

**ITEM NUMBER: 5i**

<b>24/02104/FHA</b>	<b>Installation of external wall insulation to upgrade the thermal performance of the building.</b>	
<b>Site Address:</b>	<b>38 Blackwell Road Kings Langley Hertfordshire WD4 8NF</b>	
<b>Applicant/Agent:</b>	<b>Ms Karen Allen</b>	<b>Mr Ben Wigley</b>
<b>Case Officer:</b>	<b>Jane Miller</b>	
<b>Parish/Ward:</b>	<b>Kings Langley Parish Council</b>	<b>Kings Langley</b>
<b>Referral to Committee:</b>	<b>Council Owned Property – neighbour objection received</b>	

**1 RECOMMENDATION**

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

**2 SUMMARY**

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building is acceptable. The works, as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

**3 SITE DESCRIPTION**

- 3.1 The application site is located on the west side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi-detached dwelling.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of relatively similar build, age, height and size; the overall character of the area is evident.

**4. PROPOSAL**

4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

## **5. PLANNING HISTORY**

Planning Applications (If Any):

No relevant applications.

Appeals (If Any):

No.

## **6. CONSTRAINTS**

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

### Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS26 – Green Infrastructure  
CS29 - Sustainable Design and Construction

Dacorum Local Plan

Appendix 3 – Layout and Design of Residential Areas  
Appendix 7 – Small-scale House Extensions

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development  
KL4: Design of Development  
Appendix B (Design Code)

**9. CONSIDERATIONS**

9.1 The main issues to consider are:

The policy and principle justification for the proposal;  
The quality and design and impact on visual amenity;  
The impact on residential amenity; and  
The impact on highway safety and car parking

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.

9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add

approximately 125mm of thickness to the existing walls. As illustrated on the proposed drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.

- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) and visuals appearance, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received. The amendments omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene, and many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal, however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

#### Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

#### Other Considerations

##### Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.
- 9.14 There are no changes to the number of bedrooms as a result of the proposal and so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

### Tree and Hedges

- 9.17 Section 6 of the application form states that no trees or hedges are within falling distance of the proposed development and that no tree or hedges need to be removed or pruned in order to carry out the proposal. The proposal would not affect any significant trees/landscaping.

### Ecology

- 9.18 Blackwell Road is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species if present.
- 9.19 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.20 The ecology team advise that '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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.21 *"In order to protect breeding birds, their nests, eggs and young, works 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"*.
- 9.22 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.23 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted.

### Response to Neighbour Comments

- 9.24 A comment has been received from the occupant at No.59, which can be seen at the end of this report. The concerns raised include ecological impact on House Martins and character of the area. (addressed in report).
- 9.25 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (also see Ecology section).

#### Response from Parish Council

- 9.26 Initially Kings Langley Parish Council objected to the application stating that an independent Ecology Report was required in respect of nesting House Martins.
- 9.27 The planning officer had sought further clarification from Hertfordshire Ecology who reiterated that they did not deem it necessary for a further report to be carried out since it has already been established that House Martins nest in the area. This information was forwarded to Kings Langley Parish Council by the planning officer.
- 9.28 Following re-consultation the Parish Council subsequently withdrew their objection, subject to the following wording being added to the decision notice.

*'In order to protect breeding birds, their nests, eggs and young, works 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'.*

- 9.29 As previously discussed, this informative will be added to the decision notice should planning permission be granted - see Ecology section).

#### Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

#### Conclusion

- 9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of the inclusion of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

## **10 RECOMMENDATION**

10.1 That planning permission is **GRANTED** subject to conditions.

**Condition(s) and Reason(s):**

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. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved details.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

3. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

**Site location plan**

**DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans**  
**DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation**  
**DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation**  
**DAC-AMB-V1-ZZ-DR-Y-404 P02 - existing and proposed side 1 elevation**  
**DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation**  
**Design and Access Statement**

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) Order 2015.

2. Informative regarding birds including House Martins

In order to protect breeding birds, their nests, eggs and young, works 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

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Kings Langley Parish Council	<p>objected for the following reasons:-            There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Updated comment following reconsultation 18.12.2024</p> <p>no objection</p> <p>subject to inclusion of wording proposed by Herts Ecology</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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".</p>
Hertfordshire Ecology	<p>15.11.2024</p> <p><b>ECOLOGICAL IMPLICATIONS</b></p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <p>An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.</p>

	<p>The provision of artificial nest cups should be a Condition of approval.</p> <p>Comments House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.</p> <p>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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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".</p> <p>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p>
<p>Canal &amp; River Trust</p>	<p>The Canal &amp; River Trust is a statutory consultee in Article 18 Schedule 4 Paragraph z(a) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in March 2023 for use from 1 April 2023. It comprises three zones that relate to notifications for different types of scales of proposed development.</p> <p>This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p> <p>We are happy to comment on particular applications that fall outside the notified areas where there are relevant circumstances. If you would like the Canal &amp; River Trust's comments in this case or any other, please clarify the reason for your consultation when you send it.</p>

	Should you have a query in relation to consultation of the Canal& River Trust on planning applications, please email us at <a href="mailto:planning@canarivertrust.org.uk">planning@canarivertrust.org.uk</a>
Hertfordshire Ecology	25.11.2024  We have previously responded to these applications and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.
Canal & River Trust	This applications falls outside the notified area for its application scale and location.

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	2	0	2	0

### Neighbour Responses

Address	Comments
59 Blackwell Road Kings Langley Hertfordshire WD4 8NE	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and put of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see <a href="https://www.bto.org/understanding-birds/birdfacts/house-martin">https://www.bto.org/understanding-birds/birdfacts/house-martin</a></p>

A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.

The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.

Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.

It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September

Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.

I would suggest the following:

"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."

"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"

I would be grateful if these comments could also be passed to Hertfordshire Ecology