

**4/01673/13/FUL - VEHICLE ACCESS CROSSOVER TO THREE PARKING PADS IN FRONT OF 42,44 AND 46.
LAND IN FRONT OF 42,44 AND 46, BROADFIELD ROAD, HEMEL HEMPSTEAD,
HP2 4DW.**

APPLICANT: MRS N BOOTH.

[Case Officer - Intan Keen]

[Grid Ref - TL 06702 07325]

Summary

The application is recommended for refusal.

The proposed hardstanding together with the vehicle crossover would represent an inappropriate form of development that would significantly alter the character of a key amenity green within the neighbourhood and creating a car-dominated frontage to the dwellings behind, whilst setting an undesirable precedent to the detriment of the appearance of the street scene and the first generation New Town. The development would not have an adverse impact on the amenity of adjoining properties. The proposed access arrangements would not be satisfactory although would not represent a significant highway safety concern to warrant refusal, and proposed car parking provision is acceptable. The proposal is therefore contrary to the aims of the National Planning Policy Framework and Policies CS11 (Quality of Neighbourhood Design), CS12 (Quality of Site Design), and CS13 (Quality of the Public Realm) of the Dacorum Core Strategy (September 2013), and saved Policy 116 (Open Land in Towns and Large Villages) of the Dacorum Borough Local Plan 1991-2011.

Site Description

The amenity green on which the application site is located lies on the northern side of Broadfield Road, in front of a four-dwelling terrace row comprising Nos. 42, 44, 46 and 48. It is one of two green spaces sited in front of a terrace row, the other located further west and greater in length. The immediately surrounding area, including the T-junction of Broadfield Road and Newfield Lane incorporates a number of open green spaces as well as wide grass verges, incorporating footpath links and places for crossing. Specifically, the northern side of Broadfield Road contains a deep grass verge across its full length, interrupted by several crossovers within the street. Some amenity spaces contain mature trees, and this is the case for the amenity green in front of Nos. 42, 44, 46 and 48.

There is evidence of vehicle crossovers across the grass verge throughout the street, including one example at the end of terrace dwelling at No. 48 where grasscrete has been laid providing vehicle access across the amenity green directly west of the application site.

Additionally, a double width vehicle crossover exists at No. 37 Broadfield Road which traverses through the the deep amenity green at the street corner and the adjacent footpath.

Proposal

The application site follows the existing central footpath through the amenity green and proposes a slightly wider area of hardstanding through the green. The hardstanding

would take the shape of a T, with an area of hardstanding spanning the full width of the front boundaries at Nos. 44 and 46 Broadfield Road, and the western half of No. 42, to replace the existing footpath. The proposed hardstanding and vehicle crossover would also extend across the grass verge and the footpath parallel with and closest to Broadfield Road.

The proposed hardstanding and vehicle crossover would enable vehicle access from Broadfield Road to the front gardens of Nos. 42, 44 and 46.

Referral to Committee

The application is referred to the Development Control Committee as part of the application site is Council owned land.

Planning History

None on site.

Application 4/00933/13/FHA for formation of hardstanding and crossover across amenity land at No. 58 Broadfield Road was granted on 5 August 2013. This also involved a relocation of the footpath.

There is no recent available planning history for the grasscrete drive to No. 48 Broadfield Road, or the double width crossover and driveway to No. 37.

Policies

National Policy Guidance

National Planning Policy Framework

Core Strategy

Policies CS4, CS11, CS12 and CS13

Dacorum Borough Local Plan (saved policies)

Policies 58 and 116

Appendix 5

Supplementary Planning Guidance

Residential Character Area HCA22 - Adeyfield South

Area Based Policies - Development in Residential Areas

Representations

Neighbours

Nos. 40, 44, 45, 47, 48 and 49 Broadfield Road were notified on 10 September 2013.

No representations received at the time of writing this report.

Conservation and Design

Conservation and Design (internal) was notified on 20 September 2013. The following response was received on 1 October 2013:

Adeyfield is one of the seven residential neighbourhoods created within Hemel Hempstead New Town and is one of the earliest housing developments. The neighbourhood is planned development with housing clustered around green spaces and grassed verges along road ways. The green spaces were considered an integral part of the neighbourhood design with car parking limited to garage courts. Housing was designed in short terraces set within the plot with hedges to the front boundaries to delineate between public and private space. The totality of the original design concept was to provide a planned spacious green environment.

Unfortunately with the growth of car ownership and with people wishing to park as close to their properties as possible, there is pressure on the landscape spaces to provide for overspill parking and hardstanding. This is eroding the quality of the landscape areas both in size and form and is causing the over dominance of the parked car. In addition the landscape areas are causing maintenance problems due to the surface being rutted by tyre tracks and hardstandings causing fragmentation of areas requiring mowing.

Overall the incremental changes of new hardstandings, driveways, loss of boundary treatments and hard surfacing of front gardens is eroding the quality of the local environment in the New Town neighbourhoods.

Estates

Estates (internal) was notified on 16 September 2013. No formal comments received at the time of writing this report.

Rights of Way

Rights of Way (internal) was notified on 16 September 2013. A response was received on 1 October 2013 confirming there is no public right of way over the amenity green.

Trees and Woodlands

Trees and Woodlands (internal) was notified on 16 September 2013. No formal comments received at the time of writing this report.

Highways

Highways (Hertfordshire County Council) was notified on 16 September 2013. The following response was received on 18 September 2013:

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council does not wish to restrict the grant of permission.

Highway Informative: The highway authority require the construction of the double width vehicle crossover to be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway.

Highway Note

As part of this application, the applicant wishes to have one vehicle crossover (VXO) traversing amenity green land and serving three dwellings, 46, 44 and 42 Bradfield Road allowing one off street parking space to each dwelling. The amenity green land and the footpath at the back edge of the green are not in the control of highway authority. It is noted that the footpath will be widened and hardened to allow vehicles to drive along before parallel parking in their respective front garden areas, which will also need to be hardened too. The plan submitted DBC/029 shows a "T" formation allowing all three dwellings to be served off this one VXO but the highway authority would suggest that if the LPA are minded to grant this application, the access is widened to more than the 2.7m shown and that there are 45 degree splays at the top of the "T" formation. Otherwise, there is a risk of vehicles overriding the green as they turn left or right whilst manoeuvring to parallel park.

Roads in Hertfordshire: Highway Design Guide 3rd Edition, Section 4 - Design Standards and Advice, Chapter 1 - Road Design Criteria states that the maximum permissible vehicle crossover should be no more than six standard kerbs with two ramped making a total width along the kerb line of 7.2m.

Therefore, should the LPA be minded to grant planning permission, the highway authority would ask that the above informative and advice be included in the decision notice.

Further advice received on 2 October 2013 state that a refusal would not be warranted if previous highway comments above were not included into any amended plans or future application.

Considerations

The main issues of relevance to the consideration of this application relate to the policy and principle justification for the proposed hardstanding and vehicle crossover, the impact of the proposed development on the character, appearance and layout of the amenity green and the street scene, the impact on neighbouring properties, and the impact on access and car parking.

Policy and Principle

Under the Area Based Policies, Development in Residential Areas Supplementary Planning Guidance, the terminology section defines amenity spaces and greens as small areas of open undeveloped land within residential areas which may be space for landscaping, grassed verges or areas, or play space but do not qualify as larger areas

of structural open land defined in Policies 9 and 116 of the Local Plan. (Policy 9 now superseded by Policy CS4 of the Core Strategy).

Policy CS4 of the Core Strategy states that appropriate residential development in residential areas is encouraged. The application site is located within a residential area within the town of Hemel Hempstead. The proposed development proposes an access to an existing group of dwellings and therefore would not raise any policy objections. It is also noted there is no public right of way over the amenity green.

Impact on layout and appearance of street scene

The NPPF places great importance to the design of the built environment, and the integration of development into the natural, built and historic environment. The above mentioned policies contained in the Core Strategy and saved policies in the Local Plan are consistent with the objectives of the NPPF.

HCA22 - Adeyfield South is identified as the first new town neighbourhood in Hemel Hempstead. Amenity land within this character area is given great importance acknowledging these spaces are structural to the layout of dwellings and a key feature providing a well landscaped appearance to the area. As such, the character area statement encourages the retention of amenity land, however, use of parts of these areas of amenity land for car parking may also be acceptable if the character and appearance of the area is not unduly harmed by the resulting visual impact and the effects on established landscaping. This is reinforced by saved Policy 116 (a) of the Local Plan.

The character area statement continues to state that the provision of off street car parking in landscaped communal areas is encouraged, rather than by front forecourt provision or conversion, and private drives. The Supplementary Planning Guidance (both documents) referred to above together with advice from Conservation and Design place significant weight on the protection of these amenity greens, and identifying these greens as a key feature within the New Town neighbourhoods. Saved Policy 116 of the Local Plan states that proposals to develop on open land will be assessed on the basis of the local contribution the land makes to visual amenity and the general environment (amongst other things).

The proposal involves the creation of a T-shaped area of hardstanding leading from Broadfield Road, traversing through the centre of the amenity green to follow the existing path and spreading horizontally across the majority of the combined frontages of Nos. 42, 44 and 46; the driveway would serve a vehicle access to these three dwellings. The harm created by the development is two-fold, as the proposed area of hardstanding would disrupt the simple and symmetrical layout of this amenity green as well as the established pattern of hard and soft landscaping within these amenity spaces within Broadfield Road.

Secondly, the proposal would introduce a greater amount of cars within the main and central part of the green and the provision of further hardstanding for car parking within the recessed forecourts of dwellings behind the amenity land. Policy CS11 (f) and HCA22 - Adeyfield South oppose the conversion of front gardens to vehicle hardstanding. Additionally, such development is strongly discouraged by the NPPF where a proposal of poor design fails to improve the character and quality of an area

and the way it functions.

By altering the layout and function of the amenity green, the proposal would have a detrimental impact on the appearance of the street scene, and the landscape character of the surrounding area. The development would significantly harm the visual appearance of an important and prominent feature within the street and wider neighbourhood and therefore fails to respond to the character of the locality as previously outlined. The NPPF seeks to ensure that development is responsive to local character; an objective which is supported by Policies CS11 (a), CS12 (f) and (g), and CS13 (c) of the Core Strategy and saved Policy 116 (a) of the Local Plan.

Furthermore, the development would set an undesirable precedent with respect to development on amenity land resulting in the loss of green amenity land whilst allowing for the potential for hardstanding of various amounts and configurations to be constructed. This type of development would undermine the cohesion and visual function of these spaces, to the detriment of the appearance of the street scene and layout of the New Town neighbourhood. The creation of driveways across amenity greens would encourage further conversion of front gardens to vehicle car parking which as mentioned above would be contrary to the local character of the immediate area, and as such is unacceptable.

It is also important to note that it has been determined that the area of hardstanding proposed would not be sufficient for vehicles to comfortably manoeuvre out of the parking forecourts without driving on the retained grassed area (as mentioned in Highways consultation response above). Over time this would lead to the degradation of the green space and as such would fail to meet the objectives of HCA22 - Adeyfield South and therefore would be unacceptable under the NPPF, Policies CS11, CS12 and CS13 of the Core Strategy and saved Policy 116 of the Local Plan. Evidence of car parking and vehicle movements is evident on the amenity green further west, the grassed surface of which appears to have deteriorated over time.

Of lesser concern is the creation of a crossover to the northern side of Broadfield Road where the hardstanding would remove a small part of the grass verge. However it is noted an area of hardstanding exists in this location off the footpath, and a similar dropped kerb exists to the other amenity green to the west on Broadfield Road, although this would appear to be formally used for pedestrians crossing.

In summary, the proposal would represent an unacceptable form of development due to the siting and amount of hardstanding and the introduction of cars onto the amenity green and within the dwelling forecourts beyond. The development would therefore have an adverse impact on the layout, character and appearance of the individual amenity green and would disrupt the landscaping pattern within the street scene. The proposal would set an undesirable precedent that would have a detrimental visual impact on the surrounding area. The proposal is therefore contrary to the aims of the NPPF, Policies CS11, CS12 and CS13 of the Core Strategy and saved Policy 116 of the Local Plan.

Impact on neighbouring properties

Due to the nature of the proposed development, the amenity of surrounding residential properties would not be adversely affected. The proposal is therefore in accordance

with Policy CS12 (c) of the Core Strategy.

Impact on access and car parking

Amendments to hardstanding layout including splays at the top of the T formation and the widening of the driveway from Broadfield Road have been suggested to avoid vehicles manoeuvring onto the grassed part of the amenity green. However, this is not considered to raise a significant highway safety concern to warrant refusal on these grounds.

The proposal would involve the removal of approximately one on street car parking space, and would create three off street car parking spaces within the forecourts of Nos. 42 and 44 and the front garden of No. 46 Broadfield Road. The proposed net increase in car parking provision is considered acceptable and in accordance with the objectives of saved Policy 58 and Appendix 5 of the Local Plan.

RECOMMENDATION - That planning permission be **REFUSED** for the following reasons:

- 1 The proposed hardstanding together with the vehicle crossover, by reason of its layout, site coverage, and materials would significantly alter the character of a prominent amenity green, whilst encouraging a car-dominated frontage to the dwellings behind, to the detriment of the appearance of the street scene and the visual interests of the New Town neighbourhood. The development would be harmful to the appearance of the green, would set an undesirable precedent that would lead to further degradation of these green spaces that are a key feature of the street and wider neighbourhood. The proposal is therefore contrary to the aims of the National Planning Policy Framework, Policies CS11 (Quality of Neighbourhood Design), CS12 (Quality of Site Design), and CS13 (Quality of the Public Realm) of the Dacorum Core Strategy (September 2013), and saved Policy 116 (Open Land in Towns and Large Villages) of the Dacorum Borough Local Plan 1991-2011.**

NOTE 1:

Article 31 Statement

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable on this particular site and the fundamental objections cannot be overcome. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.