extensions are the alternative lawful fall-back position, which is a significant material consideration in the assessment of the current application.

2.4 In view of the now established alternative fall-back position which would have a greater impact upon the openness of the Green Belt if carried out, there are now very special circumstances to justify the grant of planning permission to support this inappropriate development, with no other harm, including a neutral effect upon the setting of the adjoining Conservation Area and Scheduled Ancient Monument.

3. SITE DESCRIPTION

3.1 The Barn is an extended gable timbered pitched roof detached two storey dwellinghouse located on the southern side of Chipperfield Road, abutting the western edge of Kings Langley Conservation Area and the Scheduled Ancient Monument¹. This recognised former land use site is also located within the Green Belt, Area of Archaeological Significance 41, Landscape Character Area 7 (Sarratt Plateau) and Air Limits Area. A provisional Tree Preservation Order was served but never confirmed by the Trees & Woodlands Team.

¹ Dominican Priory (grounds of the former Rudolf Steiner School).

3.2 The dwelling is set back from its wooded road frontage at an angle, served by an access, detached garage, carport, turning/parking area and a substantial rear garden. The building has an angled alignment / relationship with the adjoining detached dwellinghouse, known as Chalfont Cottage (no.3). The Barn originally formed part of Chalfont Cottage.

3.3 The existing dwelling has a built footprint of 123m², a usable floor area of 199m², and a volume of 477m³, excluding the garage, with about a 6.2 ridge level.

3.4 The Barn is subject to Planning Permission 4/01906/97/FUL: Use of Garden House as Dwellinghouse - Garden House, Chalfont Cottage, involving the use of the whole building as an independent dwelling. The report noted that the site comprised part of the existing curtilage of Chalfont Cottage, involving a large detached two-storey outbuilding (1955) and two garages together with a garden, and that in 1961 planning permission was granted for the use of the use of the first floor of the building (formerly a garage and store) to a flat to accommodate the then applicant's disabled son.

4. PROPOSAL

4.1 This is for the replacement of the existing dwelling and garages with a two and a half storey gable and hipped roof 4 bedroom dwellinghouse and smaller garaging. The dwelling would feature facing brickwork, render, aluminium doors and window frames and clay roof tiles. Its symmetrical front elevation would incorporate two gables separated by a central flat roofed dormer and front door.

4.2 The dwelling would be built on part of the footprint of the existing dwelling but have a different alignment, following that of no.3 Chipperfield Road. The development would have a footprint of 203 m², a useable floor area of 341 m² and a volume of 840m³.

5. RELEVANT PLANNING HISTORY

Planning Applications:

22/00628/FUL - Demolition of dwelling and outbuildings. Construction of replacement dwelling and garage.

The proposal was to demolish the existing house which is thought to have been constructed around 1974. The application submission explained that:

- The existing dwelling currently presents poor levels of efficiency and is in a state of disrepair. The site is a significant size of approximately 1350m² and bounded by open land on two sides.
- The proposal is in keeping with the density of development in the surrounding area.
- The proposed development would provide a quality, efficient, family home in an established residential area.

The reasons for refusal related to the following:

- In accordance with Paragraph 149 of the National Planning Policy Framework (2021) a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include through criterion (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

- The proposed replacement dwellinghouse is materially larger than the existing building. Therefore the proposed development is inappropriate development in the Green Belt. The larger dwellinghouse would consequently adversely affect the openness of the Green Belt.
- Paragraph 147 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, for which none have been substantiated.

22/03242/LDP - Single storey side extension

The proposed development was within the limits set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. The specific grant of planning permission was therefore not required

22/03291/HPA - Single storey rear extension measuring 8.00M deep with a maximum ridge height of 4.00M and a maximum eaves height of 3.00M

Prior Approval not required.

This represented permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development (England) Order 2015.

22/03351/UPA - Construction of an additional storey on the existing footprint at an overall height of 10.2m.

The application was to seek to establish whether prior approval is required for construction of an additional storey providing three new bedrooms with an increase in the ridge height of 3m.

Prior Approval was granted subject to the imposition of conditions on 20th February 2023.

With regard to the remit of issues which the LPA could address (which excluded the Green Belt implications), the Report's reference to Appearance noted:

'This is with reference to (ii) the external appearance of the dwellinghouse, including the design and architectural features of:

- (aa) the principal elevation of the dwellinghouse, and*
- (bb) any side elevation of the dwellinghouse that fronts a highway;*

The Barn is an individually designed dwelling which the applicant has sought to previously demolish and replace with a new unit. The respective schemes have raised design issues.

In providing specialist design advice, the Design & Conservation Team has recognised the improvements as compared with the previously withdrawn and refused schemes. The Revised Plans partially address the Design & Conservation Team's representations...

Overall, on balance, it is considered that the Revised Scheme (even with the 'blocked up rear dormer) is compatible with the building, the setting of the adjoining Conservation Area and Ancient Monument...'

4/01119/99/FHA - Two storey rear extension

'The Barn is a detached dwelling situated on the South side of Chipperfield Rd on the outskirts of the village of Kings Langley. The site is situated within the Metropolitan Green Belt. The property was previously within the curtilage of Chalfont Cottage and used for incidental purposes.

Permission was given in for the separate residential usage of this building.

There is presently no internal staircase. Access to the first floor bedrooms is currently via the external staircase.

The proposal involves the enclosure of the staircase area and the construction of a 2 and single storey rear extension. The dwelling has an existing floorspace of 140sqm. The extension will increase this by a further 70sqm this is not considered disproportionate.

It is considered the design of the extension is acceptable.

The proposal will comply with the criterion laid out in policy 20 of the DBLP..The extensions are to the rear of the property and not visible from any public vantage points and will not harm any of the objectives of green belt policy

The extension will not result in any significant loss of amenities. The site is situated within an Area of Archaeological Significance, however, the County Archaeologist has no objections to the proposal'.

Recommendation : Grant'.

Appeals (If Any): None.

6. CONSTRAINTS

Scheduled Ancient Monument: Dominican Priory (site of) (excluding inhabited parts)

Area of Archaeological Significance: 41

CIL Zone: CIL2

Kings Langley Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Kings Langley CP

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

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

National Planning Policy Framework (2023)

National Planning Policy Guidance

National Design Guide

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS5 - The Green Belt
Policy CS8 – Sustainable Transport
Policy CS9- Management of Roads
Policy CS10 - Quality of Settlement Design
Policy CS11 - Quality of Neighbourhood Design
Policy CS12 - Quality of Site Design
Policy CS13 - Quality of Public Realm
Policy CS17 - New Housing
Policy CS18 - Mix of Housing
Policy CS25- Landscape Character
Policy CS27- Quality of Historic Environment
Policy CS29 - Sustainable Design and Construction
Policy CS 31- Water Management
Policy CS32- Air, Soil and Water Quality

Countryside Place Strategy
Kings Langley Place Strategy

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Policy 13-Planning Conditions
Policy 15- Retention of Housing
Policy 18- Size of New Dwellings
Policy 22- Extensions to Dwellings in the Green Belt
Policy 23 – Replacement Dwellings in the Green Belt
Policy 51-Development and Transport Impacts
Policy 54-Highway Design
Policy 62- Cyclists
Policy 99- Preservation of Trees, Hedgerows and Woodlands
Policy 100-Tree and Woodland Planting
Policy 101- Tree and Woodland Management
Policy 111- Height of Buildings
Policy 113 -Exterior Lighting
Policy 118- Important Archaeological Remains
Policy 120- Development in Conservation Areas
Appendix 3 - Layout and Design of Residential Areas
Appendix 8 - Exterior Lighting

Kings Langley Neighbourhood Plan (adopted January 2023)

Policy KL 1 - Location of Development
Policy KL 2- Meeting Local Housing Needs
Policy KL 3 - Character of Development
Policy KL 4 - Design of Development
Policy KL 12 - Managing the Environmental Impact
Figure 6.1 p27: Located in in Semi Rural Zone
Appendix B

Supplementary Planning Guidance

Affordable Housing SPD - Clarification Note: Version 3: (August 2019)
Sustainable Development Advice Note (March 2011)
Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Refuse Storage Guidance Note (February 2015)
Parking Standards Supplementary Planning Document (March 2019)
Dacorum Landscape Character Assessment: Landscape Character Area 7 (Sarratt Plateau)
Environmental Guidelines (May 2004)

9. CONSIDERATIONS

9.1 Main Issues

- The principle of development and Green Belt implications.
- Heritage Implications for the Conservation Area, Scheduled Ancient Monument: Dominican Priory Area of Archaeological Significance/ Design/ Layout.

Principle of Development

General

9.2 Policy CS5 of the Dacorum Core Strategy states that within the Green Belt, small-scale development will be permitted: i.e.

- a) building for the uses defined as appropriate in national policy;
- b) the replacement of existing buildings for the same use;
- c) limited extensions to existing buildings;
- d) the appropriate reuse of permanent, substantial buildings; and
- e) the redevelopment of previously developed sites*, including major developed sites which will be defined on the Proposals Map

provided that:

- i. it has no significant impact on the character and appearance of the countryside; and
- ii. it supports the rural economy and maintenance of the wider countryside.

9.3 Turning to national planning guidance, paragraphs 137, 138, 147, 148 and 149 of the NPPF are of relevance and focus upon ensuring the Green Belt's permanent openness

9.4 Paragraph 138's five Green Belt purposes include checking the unrestricted sprawl of large built-up areas (criteria a) and to assist in safeguarding the countryside from encroachment criteria (c). Paragraph 149 explains that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this include (d): - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Whether Materially Larger

9.5. The proposal would be significantly larger in floorspace, footprint and volume, when compared to the existing, with 3m higher ridge level . With reference to the Framework's Paragraph 149 (d), the proposed replacement dwelling would be consequently materially larger than the one that it is proposed to be replaced .Therefore the proposal would be inappropriate development within the Green Belt in conflict with the aims of the Framework.

Openness of the Green Belt

9.6 The site is located within a built up part of the Green Belt, featuring an established dwellinghouse within a wooded setting forming a part of a ribbon of housing fronting Chipperfield Road. Therefore, there is limited openness associated with the site, despite the Green Belt designation. Furthermore, due to the construction of the replacement building in a similar position to the existing there would be limited spatial impact upon the openness of the Green Belt. However, it would be considerably larger than the existing with a resultant harm to the visual openness with a greater mass and height.

Very Special Circumstances

9.7 Comparisons between the aforementioned permitted development approvals and the scheme proposed this application are:

	Volume (m3)	Footprint (m2)	Floorspace (m2)	Ridge Height (m)
Existing dwelling with approved consents 22/03351/UPA, 22/03291/HPA and 22/03242/LDP & retained garage on site	885	240	367	10.2
Proposed dwelling including partial demolition of garage	840	203	341	9.2
Proposed scheme compared to lawful fallback position	-45 (-5%)	-37 (-15%)	-26 (-7%)	-1m (-10%)

9.8 The above-referenced approvals demonstrate that, cumulatively, the existing dwellinghouse can be substantially enlarged through the exercise of permitted development rights, and that this would result in a larger building than that currently being proposed. It follows that there would a greater impact and consequently more harm to the openness of the Green Belt - both spatially and visually.

Heritage Implications for the Conservation Area, Scheduled Ancient Monument: Dominican Priory Area of Archaeological Significance/ Design/ Layout

9.9. This is with reference to range of relevant policies and the responses from the specialist consultees and local representations. In this case the policies include CS5, CS10, CS 11, CS12, CS27, the Core Strategy's Countryside Place Strategy and Kings Langley Place Strategy, saved DBLP Policies 111, 118, 119 and 120, saved Appendix 7 of the Dacorum Local Plan (2004), Landscape Character Area 7 and Kings Langley Neighbourhood Plan Policies KL 3, KL4 and Appendix B, the Framework's Parts 12 and 16 and the National Design Guide.

9.10 The Design & Conservation Team raised design concerns regarding Application 22/00628/FUL; however, it was not considered that these warranted a reason for refusal. It is considered that the design is compatible with the setting of the Conservation Area with a neutral effect. Historic England is satisfied that the change will not result in serious harm to the significance of the Scheduled Monument, with no objection to the application on heritage grounds, subject to archaeological conditions, which are recommended by Hertfordshire County Council Historic Environment.

Other Considerations

Highway Safety / Access/ Parking Issues etc

9.11 This is with reference to Policies CS8, CS12, saved DBLP Policies 51 and 54, the Framework's Part 9 and HCC Highways response. The starting point is that the dwelling is served by an existing access with HCC Highways raising no objections.

9.12 Access: There is poor visibility onto the busy Chipperfield Road, being essential that all exiting vehicles leave the site in forward gear, which would be facilitated by the availability of adequate space to enable vehicular turning which would remain unchanged.

9.13 Fire Access: A tender can park on Chipperfield Road with the proposed dwelling located relatively close to the highway, with no HCC Highways objections.

9.14 Access for persons with disabilities. The dwelling would be required to be designed for access through Building Regulations with sufficient space within the front curtilage for disabled parking.

9.15 Refuse Collection. The refuse bins would need to be positioned close to the access to enable efficient and safe collection.

9.16 Parking. There is adequate curtilage parking to serve the development with full scope for cycle storage. Both the adopted Parking Standards and Neighbourhood Plan require the provision of an electric charging point which can be addressed through Building Regulations and therefore is not subject to a recommended condition.

9.17 Sustainability. The location is relatively sustainable in relation to Kings Langley, also being on a bus route with good accessibility to a wide range of facilities.

Effect upon Residential Amenity of the Existing Dwellings

9.18 This is with due regard to the site conditions, the expectations of Policy CS12 and saved DBLP Appendix 3, and reference to the physical impact, privacy, the receipt of day and sunlight and noise and disturbance.

9.19 There would be no harm to any existing dwelling. The proposed dwelling's alignment would improve privacy for no.3 by eliminating the current overlooking. Based upon site observations and the submitted plans, notwithstanding the lack of submitted technical data, it is not considered that there would be any significant adverse impacts in terms of loss of sunlight and daylight.

Ecological Implications

9.20 Delays to the application's consideration have been because of the need for ecological surveys. It was only on 30.10.2023 that Hertfordshire Ecology confirmed that there are no objections, with 3 recommended informatives.

Trees

9.21 There should be the protection of trees where feasible during construction, being subject to a recommended condition.

Contamination

9.22 There are no objections from the Environmental & Community Protection Team. Informatives have, however, been recommended.

Drainage

9.23 Thames Water have raised no objections, with development served by the existing watercourse/ main foul sewer, with no apparent flooding issues in this Flood Zone 1.

Water Supply

9.24 Affinity Water has not responded. As this is a replacement dwelling there are no implications regarding capacity.

Sustainable Construction

9.25 A condition is recommended in accordance with Policy CS29 and Kings Langley Neighbourhood Plan's KL5.

Security/ Crime Prevention/ Exterior Lighting

9.26 The layout has inbuilt natural security, also benefitting from a gated access.

Exterior Lighting

9.27 A condition is necessary This is with reference to the requirements of Policy CS32 and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan and the Framework's Para 185 (c).

Environmental Impact Assessment

9.28 This has not been is not necessary.

Air Limit Implications

9.29 The relevant authorities have been consulted with no objections raised by NATS and the Ministry of Defence.

Habitats Regulations- Implications for Ashridge and Tring Woodlands: The Chiltern Beechwoods Mitigation Strategy

9.30 As this application is for a replacement dwellinghouse, with no net increase in dwellings the development is 'screened out' by the Mitigation Strategy under Para 3.2.18.

Other Considerations

9.31 A range are recommended with reference to the standard 6 tests- necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

9.32 Recommended Condition 5 withdraws 'permitted development' rights for Classes A and E. Generally these respectively relate to the opportunity to add enlarge/alter (A) the approved dwellinghouse and construct domestic outbuildings etc (E) within the residential curtilage incidental to the enjoyment of the dwellinghouse.

9.33 With regard to Class A, this includes a single storey extension up to 4m or up to 8m (with the latter subject to a neighbour consultation scheme to assess the impact of the proposed development on residential amenity). Class E enables the construction of outbuildings to cover no more than 50% of the total area of the curtilage.

9.34 Given the explained Very Special Circumstances that justify the proposed dwellinghouse and the expectations of the Framework's Paragraph 149 (d), there are robust reasons why, in the

interests of protecting the Green Belt's openness, that there should be an additional future control over the dwellinghouse's subsequent enlargement through Classes A and E. Notwithstanding this, the LPA would not object to a small garden shed. In addition, the setting of the Conservation Area would be affected by the uncontrolled cumulative effect of a combination of Class A and E 'permitted development'.

10. CONCLUSIONS

10.1 The LPA was wholly correct to refuse the 2022 application for overriding Green Belt reasons. There were no heritage/ design objections.

10.2 The subsequent approval of three applications has established a permitted development fall-back position that, if implemented, would substantially enlarge the dwelling, which would be more harmful to the Green Belt than the development proposed as part of this application. It is submitted that significant weight should be attributed to this and that in light of the limited harm to the Green Belt arising from the proposal, the fall-back position is sufficient to constitute the very special circumstances necessary to justify the development. No other planning harm has been identified that would otherwise diminish the efficacy of this VSC argument.

10.3 The proposal is considered in this context to be in accordance with the Framework's economic, social and environmental objectives in delivering a sustainable development.

11 RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to conditions.

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 above slab level shall take place until details of the samples of materials have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices.**

Reason: To ensure that the development is compatible with its heritage setting in accordance with Policy CS27 of the Dacorum Borough Core Strategy (2013), Policy 120 of the saved Dacorum Borough Local Plan (2004) and Kings Langley Neighbourhood Plan (2023).

INFORMATIVE: Materials should be kept on site and arrangements made for inspection

3. **No development above slab level shall take place until details of proposed sustainability measures within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable

Development Advice Note (2016), Kings Langley Neighbourhood Plan (2023) and Paragraphs 154 and 157 of the National Planning Policy Framework (2023).

4. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2023).

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 development falling within the following classes of the Order shall be carried out within the application site without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A and E

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt and the setting of Kings Langley Conservation Area in accordance Policies CS5 and CS27 of the Dacorum Borough Core Strategy (2013) and Policy 120 of Dacorum Borough Local Plan (2004).

6. **No development (including demolition) 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 accordance with Policy CS27 of Dacorum Core Strategy (2013) and Policy 118 of the saved Dacorum Borough Local Plan (2004).

7. **i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 6.**
 - ii) **Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6. The final phase of development shall not be occupied until the site investigation**

has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with Policy CS27 of Dacorum Core Strategy (2013) and Policy 118 of the saved Dacorum Borough Local Plan (2004).

8. **Any exterior lighting serving the development hereby permitted shall only be installed fully in accordance with details submitted to and approved in writing by the local planning authority. Once installed the approved lighting shall thereafter be retained and maintained fully in accordance with the approved details.**

Reason: In the interests of the environment, in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) , Policy 113 and Appendix 8 of the saved Dacorum Borough Local (2004), and Paragraph185 (c) of the National Planning Policy Framework (2023).

9. **The dwelling shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.**

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; to use natural resources prudently in accordance with the National Planning Policy Framework (2023), Policy CS29 of the Dacorum Core Strategy (2013) and the expectations of Thames Water.

10. **Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be carried out fully in accordance with the following originally submitted plans with the numbering confirmed by the Agent's e mail dated 29 November 2023 to the local planning authority:**

**Site Location Plan dm/p/20220124101
Proposed block plan - drawing No. 2
Existing plans and elevations - Drawing No. 20220124/03
Proposed dwelling plans and elevations - Drawing No.3
Proposed garage plans - Drawing No.1**

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.
2. Informatives recommended by the Council's Environmental and Community Protection Team

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.

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.

Construction Dust Informative

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.

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

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>

3.Scheduled Ancient Monument

The applicant should be aware that any works that extend into the scheduled monument will require Scheduled Monument Consent.

4. Response from Thames Water

Waste Comments

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs

to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

WATER COMMENTS

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

5. Hertfordshire County Council Highway Informatives

AN 1) 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 2) 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 3) 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.

6. Ministry of Defence Response

MOD Safeguarding - SITE OUTSIDE SAFEGUARDING AREA (SOSA)

Proposal: Construction of a replacement dwelling and part demolition of garage.

Location: The Barn 1 Chipperfield Road Kings Langley Hertfordshire WD4 9JB
Grid Ref: Easting: Northing: 506361 202774
506380 202712
506397 202714
506387 202777

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development. The consultation correspondence was received by this office on 18 July 2023.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

This is a full application with amended information for the construction of a replacement dwelling and Bpart demolition of a garage. The dwelling will now have a ridge height of 9.2m, and the proposed triple garage will be a double bay garage.

After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.

Assistant Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled "Planning Statement", "Proposed Garage Drawing" and "Proposed Dwelling Plans" dated April 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

7. 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.

8. 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.

9. Bats

If bats, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

10. Birds

In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

11. Other wildlife

Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Historic Environment (HCC)	3RD CONSULTATION (RECEIVED 30.10.23) Thank you for consulting us on the above application. Please note that the following advice is based on the policies contained in the National Planning Policy Framework. Our advice on application ref. 23/00922/FUL is unchanged to that provided earlier this year (letter dated 18th May 2023), and I repeat it here, as follows:

The proposed development is in Area of Archaeological Significance 41 as identified in the Dacorum Local Plan. This denotes the portion of Kings Langley which contains the remains of the medieval Dominican Priory, itself a Scheduled Monument (List No 1005511). This priory [Historic Environment Record 20275] was founded by Edward II circa 1308 and had strong links to several Plantagenet kings through its proximity to the Kings Langley Palace [HER 27099] The land the proposed development site is on was once within the precinct of the priory, as seen on the Kings Langley parish tithe map of 1835.

The Desk Based Assessment of the site produced by ADAS and submitted in support of a previous application (although not to support this application, which makes no reference to the potential archaeological significance of the site) refers to worked stone in the garden of the property, material which may indicate the possibility of the priory buildings extending to this portion of the precinct at one time. This document also recognises that within some areas of the development there is a high potential for truncation or removal of archaeological deposits associated with the Dominican Priory.

Historic England have previously expressed concerns on heritage grounds about the impact of the scheme (ref 21/01865/FUL) due to the sensitivity of the area and the close proximity to the scheduled monument. They also had serious concerns about the scale and massing of the proposed new dwelling, in comparison to the relatively modest scale of the existing dwelling.

I note that Historic England, in their comments on the current proposal, now consider that 'the proposed development would result in a small change to the setting of the Scheduled Monument known as 'Dominican Priory (site of) (excluding inhabited parts)'. We are, however, satisfied that the change will not result in serious harm to the significance of the Scheduled Monument.'

Their recommendations state that 'Historic England has no objection to the application on heritage grounds. We advise that should your authority be minded to approve this application, this should be conditional on a scheme of archaeological work being secured, in accordance with the NPPF paragraph 205. The archaeological advisor to the Local Planning Authority will be able to advise on the scheme of the archaeological investigation.'

The proposed development is not particularly large in scale. There is, however, in our view, a reasonable chance of highly significant archaeological remains being present. Given the extreme proximity of the site to the Scheduled Monument, should heritage assets be present on the site it is likely that they will be associated with those identified by

the Scheduled Monument and therefore may be worthy of treatment as per para 200, footnote 68 of the NPPF, "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets".

I believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

- 1) The archaeological strip, map, and record, to the archaeological horizon, of any currently unbuilt on land within the footprint of the new dwelling, prior to the demolition on the existing house at the site;
- 2) The detailed archaeological investigation and recording of any remains encountered, or, if warranted, the preservation of any such remains encountered.
- 3) The intensive archaeological monitoring of all groundworks related to the development, including, following demolition, the removal of slab and existing footings of the house and the bay of the garage to be demolished, and thereafter, the monitoring of all other ground reduction, foundation trenches, service trenches, landscaping, and any other ground disturbance, as appropriate. This should include a contingency for preservation or further archaeological investigation of any remains encountered.
- 4) The adoption of appropriate measures to safeguard the worked stone in the garden of the property. This is likely to be of medieval date, and should be protected from any damage.
- 5) The analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and a publication of these results, as appropriate.
- 6) Such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 205, etc. of the National Planning Policy Framework (2021), and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

	<p>In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:</p> <p>Condition A No demolition/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:</p> <ol style="list-style-type: none"> 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. <p>Condition B i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).</p> <p>ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on</p> <p>accredited archaeological contractors who may be able to carry out the work.</p>
Historic Environment (HCC)	2ND CONSULTATION No comments received.

Historic Environment (HCC)	<p>1ST CONSULTATION (RECEIVED 18.05.23)</p> <p>ARCHAEOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting us on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>I note that the current planning application succeeds previous applications of a similar nature, on which this Office has commented.</p> <p>The proposed development is in Area of Archaeological Significance 41 as identified in the Dacorum Local Plan. This denotes the portion of Kings Langley which contains the remains of the medieval Dominican Priory, itself a Scheduled Monument (List No 1005511). This priory [Historic Environment Record 20275] was founded by Edward II circa 1308 and had strong links to several Plantagenet kings through its proximity to the Kings Langley Palace [HER 27099] The land the proposed development site is on was once within the precinct of the priory, as seen on the Kings Langley parish tithe map of 1835.</p> <p>The Desk Based Assessment of the site produced by ADAS and submitted in support of a previous application (although not to support this application, which makes no reference to the potential archaeological significance of the site) refers to worked stone in the garden of the property, material which may indicate the possibility of the priory buildings extending to this portion of the precinct at one time. This document also recognises that within some areas of the development there is a high potential for truncation or removal of archaeological deposits associated with the Dominican Priory.</p> <p>Historic England have previously expressed concerns on heritage grounds about the impact of the scheme (ref 21/01865/FUL) due to the sensitivity of the area and the close proximity to the scheduled monument. They also had serious concerns about the scale and massing of the proposed new dwelling, in comparison to the relatively modest scale of the existing dwelling.</p> <p>I note that Historic England, in their comments on the current proposal, now consider that 'the proposed development would result in a small change to the setting of the Scheduled Monument known as 'Dominican Priory (site of) (excluding inhabited parts)'. We are, however, satisfied that the change will not result in serious harm to the significance of the Scheduled Monument.'</p>

Their recommendations state that 'Historic England has no objection to the application on heritage grounds. We advise that should your authority be minded to approve this application, this should be conditional on a scheme of archaeological work being secured, in accordance with the NPPF paragraph 205. The archaeological advisor to the Local Planning Authority will be able to advise on the scheme of the archaeological investigation.'

The proposed development is not particularly large in scale. There is, however, in our view, a reasonable chance of highly significant archaeological remains being present. Given the extreme proximity of the site to the Scheduled Monument, should heritage assets be present on the site it is likely that they will be associated with those identified by the Scheduled Monument and therefore may be worthy of treatment as per para 200, footnote 68 of the NPPF, "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets".

I believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

- 1) The archaeological strip, map, and record, to the archaeological horizon, of any currently unbuilt on land within the footprint of the new dwelling, prior to the demolition on the existing house at the site;
- 2) The detailed archaeological investigation and recording of any remains encountered, or, if warranted, the preservation of any such remains encountered.
- 3) The intensive archaeological monitoring of all groundworks related to the development, including, following demolition, the removal of slab and existing footings of the house and the bay of the garage to be demolished, and thereafter, the monitoring of all other ground reduction, foundation trenches, service trenches, landscaping, and any other ground disturbance, as appropriate. This should include a contingency for preservation or further archaeological investigation of any remains encountered.
- 4) The adoption of appropriate measures to safeguard the worked stone in the garden of the property. This is likely to be of medieval date, and should be protected from any damage.

5) The analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and a publication of these results, as appropriate.

6) Such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 205, etc. of the National Planning Policy Framework (2021), and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/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.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been

	<p>completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.</p>
Kings Langley Parish Council	<p>3RD CONSULTATION (RECEIVED 04.08.23)</p> <p>Noted.</p>
Kings Langley Parish Council	<p>2ND CONSULTATION (08.06.2023)</p> <p>The Council considered this at its meeting on Tuesday (6th) and decided to uphold its objection to the application.</p> <p>The objection is mainly on the grounds that the Council does not want to see the loss of a building of such character, and this was despite Mr Massingham's statement at the meeting to do whatever was necessary to preserve the character in the new design.</p>
Kings Langley Parish Council	<p>1ST CONSULTATION (03.05.2023)</p> <p>Objection</p> <p>Very intrusive. Overlooking neighbours resulting in significant loss of light and loss of privacy.</p>
Environmental And Community Protection (DBC)	<p>2ND CONSULTATION (RECEIVED 02.08.23)</p> <p>POLLUTION</p> <p>With reference to the above planning application, please be advised the Environmental Health Pollution Team 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.</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.

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.

Construction Dust Informative

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.

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

	<p>significance. This is also being encouraged by DEFRA.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Invasive and Injurious Weeds - Informative 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>
Environmental And Community Protection (DBC)	1ST CONSULTATION (RECEIVED 05.05.23) POLLUTION With reference to the above planning application, please be advised the Environmental Health Pollution Team 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.

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.

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.

Construction Dust Informative

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.

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

	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Invasive and Injurious Weeds - Informative 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 05.05.2023</p>
Environmental And Community Protection (DBC)	2ND CONSULTATION (18.07.2023) CONTAMINATION

	<p>Just confirming no change to the advice provided earlier in the year.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>1ST CONSULTATION (RECEIVED 24.04.23)</p> <p>CONTAMINATION</p> <p>Having reviewed the documents submitted in support of the above application and the ECP Team records I am able to confirm that there is no objection to the proposed development and no requirement for land contamination conditions.</p> <p>However, given that the application site is a brownfield site (albeit only a residential plot) and that there will be a degree of groundworks needed to facilitate the proposed development it is recommended that the following land contamination informatives are included on any permission that might be granted.</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>Natural England</p>	<p>2ND CONSULTATION (RECEIVED 25.07.23)</p> <p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 05/05/2023, NE reference number 430186 (attached).</p> <p>The advice provided in our previous response applies equally to this</p>

	<p>amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p>
Natural England	<p>1ST CONSULTATION (RECEIVED 09.05.23)</p> <p>SUMMARY OF NATURAL ENGLAND'S ADVICE</p> <p>NO OBJECTION</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.</p> <p>Natural England's generic advice on other natural environment issues is set out at Annex A.</p>
Hertfordshire Building Control	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Hertfordshire Building Control	<p>1ST CONSULTATION</p> <p>Response awaited.</p>
Thames Water	<p>2ND CONSULTATION (RECEIVED 19.07.23)</p> <p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted.</p>
Thames Water	<p>1ST CONSULTATION (RECEIVED 19.04.23)</p> <p>Re: THE BARN, 1, CHIPPERFIELD ROAD, KINGS LANGLEY, HERTFORDSHIRE , WD4 9JB</p> <p>WASTE COMMENTS</p>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

	<p>WATER COMMENTS</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>1ST CONSULTATION (RECEIVED 21.04.23)</p> <p>Location:.,The Barn 1 Chipperfield Road Kings Langley Hertfordshire WD4 9JB Application type: Full Application Proposal: Construction of a replacement dwelling and part demolition of garage</p> <p>Recommendation 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.</p> <p>Highway Informatives</p> <p>Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) 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.</p> <p>AN 2) 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:</p>

	<p>https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 3) 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.</p> <p>Comments / Analysis Vehicle Access and Parking The proposals do not include any new or altered vehicular or pedestrian access from the highway with the existing vehicle crossover remaining as it is.</p> <p>The proposals include a large driveway with sufficient space for vehicles to park, turn around and egress to the highway in forward gear. The proposals are therefore considered acceptable in this respect.</p> <p>All vehicles associated with the demolition and construction works would be required to park, unload/load and turn around on-site and egress to the highway in forward gear.</p> <p>Emergency Vehicle Access 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.</p> <p>Conclusion HCC as Highway Authority has considered that the proposal would not have a significant or negative impact on the safety and operation of the nearest highway. HCC has no objections or further comments on highway grounds, subject to the inclusion of the above informatives which would be important considerations throughout the construction period.</p>
Civil Aviation Authority	<p>2ND CONSULTATION</p> <p>Response awaited.</p>

Civil Aviation Authority	<p>1ST CONSULTATION</p> <p>No comments received.</p>
Civil Aviation Authority - Off Route Airspace	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Civil Aviation Authority - Off Route Airspace	<p>1ST CONSULTATION</p> <p>No comments received.</p>
Civil Aviation Authority - Renewable Energy (Wind Farms)	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Civil Aviation Authority - Renewable Energy (Wind Farms)	<p>1ST CONSULTATION</p> <p>No comments received.</p>
Ministry Of Defence (Wind Farms)	<p>2ND CONSULTATION (RECEIVED 01.08.23)</p> <p>MOD Safeguarding - SITE OUTSIDE SAFEGUARDING AREA (SOSA)</p> <p>Proposal: Construction of a replacement dwelling and part demolition of garage.</p> <p>Location: The Barn 1 Chipperfield Road Kings Langley Hertfordshire WD4 9JB Grid Ref: Easting: Northing: 506361 202774 506380 202712 506397 202714 506387 202777</p> <p>Thank you for consulting the Ministry of Defence (MOD) on the above proposed development. The consultation correspondence was received by this office on 18 July 2023.</p> <p>The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as Baerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.</p> <p>This is a full application with amended information for the construction</p>

	<p>of a replacement dwelling and Bpart demolition of a garage. The dwelling will now have a ridge height of 9.2m, and the proposed triple garage will be a double bay garage.</p> <p>After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.</p> <p>Assistant Safeguarding Manager Ministry of Defence Safeguarding Department St George's House DIO Headquarters DMS Whittington Lichfield Staffordshire WS14 9PY</p> <p>The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled "Planning Statement", "Proposed Garage Drawing" and "Proposed Dwelling Plans" dated April 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.</p> <p>I trust this is clear however should you have any questions please do not hesitate to contact me.</p>
Ministry Of Defence (Wind Farms)	1ST CONSULTATION No comments received.
National Air Traffic Services	2ND CONSULTATION (RECEIVED 20.07.23) The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not

	<p>provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains the LPA's responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
National Air Traffic Services	<p>1ST CONSULTATION (RECEIVED 27.04.23)</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Historic Buildings & Places	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Historic Buildings & Places	<p>1ST CONSULTATION</p> <p>No comments received.</p>
Conservation & Design (DBC)	<p>3RD CONSULTATION (RECEIVED 11/10/23)</p> <p>Since conservation comments dated 18th August 2023, a letter from DLA Planning, titled "Heritage statement to support planning permission.." has been submitted.</p> <p>A Heritage Statement has been requested from the applicants for some</p>

	<p>time looking in particular at the significance of the existing house. What has been submitted is effectively a letter in support of the proposal from a heritage perspective.</p> <p>The last paragraph of the letter is most pertinent. It states that they have no knowledge of historic timbers which is ambiguous. Could they confirm that they have visited the building and examined it?</p> <p>The letter does go on to state that even if there were historic timbers they would have been used out of context from the original historic location undermining the interest and significance of the material. They write:</p> <p>While the timbers may be considered to have some residual intrinsic interest, this does not constitute significance as a heritage asset given that they have been reused in a presumably an arbitrary manner for a totally C20th building in a different setting from whatever the original source building was</p> <p>It is likely that this assessment is correct if historic timbers are confirmed within the present building, that is unless additional evidence is put forward for the source of such timbers.</p>
<p>Conservation & Design (DBC)</p>	<p>2ND CONSULTATION (RECEIVED 01.08.23)</p> <p>I was slightly surprised, given the history of this application and the extent to which the latest iteration had to be negotiated, that a total demolition is now being reverted to.</p> <p>We had agreed the earlier application because a) it worked within the current footprint and therefore didn't create any potential archaeological/SAM issues and b) it retained the bare bones of the current building (although I did question its structural capacity to take an added storey.)</p> <p>The current building is of no historic merit (the map evidence showed it was constructed on this site in the C20th) but it may incorporate some salvaged timbers; however it would almost certainly be impossible to identify where these had been sourced from. I think the onus should be placed on the applicant to prove that the existing framing is of no significance.</p>
<p>Conservation & Design (DBC)</p>	<p>1ST CONSULTATION (RECEIVED 21.04.23)</p> <p>The Barn, 1 Chipperfield Road, Kings Langley</p> <p>The Barn is a one and half storey detached house on the south side of</p>

	<p>Chipperfield Road with a garage at the front of the plot closer to the road. The house is thought to date from the 1970s but was originally part of the curtilage of the adjacent house and may contain earlier fabric. A heritage statement was requested to address this issue, to date this has not been provided. Adjacent to the east is the Dominican Priory Scheduled monument with the grade II* remnants of the priory surviving at the centre of the scheduled monument. The boundary of the scheduled monument does in fact take in a slice of the eastern side of the proposal site so any proposal on this site has the potential to have a direct impact on the scheduled monument as well as its setting. The Kings Langley Conservation Area boundary also runs along the east side of the site encompassing the scheduled monument.</p> <p>The proposal is to demolish the existing house and build a replacement dwelling. There is some relevant planning history. Two initial proposals for a large Tudorbethan style house across most of the width to the plot were withdrawn (20/03384/FUL & 21/01865/FUL). In 2022 a third proposal for a more contemporary Tudor style house was refused (22/00922/FUL). The conservation and design comments for this application repeated issues from the withdrawn applications and concluded:</p> <p>The proposed scheme is still therefore a large square plan building with a crown roof. The garage still incorporates 6 roof lights, and the need for this first floor accommodation appears surplus to requirements given the house includes a study and attic space for home working.</p> <p>The plans for this application are the same as the refused application with the removal of one rooflight on the house and therefore the concerns regarding its architectural style, scale and some design details remain.</p> <p>The application has sought to address the issue of the impact on the openness of the green belt by partially demolishing the existing garage. The proposed plans for the garage are a little confusing but it appears that they propose demolishing the pitched roof range leaving a flat roofed double garage. This will leave a rather unattractive rump of garage although the concern regarding the previously proposed garage are no longer relevant.</p>
Trees & Woodlands	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Trees & Woodlands	<p>1ST CONSULTATION</p> <p>No comments received.</p>

Historic England	<p data-bbox="507 232 1110 271">3RD CONSULTATION (RECEIVED 22.09.23)</p> <p data-bbox="507 309 1433 383">T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990</p> <p data-bbox="507 465 1270 577">THE BARN, 1 CHIPPERFIELD ROAD, KINGS LANGLEY, HERTFORDSHIRE WD4 9JB Application No. 23/00922/FUL</p> <p data-bbox="507 618 1433 768">Thank you for your letter of regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.</p> <p data-bbox="507 813 823 848">Historic England Advice</p> <p data-bbox="507 853 1433 1003">Please see our letter of advice dated 19th April 2023 (Our ref: P01559002; your ref: 23/00922/FUL). We acknowledge this was a separate planning application however the scheme remains broadly the same. Our position also remains the same.</p> <p data-bbox="507 1048 671 1084">Significance</p> <p data-bbox="507 1088 1433 1274">We have previously noted the application site is located immediately to the west of, and extends partially into the Scheduled Monument known as the 'Dominican Priory (site of) (excluding inhabited parts)' (List Entry Number 1005511), and that it is likely that the development is within the former precinct of the Priory.</p> <p data-bbox="507 1319 1433 1469">Non-designated heritage assets of archaeological interest may be present within the site which would if recovered be of equivalent significance to those of the Scheduled Monuments (see footnote 63 of the National Planning Policy Framework).</p> <p data-bbox="507 1514 603 1550">Impact</p> <p data-bbox="507 1554 1433 1666">Part of the development (garage) extends into the Scheduled Monument, any proposed demolition or works there in would have the potential to impact upon it.</p> <p data-bbox="507 1711 1433 1823">There is also a potential impact upon associated but non-designated buried archaeological remains from the demolition of the existing and the new building.</p> <p data-bbox="507 1868 983 1904">Policy and legislative considerations</p> <p data-bbox="507 1908 1433 2004">Any works within the Scheduled Monument will require an application for Scheduled Monument Consent under the Ancient Monuments and Archaeological Areas Act 1979 (as amended)</p>

	<p>The National Planning Policy Framework sets out the desirability of sustaining and enhancing the significance of heritage assets, paragraph 199. It continues that great weight should be given to their conservation and that any harm requires clear and convincing justification, paragraphs 199 and 200. Where a proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, paragraph 202 and 203.</p> <p>As noted above footnote 68 which states that 'non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.'</p> <p>Position We previously noted the setting issues and that we were satisfied that the proposal would not result in harm to the significance of the Scheduled Monument.</p> <p>The applicant should be aware that any works that extend into the scheduled monument will require Scheduled Monument Consent, and they should be asked to confirm that no works will be undertaken in this area or they would need to apply for the relevant consent</p> <p>We also advise that should you be minded to approve this application, it should be conditional on a scheme of archaeological work being secured, in accordance with paragraph 205.</p> <p>Recommendation Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 205.</p> <p>Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.</p>
Historic England	<p>2ND CONSULTATION (RECEIVED 21.07.23)</p> <p>Thank you for your letter of 18 July 2023 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>

	<p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</p>
<p>Historic England</p>	<p>1ST CONSULTATION (RECEIVED 19.04.23)</p> <p>T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990</p> <p>The Barn, 1 Chipperfield Road, Kings Langley, Hertfordshire, WD4 9JB Application No. 23/00922/FUL</p> <p>Thank you for your letter of 18 April 2023 regarding the above application for the proposed demolition of dwelling and outbuildings and construction of replacement dwelling and garage.</p> <p>On the basis of the information available to date, we offer the following advice to assist the Planning Authority in determining the application.</p> <p>Historic England Advice:</p> <p>Significance of the historic environment The application site is located immediately to the west of, and extends into, the Scheduled Monument of 'Dominican Priory (site of) (excluding inhabited parts)', List Entry Number 1005511 https://historicengland.org.uk/listing/the-list/list-entry/1005511. In terms of the National Planning Policy Framework the site of the priory is a designated heritage asset, and as such has high associated heritage significance.</p> <p>There is high evidential and historical value in this asset and archaeological remains will be preserved that provide important information about the site. The setting of the monument also contributes to its significance and how the site is experienced. It is likely that the proposed application site is within the outer precinct of the Priory. It is also quite possible, therefore, that non-designated heritage assets of archaeological interest will be encountered in the application area, which are demonstrably of equivalent significance to Scheduled Monuments.</p> <p>In accordance with footnote 63 of the National Planning Policy Framework, these should be considered subject to the policies for designated heritage assets.</p> <p>Impact on the significance of the historic environment:</p>

Any development or changes at the application site have potential to affect the setting of the Monument and cause harm to its significance. The proposals will result in an increase in the scale and proximity of built form in the vicinity of the Scheduled Monument.

For that part of the development that extends into the Scheduled Monument, the proposed development has potential to impact on the Scheduled Monument through the disturbance and loss of buried archaeological remains.

There is also potential for associated non-designated buried archaeological remains lying beyond the Scheduled area to be affected by the proposed development.

Policy and legislative considerations for this proposal:

The Ancient Monuments and Archaeological Areas Act 1979 (as amended) Scheduled monuments are protected under the Ancient Monuments and Archaeological Areas Act 1979 (as amended). Paragraph 20 of The Department of Digital, Culture, Media and Sport policy statement on Scheduled Monuments (2013) states that for, 'works proposed for development-, conservation- or presentation-related purposes, the Secretary of State has particular

regard to the following principles ... in cases that would lead to less than substantial harm to the significance of a Scheduled Monument the harm will be weighed against the public benefits of the proposal'.

Any works within the Scheduled Monument will require an application for Scheduled Monument Consent and any proposals will need to demonstrate public benefit.

The National Planning Policy Framework Heritage assets, including Scheduled Monuments, are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations' (paragraph 189).

The Framework goes on to state in paragraph 195 that, 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal' and 'take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

When considering the impact of a proposed development upon the

	<p>significance of Scheduled Monuments, the Framework's paragraph 199 requires great weight to be given to the Monument's conservation.</p> <p>As paragraph 200 sets out, any harm to the significance of a scheduled monument, including from development within its setting, requires clear and convincing justification irrespective of the level of potential harm.</p> <p>Where a development proposal would lead to less than substantial harm to the significance of a scheduled monument, paragraph 202 requires that the harm is weighed against the public benefits of the proposal.</p> <p>Historic England's Advice Historic England considers that the proposed development would result in a small change to the setting of the Scheduled Monument known as 'Dominican Priory (site of) (excluding inhabited parts)'.</p> <p>We are, however, satisfied that the change will not result in serious harm to the significance of the Scheduled Monument.</p> <p>Recommendation Historic England has no objection to the application on heritage grounds. We advise that should your authority be minded to approve this application, this should be conditional on a scheme of archaeological work being secured, in accordance with paragraph 205. The archaeological advisor to the Local Planning Authority will be able to advise on the scheme of the archaeological investigation.</p> <p>The Planning Authority should take this representation into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.</p> <p>In addition, the applicant should be aware that any works that extend into the scheduled monument will require Scheduled Monument Consent.</p>
Affinity Water - Three Valleys Water PLC	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Affinity Water - Three Valleys Water PLC	<p>1ST CONSULTATION</p> <p>No comments received.</p>

Hertfordshire Ecology

4TH CONSULTATION (30.10.23)

Overall Recommendation:

Application can be determined with no ecological objections (with any conditions/informatives listed below).

Summary of Advice:

- The site falls within the "Zone of Influence" of the Chilterns Beechwoods SAC, however no Habitats Regulations Assessment needs to be completed.
- Bat informative.
- Nesting bird informative.
- Mammal informative.

Supporting documents:

Preliminary Roost Assessment (Bat Report) 24-03-2021.
Emergence Survey Report.

Comments:

Chilterns Beechwoods SAC: I note that the address lies within the 'Zone of Influence' of the Chilterns Beechwoods Special Area of Conservation (SAC) where increases of residential development could lead to harmful impacts from an increase in recreational pressure. However, as no net increase residential accommodation is proposed, I consider there is no credible risk of an increase in recreational pressure, no risk that the conservation objectives of the SAC could be undermined and no need for mitigation. Therefore, there is no need to undertake a Habitats Regulations Assessment and the application can be determined accordingly.

Bats: A Preliminary Bat Roost Assessment (PRA) was initially undertaken in March 2021, whereby moderate potential for bats was found. 2 further bat activity surveys were recommended and consequently undertaken by Chase Ecology, which were both carried out in the optimal period (07/08/2023 & 22/08/2023). No roosting activity was recorded during both surveys, however multiple bats were using the grounds for foraging and commuting.

The garage proposed for a part demolition has not been considered in the PRA. Consequently, no bat surveys have been completed. However, since reviewing recent photos, I am aware that the roof of the garage has already removed due to a recent storm. The garage in its current state is not suitable for roosting bats, therefore this building is

not a constraint to the development.

The Emergence Survey Report provides an adequate assessment of the impact of the proposals on bats and is based on appropriate survey methods and effort. The report suggests reasonable unlicensed mitigation measures to ensure that bats are not harmed (Appendix 1), and these measures should be followed. Although the likelihood of an adverse impact is negligible-low as bats are not directly affected, in the unlikely event that bats are found, I advise a precautionary approach to the works is taken and recommend the following Informative is added to any permission granted.

"If bats, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed."

Birds: Image 5 (pg 15) documented in the Preliminary Bat Roost Assessment (2021) displays white stains on the brickwork underneath the eaves which may be from nesting birds. I am aware that this information is over 2 years old, however all wild birds, their nests, eggs and young are afforded protection and in general terms it would be an offence to kill, injure or displace breeding birds and their young. The presence of nesting birds on the site cannot be ruled out, therefore, to reduce the risk of an offence being committed a precautionary approach is required and, consequently, I recommend the following Informative is added to any consent:

"In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed".

Other wildlife: The site may be used by mammals for foraging and commuting at night. Advice in the Emergence Survey Report (Appendix 1) should be followed relating to the works being carried out in daylight to prevent any artificial light disturbing wildlife. Additionally, I advise the following informative is added to any permission granted.

"Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of

	each working day to prevent animals entering / becoming trapped".
Hertfordshire Ecology	<p>3RD CONSULTATION (RECEIVED 26.09.23)</p> <p>I would like to respond to the above application. Whilst forming a response, I have noticed that the garage proposed for a part demolition has not been assessed in the initial Preliminary Bat Roost Assessment (2021), or the follow up Bat Survey Report document (2023). I cannot be certain that bats will not be affected as a result of this demolition, therefore, is it possible to ask the applicant for photos of the garage? I have included a guide below to the type of features I would require photos of to make a reasoned judgment, this can be used as the basis of any request to the applicant.</p> <p>Please provide photos of the garage, including features if present such as:</p> <ul style="list-style-type: none"> • gable end edges, sufficient to reflect their overall nature and condition • Bargeboards, fascias and soffits • External roof and tiles • Internal loft spaces if accessible - to include roof lining, ridge, beams and floor / insulation <p>Without this information it is very difficult to advise the LPA, who would have no alternative other than to request additional professional surveys in order to determine the presence of protected species which may be affected. Furthermore, unless backed-up by expert opinion, it is not otherwise acceptable to rely on casual observations regarding a lack of protected species presence given that these cannot be considered with any confidence by the LPA.</p>
Hertfordshire Ecology	<p>2ND CONSULTATION</p> <p>Response awaited.</p>
Hertfordshire Ecology	<p>1ST CONSULTATION</p> <p>Response awaited.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support

7	5	1	2	1
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Neighbour Responses

Address	Comments
<p>Herts and Middx Wildlife Trust, Grebe House St Michaels Street St Albans AL3 4SN</p>	<p>The preliminary bat survey clearly states that the building to be affected are of moderate suitability for roosting bats. It states that further bat surveys will be required to determine their presence and formulate suitable mitigation or compensation. This has not been completed and so the application cannot be determined.</p> <p>ODPM circular 06/05 (para 99) is explicit in stating that where there is a reasonable likelihood of the presence of protected species it is essential that the extent that they are affected by the development is established before planning permission is granted, otherwise all material considerations cannot have been addressed in making the decision. This obligation was recently reiterated by planning appeal decision APP/Y1945/W/20/3261681 which confirmed that surveys must be completed before a decision can be made.</p> <p>LPAs have a duty to consider the application of the Conservation of Habitats and Species Regulations 2017 (as amended) in the application of all their functions.</p> <p>BS 42020 8.1 states that decisions must be based on adequate information to assess impacts on biodiversity.</p> <p>Therefore this application should not be determined until surveys have been completed as stated in the submitted ecological report. When these have been completed, any measures that are identified as being required to avoid, mitigate or compensate for impacts must be clearly stated and written on plans before the application can be approved.</p>
<p>Studland 16 Chipperfield Road Kings Langley Hertfordshire WD4 9JA</p>	<p>(Indicates support).</p>
	<p>Councillor Alan Anderson</p> <p>1ST RESPONSE: 26.04.2023</p> <p>Request for a Call In to the Committee</p> <p>Dropping a line formally to object to this planning application.</p> <p>The application is in its fifth version, as far as I'm aware, and I have every sympathy with somebody wanting a larger home.</p> <p>But, I haven't seen any evidence that the existing building was constructed as recently as the 1970s, and even if it isn't actually an historic building, I object:</p>

- to the loss of the existing building, on design grounds, as it is a highly attractive, at the very least apparently, historic-looking building.
- to the development proposed, on design grounds, as in my view it is out of keeping with its setting and would harm the adjacent Conservation Area, as per Historic England's previous objections.

I didn't have any object to the extension proposals, (I think 3rd & 4th iterations), as they were in keeping with the existing building and wouldn't have materially harmed the Conservation Area.

But I just cannot abide the loss of such an attractive building, and if the applicant really needs more space, why not sell and buy elsewhere, one would imagine with considerably less bother & cost.

2ND RESPONSE TO THE AGENT: 08.06.2023

Thank you for taking the time to try and alleviate my concerns, but I really cannot see what middle ground there could be, and can only agree to disagree.

In my planning opinion, the existing building is highly attractive, irrespective of when it was built, and I am concerned about its loss - if it really was built in 1974, then it is just about 50 years old, and I really cannot avoid the issue that it looks much considerably older.

Meanwhile, as quite separate issues, I understand that the case officer is concerned about the design of the proposed replacement building, and Historic England were concerned about the impact on the Conservation Area.

This has been quite a long running case, and I only wish the extension in keeping with existing building and permitted could have been undertaken instead, without losing the existing building.