

**4/02066/15/FUL - CREATION OF ADDITIONAL PARKING AREAS WITH ASSOCIATED LANDSCAPING.
BERKHAMSTED BOWLS CLUB, BROADWATER, BERKHAMSTED, HP4.
APPLICANT: BERKHAMSTED BOWLS CLUB.**

[Case Officer - Nigel Gibbs]

Summary

The application is recommended for approval.

The site is located in designated Open Land which supports leisure uses. The proposal will provide some additional parking which is essential for the Club's operation and future with specific regard to match days.

The parking represents an ancillary form of development complementing the existing role of the Open Land which accords with the expectations of Policy CS 4 of the Dacorum Core Strategy and Policy 116 of the saved Dacorum Borough Local Plan.

The development will be visually compatible with the Open Land and have a neutral effect upon the character and appearance of Berkhamsted Conservation Area. There are no access, highway safety or parking objections.

There should be no overriding harm to the residential amenity of nos 1 and 2 Tennis Cottages.

Site Description

Berkhamsted Bowls Club is located in Canal Fields opposite its public car park, amenity area/ playground and to the south of the railway line. It is linked to the elongated access road known as Broadwater serving Canal Fields. Canal Fields also features Berkhamsted Football Club, Berkhamsted Tennis and Squash Rackets Club and a floodlit skateboard park.

The Club's grounds adjoin two houses at 1 and 2 Tennis Cottages which are located to the west of the courts serving Berkhamsted Tennis and Squash Rackets Club.

The site is within designated Open Land, Berkhamsted Conservation Area, an Area of Archaeological Importance, Flood Zones 2/3, a railway buffer zone and air safeguarding area. The site is identified as a former land use which would have been associated with the former open air swimming pool.

Proposal

This is for the provision of three parking spaces within the Club's grounds and four spaces on the adjoining DBC owned land at the site's frontage to Canal Fields.

The parking areas will be of 'Grasscrete' finish with the existing access/entrance extended to facilitate vehicular access. To accommodate the parking three Thuja trees will be removed and compensated by new boundary hedge and shrub planting. The Club has confirmed that the additional spaces would have restricted use, being only available for the Club.

The Club has confirmed that the demand for parking has increased, which is severely affecting its functioning especially on match days and major events. The parking would enable the club to maintain its viability and strong membership. Without these additional parking areas the Club is very concerned that its viability will be compromised and believe the application will not have a detrimental effect on the surrounding areas.

Pre Application Advice

The initial proposals involving more encroachment into Canal Fields were regarded as incompatible with the Open Land. The current scheme involves a reduced area of parking.

Referral to Committee

The application is referred to the Development Control Committee as the application involves development on DBC owned land.

Planning History

4/572/84. Public bowls green and pavilion. There was no parking provided with reference to accessibility via the footbridge to the Lower Kings Road car park. The report confirms there were no objections based upon residential amenity. There were objections from no. 2 Tennis Cottages.

4/01385/86. Clubhouse. A condition imposed noise boundary limits. There were objections from no. 2 Tennis Cottages. No curtilage car parking or vehicular access was shown.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS23 – Social Infrastructure
CS25 - Landscape Character
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction

CS31 - Water Management
CS32 - Air, Water and Soil Quality
Berkhamsted Place Strategy

Saved Policies of the Dacorum Borough Local Plan

Policies 12,13, 51, 54, 58, 61, 63,73, 83, 99, 100,106, 113 and 120
Appendices 5 and 8

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Accessibility Zones for the Application of car Parking Standards (July 2002)
Landscape Character Assessment (May 2004)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Supplementary Planning Guidance/ Documents

Environmental Guidelines
Berkhamsted Conservation Area Appraisal

Council's Playing Pitch Strategy and Action Plan (June 2015)

Representations

Berkhamsted Town Council

Background

Councillor Armytage declared a prejudicial interest and explained that the Club's representative had argued the case on the basis of the continued viability of the bowls club. Previously the four hour restriction in the car park had been overlooked by the Traffic Wardens however this was no longer the case and the Committee was asked to support the application. Councillor Armytage left the meeting.

BTC resolved to raise no objection.

It was suggested that consideration be given to making a condition that the trees which will be removed will be replaced.

Councillor Armytage returned to the meeting.

Strategic Planning

The application site is located within the Canal Fields playing fields immediately to the north of the Grand Union Canal, west of the tennis club and south of the railway line.

The land is designated as Open Land and the site is included within the Conservation Area associated with the nearby Berkhamsted Castle and wider Area of Archaeological Significance encompassing a large part of Berkhamsted town centre.

Principle:

The principle of the development should be judged against development plan policies relating to designated Open Land including saved Local Plan policy 116 and Core Strategy policy CS4.

Saved Local Plan Policy 116 advocates the protection of Open Land forming part of the urban structure. Any ancillary buildings, works and changes of use should satisfy a number of criteria including: ensuring that the location, scale and use of the new development relates well to the character of existing development, its use and setting; and that the integrity and future of the wider area of Open Land is not compromised. This is reiterated through Core Strategy Policy CS4 which states that, in Open Land areas, the primary planning purpose is to maintain the generally open character. The proposed development seeks to construct two additional car parking areas within the site to accommodate up to a total of 7 spaces. One would be sited immediately to the south of the existing clubhouse and the second adjacent to the existing area allocated for disabled car parking.

Given the location of these two areas within the confines of the existing club site and presence of mature vegetation along the eastern boundary of the site, the proposed car parking areas are unlikely to negatively impact upon the designated Open Land. Also, taking account of the existing structures on this part of the site (i.e. the clubhouse, bowls green and areas of hardstanding), the areas of the site with open characteristics would be maintained. The use of grasscrete and implementation of replacement planting would also soften any impact of these additional parking areas.

Heritage

Consideration should also be given to the local heritage assets including the Conservation Area and Area of Archaeological Significance. The construction of car parking areas may have implications for yet undiscovered heritage assets of archaeological significance. Therefore, advice should be sought from the Archaeology Unit at Hertfordshire County Council.

In terms of the impact on the Conservation Area, consideration should be given to Core Strategy Policy CS27 which states that the integrity and distinctiveness of designated heritage assets will be protected, conserved and, if appropriate, enhanced. It is considered that the proposed development would have a limited impact on the Conservation Area and would be further protected, potentially enhanced, by the replacement of any trees to be removed with an appropriate species. To this effect, the advice of the Design and Conservation Team and Clean, Safe and Green Team should be sought.

Other Considerations:

Consideration should also be given to the Council's Playing Pitch Strategy and Action Plan (June 2015) which takes account of the provision of facilities for bowls. Berkhamsted Bowls Club is referred to within this strategy and it is identified that the

existing facilities are generally adequate to meet local demands; however, it is noted that the club are reliant on nearby public car parking provisions which can have its limitations.

Conclusion:

In summary of the above, there appears to be a need to resolve current parking limitations at Berkhamsted Bowls Club and the proposed development could go some way to address this. The proposal is not likely to have significant impacts on the Open Land characteristics or both designated and undesignated heritage assets. As such, the proposed development does not appear to conflict with relevant development plan policies. Nevertheless, in respect of the latter, advice from the Design and Conservation and Clean, Safe and Green teams should be sought; as well as advice from the Environment Agency and Lead Local Flood Authority regarding any flood risk.

Conservation & Design

No adverse comment. It will not have negative impact on the Conservation Area.

Trees ,Woodlands Parks/ Open Spaces

No objections.

Scientific Officer

Comments awaited.

Noise & Pollution

Comments awaited.

Parking Operations

Comments awaited.

Valuation & Estates

Comments awaited.

Hertfordshire County Council: Highways

Recommendation

Does not wish to restrict the grant of permission.

Highway Comment

There are no plans to change the current access arrangements. HCC road hierarchy states that the last section of Broadwater Road does not form part of the adopted public highway. As this is a private section road, Hertfordshire County Council as highway authority has no jurisdiction over this section of road and considers that the proposal to create additional parking will not have an unreasonable impact on the safety and operation of the adjoining highways.

Hertfordshire Fire & Rescue Service

No adverse comments.

Hertfordshire Constabulary: Crime Prevention Design Advisor | Crime Prevention Design Service

On the basis of the submitted information available content.

Suggest new shrub planting at the southern end of the grassed parking area, outside the club's grounds is no higher than 0.5m high. Whilst this planting will help soften the view of any vehicles parked in this area, it should not to become a potential hiding area for which could then cause problems or anti-social behaviour. Planting to reach a mature height of 0.5m will provide such softening but also stop the area behind the planting becoming a hidden away area.

Environment Agency

No adverse comments.

Ministry of Defence/ NATS

No safeguarding objection.

Hertfordshire County Council: Historic Advisor

In this instance, the construction of the railway has probably resulted in significant ground disturbance in the area of the proposed works. There is unlikely to be an impact on significant heritage assets of archaeological or historic interest.

Therefore, HA has no adverse no comments.

Network Rail

(1) Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would very strongly recommend the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers). A suitable small earth bund, which could be managed by the applicant, would also be acceptable. This is to prevent vehicles from accidentally driving or rolling onto the railway or damaging lineside fencing.

(2) The proposal calls for trees to be removed from the applicant's land, which is adjacent to the boundary with Network Rail. As the site is next to the operational railway (and this includes overhead lines) we would require the developer to submit to the Network Rail Asset Protection Team a method statement detailing how they propose to remove the trees (and any other vegetation). The method statement should take into account the proximity of the railway and all tree removal/vegetation removal works will need to be approved by the Network Rail Asset Protection Engineer before their removal commences on site. The removal of trees from the applicant's land may require asset protection presence on site to supervise the works and the applicant will

be liable for the costs incurred by Network Rail in facilitating the tree removal works.

Canals & Rivers Trust

No comments.

Comments received from local residents/ Response to Publicity

None.

Considerations

Policy and Principle

Context :Support for Leisure as part of Dacorum's Social Infrastructure

New development on designated **Open Land** is subject to Core Strategy Policy CS4 and saved DBLP Policy 116. As explained by para DBLP Para 116.1 much leisure space is protected from development because it is held as public open space and required to meet accepted standards of provision.

Core Strategy Part 15 addresses the Borough's Social Infrastructure . This includes open space, outdoor leisure and indoor sports facilities. Core Strategy Para 15.1 confirms the well-being of Dacorum's communities depends on having the appropriate social infrastructure which is essential to provide the facilities and services which underpin quality of life and deliver day-to-day living needs. Open space, outdoor leisure and indoor sports facilities are an essential ingredient of this provision. Core Strategy Policy CS23 expects that existing social infrastructure will be protected unless appropriate alternative provision is made, or satisfactory evidence is provided to prove the facility is no longer viable.

Deficiencies in leisure space in the Borough have been identified. Under Core Strategy Para 15.21 the Council will use existing land and buildings to rectify deficiencies in leisure space and help respond to changing recreational and leisure demands. Land already identified as existing open space and leisure space will be protected and enhanced. Other opportunities for sport and recreation will be supported.

The associated Council's Playing Pitch Strategy and Action Plan (June 2015) takes into account the provision of facilities for bowls. Berkhamsted Bowls Club is referred to within this strategy. Although the existing facilities are generally adequate to meet local demands it confirms that the Club is reliant on nearby public car parking provisions which can have its limitations.

New development on designated Open Land is subject to Core Strategy Policy CS4 and DBLP Policy 116.

In terms of DBLP Policy 116 the following criteria must be satisfied if such ancillary development (such as the propped car parking) is to be supported:

(a) 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; and

(b) the integrity and future of the wider area of open land in which the new development is set must not be compromised.

Also measures to conserve and improve the attractiveness, variety and usefulness of all open land will be investigated, encouraged and promoted.

The proposal would be compatible with the Open Land in terms of its scale and visual impact with a neutral effect upon the existing character and appearance of the Conservation which features an array of existing structures. The use of grasscrete and new planting would soften any impact of these additional parking areas.

Impact on Neighbours; Noise/ Disturbance/ Headlamp Glare

There will be some impact no. 2 Tennis Cottages dwellings but not warrant a refusal.
Archaeological Implications

Based upon Hertfordshire County Council's Historic Advisor's expertise there are no adverse archaeological implications with due regard to the previous impact of the railway construction.

Crime Prevention/ Security

The Crime Prevention Officer raises no fundamental objections subject to the provision of low hedging.

Parking/ Sustainable Location/Highway Safety/Access for Persons with Disabilities/ Emergency Access/ Sustainable Location

In this sustainable location it is expected that there is the maximum attention to encouraging the use of alternative transport to the private car to accord with Core Strategy Policy CS8 (a) under Sustainable Transport. However, given the Club's supporting information the proposed additional parking is apparently absolutely necessary to maintain the Club's ability to provide adequate parking for match days and its future. It is on this basis that there is a case to support the principle and amount of the additional parking. This takes into account the opportunity to impose a Green Transport Plan which has been applied to various leisure clubs in developing their existing sites such as the adjoining Berkhamsted Tennis and Squash Club, Hemel Hempstead Football Club and Kings Langley Football Club in supporting new development.

Hertfordshire County Council Highways raise no objections with access to the site maintained. Based upon Hertfordshire Fire & Rescue's pre application advice involving a site meeting there are no fundamental fire access objections.

There will be additional opportunities for persons with disabilities to park at the site. The existing disabled parking adjoining the site would be retained.

Drainage/ Flooding

The Environment Agency raises no objections with due regard to the flooding

implications. Grasscrete is designed to ensure there is permeable drainage.

Contamination

As this is a former land use an informative regarding the keeping of a watching brief is recommended.

Sustainable Construction

The development would accord with the overall approach of Core Policy CS29 taking into account the new planting and the grasscrete's permeable drainage qualities.

Biodiversity /Ecological Implications

The provision of new planting would benefit the local ecological environment.

Rail Safety

The proposals are well separated from the railway. Network Rail raise no objections with its advice subject to an informative.

Impact upon the Canalside Environment/ River Bulbourne

There will be compatible relationship. This has taken into account the respective responses of the Canal & River Trust and the Environment Agency.

Exterior Lighting

No lighting is proposed.

Air Safeguarding Limits

There are no implications.

Environmental Impact Assessment

This is not necessary.

Conclusion

There are no objections to the proposal.

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 **All the parking spaces hereby permitted shall be constructed of grasscrete.**

Reason: To ensure that the development is compatible with the character and appearance of Berkhamsted Conservation Area and the designated Open Space to accord with the requirements of Policies CS4, CS10, CS12, CS13, CS27 and CS29 of the Dacorum Core Strategy and the saved Policies 116 and 120 of the Dacorum Borough Local Plan and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 3 **No development (schedules of plants, noting species, plant sizes and proposed numbers/densities) shall take place until full details of the proposed hedge and shrub planting have been approved in writing by the local planning authority. All the approved planting shall be carried out during the first planting season following the first use of any of the parking spaces hereby permitted. For the purposes of this condition the planting season is from 1 October to 31 March.**

Reason: To ensure that the development is compatible with the character and appearance of Berkhamsted Conservation Area and the designated Open Space to accord with the requirements of Policies CS4, CS10, CS12, CS13, CS27 and CS29 of the Dacorum Core Strategy and the saved Policies 116 and 120 of the Dacorum Borough Local Plan, in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 4 **If within a period of 5 years any part of the approved hedge and shrub planting subject to condition 3 becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a section of hedge or shrub equivalent species, size and maturity.**

Reason: To ensure that the development is compatible with the character and appearance of Berkhamsted Conservation Area and the designated Open Space to accord with the requirements of Policies CS4, CS10, CS12, CS13, CS27 and CS29 of the Dacorum Core Strategy and the saved Policies 116 and 120 of the Dacorum Borough Local Plan, in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 5 **Within two years of the date of the first use of any of the parking spaces hereby permitted a Green Travel Plan shall be submitted to the local planning authority for its approval in writing. The Travel Plan shall provide details of measures for reducing car dependency, the need to travel to site by car whilst promoting alternative modes of transport such as walking, cycling and use of public transport. The approved Travel Plan shall then be implemented in accordance with the approved details within 3 months of the date of its approval in writing by the local**

planning authority. The Travel Plan shall then be operated for at least 5 years from the date of its first implementation. During this period the effectiveness of the Travel Plan shall be monitored by the operator. At the end of this period results of the monitoring shall be submitted to the local planning authority in writing, and modified, if necessary, in accordance with the local planning authority's approval.

Reason: To accord with the principles of sustainable transportation in accordance with Policy CS8 of the Dacorum Core Strategy.

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

Site Location Plan and Site Plan.

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 at the pre-application stage which led to improvement to the scheme.

Informatives

Rail Safety

Network Rail has advised :

(1) Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would very strongly recommend the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers). A suitable small earth bund, which could be managed by the applicant, would also be acceptable. This is to prevent vehicles from accidentally driving or rolling onto the railway or damaging lineside fencing.

(2) The proposal calls for trees to be removed from the applicant's land, which is adjacent to the boundary with Network Rail. As the site is next to the operational railway (and this includes overhead lines) we would require the developer to submit to the Network Rail Asset Protection Team a method statement detailing how they propose to remove the trees (and any other vegetation). The method statement should take into account the proximity of the railway and all tree removal/vegetation removal works will need to be approved by the Network Rail Asset Protection Engineer before their removal commences on site. The removal of trees from the applicant's land may require asset protection presence on site to supervise the works and the applicant will be liable for the costs incurred by Network Rail in facilitating the tree removal works.

Site Contamination

The developer should keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.