

**4/01347/13/FUL - NINE PARKING BAYS.**

**AMENITY GREEN, OPPOSITE 43, MARLINS TURN, HEMEL HEMPSTEAD, HP1.**

**APPLICANT: DACORUM BOROUGH COUNCIL - MRS G BARBER.**

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[Case Officer - Philip Stanley]

[Grid Ref - TL 04526 08696]

## **Summary**

The application is recommended for approval.

This application is the subject of a two year process ('The Verge Hardening Project') that has highlighted and prioritised the areas of extreme parking stress in the Borough, checked the feasibility and cost effectiveness of parking schemes in those areas, and undergone a pre-application process to determine the most appropriate areas and methods to deliver the needed additional parking.

The application site is considered the number one priority in this Project. There is a clear need for additional off-street parking in the area. This application provides 9 additional parking bays and this would be achieved in a way that maintains the most important green amenity strips in the locality. It is considered that an appropriate balance has been struck between meeting the parking requirements of the area and protecting the visual amenity of the neighbourhood. The application therefore complies with Policies CS11 and CS12 of the Dacorum Core Strategy (September 2013).

## **Site Description**

The application site comprises an area of green space at the eastern end of the head of Marlins Turn, located within the residential area of Gadebridge, part of the urban area of Hemel Hempstead.

The head of Marlins Turn is framed by two amenity greens. The first, which is subject to this application, is a rectangular space with its narrow side facing Marlins Turn. There is one medium-sized tree located towards the front of this green space and then a group of trees set further to the rear. This green space wraps around the last house (No.49 Marlins Turn) to continue westwards. The second amenity green has its long side immediately adjacent to the head of the road and is a more prominent green space.

The surrounding area is characterised by runs of terraced housing with little or no provision (or possibility) of providing on-site parking. The properties closest to the site are Nos.41-45 Marlins Turn to the west and Nos.55-61 to the north.

## **Proposal**

It is proposed to construct 9 new parking bays at the front (south-eastern) edge of the green open space referred to in the previous section. The new parking bays would be placed in two lines inside the public footpaths that frame this amenity green, and they would be laid in dense bituminous macadam.

The proposals have been amended from that originally submitted in several ways:

- The proposal now consists of 9 parking spaces. Originally it was proposed to

create 10 bays, however the space closest to Marlins Turn on the southern side had to be removed to allow greater manoeuvrability within the site.

- An additional area of tarmac would be created to the rear of the site, again to allow for vehicle turning movements.
- The proposals originally showed the parking spaces abutting both the northern and the southern footpaths with a sizeable area between the two rows of parking. This has been amended so that the southern parking spaces are up to 3 metres away from the southern footpath.
- A hedge and tree have been introduced to soften the development.
- An aco drain leading to a soakaway has been added to the proposals.

### **Referral to Committee**

The application is referred to the Development Control Committee as the applicant is the Borough Council.

### **Planning History**

None.

### **Policies**

#### National Policy Guidance

NPPF  
Circular 11/95

#### Dacorum Core Strategy (September 2013)

CS1, CS4, CS10, CS11, CS12, CS26, CS29 and CS31

#### Dacorum Borough Local Plan Saved Policies

Policies 13, 57, 59 and 116  
Appendices 1 and 5

#### Supplementary Planning Guidance

Environmental Guidelines  
Residential Character Area HCA 6: Gadebridge  
Water Conservation & Sustainable Drainage  
Accessibility Zones for the Application of Parking Standards

### **Representations**

#### Hertfordshire Highways

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

The planning application is by DBC to create 9 parking bays on the amenity green

opposite 43 marlins Turn, Hemel Hempstead. The parking provision will formalise off-street parking by removing any on-street parking. No doubt this arrangement will help the free and safe flow of traffic.

The highway authority does not wish to restrict the grant of consent. However, the proposals include drop kerbs which may require the applicant entering in to a S278 agreement with the highway authority to carry out the works.

### Trees & Woodlands

*1st October 2013*

I have inspected the site today, have considered the proposal and make the following comments:

- The parking area has been designed poorly leaving a small grass margin that is unviable as a public amenity green because of its small size and poor shape.
- The proposal results in the loss of only 1 tree. This is an over mature Whitebeam (*Sorbus aria*). The loss of this tree is acceptable provided a replacement tree of at least 14-16 cm circumference can be planted on the same green. No other trees are affected.
- The Escallonia hedge is a good choice and is suitable for screening. However, the position of the hedge on the edge of parking bays and along a narrow strip of grass is not satisfactory. The hedge will need very regular trimming to cut it back from parked vehicles and will not have a chance to establish because the residents may take a short cut through the hedge after parking their cars. In my opinion, the hedge is positioned poorly and will not survive. I recommend a revised plan of the parking bays and landscape scheme to address these concerns.

*3rd October 2013*

- The hedge is best planted 0.5 m away from the edge of the kerb separating the end of the parking bays and grass. The size of the pots should be either 2 or 3 litre. Density of planting is best 3 plants per linear metre.
- The small area of grass that has been retained can, in my opinion, accommodate a small tree. I recommend a type of silver birch *Betula utilis* 'Jacquemontii'. Size 14-16 cm circumference and container grown.

### Response to Neighbour Notification / Site Notice / Newspaper Advertisement

Two e-mails of objection have been received from Nos.59 and 61 Marlins Turn, which raised the following objections:

- The plan to replace our amenity green with parking bays would be very damaging to our community.
- The green in question is used all the time by the children who live here. They all play out there all the time and replacing it with a tarmac car park would have a detrimental impact on the entire nature of our living environment and sense of community.
- It is proposed to remove a beautiful tree, which would have a negative impact on the whole look of the area and seems completely unnecessary in order to provide a

few parking spaces.

- The parking they are planning would be very intrusive for the houses on the green. It appears that the spaces will be very close to the houses, and I am very concerned at the impact this would have - in particular the disturbance and unpleasant living environment which would be caused by the headlights, noise and pollution from cars driving in and out and parking right outside.
- I am also very concerned about safety if this scheme goes ahead as there will be cars driving in and out across the area where children are used to being able to play.
- I cannot see that there is enough room for ten spaces including cars driving in and out in the space they have marked for this scheme. I imagine that accidents – and further road congestion - are bound to happen if the plans go ahead as they are.
- If you add extra spaces on the green, all that will happen is some of the cars which currently park further along the road in the garages will use those spaces – it will not solve the problem at all.
- Better solutions would be to make Marlins Turn a one-way road or utilise the other amenity green.
- The slope of the proposed car park area is downhill and therefore car headlights will shine directly into my flat severely decreasing my privacy all year round during the hours of darkness but particularly in the winter.
- There is no protection from any vehicle accidentally coming over the boundary of the car park area immediately crossing the footpaths. There is immediate risk of injury to anyone using the footpaths.

Local residents were also asked for their views by the Council at the pre-application stage. Firstly, they were asked in a general sense whether they were supportive of using the amenity greens for parking and 23 replied they were, with four against. A second consultation then asked whether they supported using the large green (25%) or the small green (54%), while 21% supported neither.

## **Considerations**

### Policy and Principle

The proposed development would take place in an urban area of Hemel Hempstead and would therefore be acceptable in principle in accordance with Policy CS4 of the Dacorum Core Strategy (September 2013).

Core Strategy Policy CS10 (f) emphasising the need to preserve and enhance green gateways, Policy CS11 (f) stating that new development should avoid large areas dominated by car parking, and Policy CS12 seeking to ensure that all development is in keeping with the area and stating the importance of planting of trees and shrubs to help assimilate development.

Policy 116 of the DBLP seeks the protection of open land in Towns from inappropriate development. In particular the location, scale and use of the new development must be well related to the character of existing development, its use and its open land setting, while the integrity and future of the wider area of open land in which the new development is set must not be compromised. Appendix 5 of the DBLP states that, "*Achievement of parking provision at the expense of the environment and good design will not be acceptable. Large unbroken expanses of parking..are undesirable. All parking must be adequately screened and landscaped*".

Finally, the application site is located within the residential area of Gadebridge (HCA 6). In this area there may be opportunities for the conversion of parts of amenity areas to communal car parking where the character and appearance of the area is not unduly harmed through its visual impact and effect on established landscaping.

### Use of the Amenity Green

A local resident has complained that this development would erode the local sense of community and also would result in the loss of a space that local children enjoy and use. It is appreciated that any change to a green space is not going to be accepted by all parties. However, a balance has to be struck between providing the car parking spaces the area desperately needs (this street was number one in the list of priority areas) and protecting the most important green spaces. In this case the majority of local residents preferred the use of the proposed amenity green, rather than the larger green at the head of the road. Furthermore, even within the green affected there would remain a large area of green space to the rear of the proposed parking spaces, which the community could use. Finally, it is considered that two letters of objection do not constitute a groundswell of opinion against the present proposals.

Therefore, on balance it is considered that the change of use of part of this amenity green would be acceptable.

### Impact on Street Scene

The creation of 9 new parking spaces at the edge of an amenity green would result in a change to the appearance of the area. In particular the use of tarmac would create a slightly harsher feel to the locality.

However, there are several factors in support of this application:

- The proposed application has been amended to take it away from the southern boundary. This has created an important area of green space to the south of the development, which would help to soften the proposals.
- The softening of the proposals would be further achieved through the introduction of a new hedge and a replacement tree.
- Cars already park in the area of the application site within the turning area to the front right-hand side of the site, which diminish the visual amenity of the area.
- It is considered there are larger, more prominent green spaces in the area (such as the amenity green to the north of the site and the wooded area between Marlins Turn and Hetchleys). In particular the amenity green at the head of the road is far more prominent than the amenity green subject to this application.

Therefore, on balance, it is considered that the proposed application represents the most appropriate way of achieving the parking spaces that are in very short supply in this locality. In addition it is considered that the provision of these spaces would not unduly harm the character and appearance of the area and as such the proposals comply with Dacorum Core Strategy Policies CS10, CS11 and CS12, as well as saved Policies 116 and HCA22 of the DBLP.

### Impact on Trees and Landscaping

The Trees & Woodlands Officer has raised no objection to the proposed loss of the front tree and has also confirmed that the trees to the rear would not be affected by the development. He has suggested that a replacement tree be included in the scheme and this has been added to the proposals.

It is noted that the Trees & Woodlands Officer has raised some concerns regarding the size of the green space to be left to the south of the parking bays and the longevity of the proposed hedge. In terms of the first point he feels that this area would appear as an isolated, small section of grass serving no purpose. However, it is considered that this is a sizeable area of green space, certainly large enough to soften the development and that it would enhance the overall appearance of the area compared to simply tarmacing this section of the amenity green. In terms of the second point revised plans have been received taking the hedge 0.5 metres away from the parking spaces. This would allow room for the hedge to grow. Furthermore it is not considered that the desire lines are such that would encourage residents to cut through the hedge compared to walking around as firstly the distance saved would be small and secondly only a few properties would benefit from this slightly reduced distance.

It is further noted that a replacement tree in this southern retained section of amenity green would provide a focal point for this area of land.

Overall, it is considered that the planting of a new tree and a lengthy section of hedgerow would compensate for the loss of grass required to provide the parking bays. These landscaping features would also add greater variety and interest to the area. The details of this landscaping should be secured by way of condition.

### Impact on Neighbours

Careful consideration has been given to the impact of headlight glare arising from use of the proposed parking spaces. It was noted in particular that Nos.41 and 43 were particularly close to the original proposals as they have completed front extensions. As a result the scheme has been amended to take the parking spaces up to 3 metres away from the southern footpath. This has allowed the planting of a dense hedge that would reduce headlight glare considerably. It is noted that no hedge would be possible in front of No.43, however this property benefits from a 0.8 metre high brick wall along its front boundary which would serve the same purpose.

It is noted that the northern neighbours (Nos.59 and 61 Marlins Turn) have objected to the application on the grounds of headlight glare reducing their residential amenity. However, these properties have a more oblique relationship with the parking spaces (i.e. they are more side on), while there is a separation distance of 10 metres between the proposed spaces and these neighbours.

As such it is not considered that any harm caused to neighbouring residential amenities would be so significant to warrant refusing this application.

### Highway Safety

It is considered that these proposals would improve highway safety in the street. At the moment cars are parked straddling the pavement, thereby reducing the width of both

the road and the pavement. The proposed scheme would help reduce such nuisance parking and as such will help the free and safe flow of traffic.

It is noted that a local resident has objected on the grounds that the parking bays and immediately adjacent to the footpaths and that thus raises safety concerns. However, the amended plans show (which was always intended to be the case) that a kerb would be installed between the end of the parking space and the footpath, thereby creating a clear distinction between these two spaces.

Finally, it is noted that one parking space has been removed from the original proposals and a rear strip added, to aid car manoeuvrability within the site. This would overcome the safety issues that local residents have raised in this respect.

### Sustainability

It is proposed to finish the parking bays in tarmac, an impermeable material. A previous application (at Bathurst Road) used grasscrete to create a permeable surface, however this has created significant grounds maintenance problems for the Council, while its appearance has suffered as a result of the constant use of the parking spaces. Therefore, the use of tarmac as an alternative is proposed at this site.

In order to avoid surface water run-off onto the Highway (or indeed down into adjacent properties) it is proposed to use the natural ground levels, which slope downhill from south to north, to create a drain linked to an underground soakaway. This would ensure that water is allowed to drain away naturally on site. These details are shown on the submitted drawings.

### **Conclusions**

The proposed parking spaces would provide much needed local parking, but would be achieved in a way that does not compromise the visual amenity of the area. In particular the amendments made to the proposed development would ensure that soft landscaping would be introduced to break up the runs of parking spaces.

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

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

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

- 2 **The development shall be carried out in accordance with the Schedule of Materials in section 9 of the application form submitted with this application signed and dated 10/07/13.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013)

- 3 **The development shall take place fully in accordance with the details of tree planting as shown on drawing DBC/001 Rev.F. The approved tree and hedge planting shall be provided in the next planting season after the date of the granting of this planning permission.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).

- 4 **The development shall take place fully in accordance with the details of on site drainage as shown on drawing DBC/001 Rev.F. These approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 and CS31 of the Dacorum Core Strategy (September 2013).

- 5 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Site Location Plan 1:1250  
DBC/001 Rev.F**

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

ARTICLE 31 STATEMENT:

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

HERTFORDSHIRE HIGHWAYS INFORMATIVE

The proposals include drop kerbs which may require the applicant entering in to a S278 agreement with the highway authority to carry out the works. Please contact Hertfordshire Highways on 01992 555555 for further information on this matter.