

A. LODGED

- 4/01396/17/LBC Sterling
TWO STOREY EXTENSION AND INTERNAL WORKS.
OLD PALACE LODGE, 69A LANGLEY HILL, KINGS LANGLEY, WD4 9HQ
[View online application](#)
- 4/01569/17/MFA W E Black Ltd - Mr E Gadsden
DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 40
DWELLINGS, ALTERATIONS TO EXISTING VEHICULAR ACCESS ON TO
AYLESBURY ROAD, LANDSCAPING AND INTRODUCTION OF INFORMAL
PUBLIC OPEN SPACE
- CONVENT OF ST FRANCIS DE SALES PREPARATORY SCHOOL,
AYLESBURY ROAD, TRING, HP23 4DL
[View online application](#)
- 4/02283/17/FUL Mrs & Mrs Lane
NEW DWELLING TO REAR OF KERITY
LAND RO, KERITY, NORTHCHURCH COMMON, BERKHAMSTED, HP4 1LR
[View online application](#)
- 4/02473/17/FUL Mr C Pitblado
USE AND EXTEND THE ORIGINAL WALLS, AND USE THE ORIGINAL
FOUNDATION SLAB, OF THE FORMER GARAGE AND CAR PORT TO
CREATE ON THE SAME SITE A TWO STOREY DWELLING; CHANGE OF
USE FROM AGRICULTURE TO FRONT HARDSTANDING AND REAR
GARDEN'.
GABLE END, SHEETHANGER LANE, FELDEN
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/00918/17/FUL

CONSTRUCTION OF NEW DWELLING (AMENDED SCHEME).
28 MERLING CROFT, NORTHCHURCH, BERKHAMSTED, HP4 3XB

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This appeal related to the construction of an additional dwelling attached to an existing 2-bed house. The development proposed two parking spaces for the existing house, but none for the proposed dwelling. The Inspector agreed with the Council that the proposal conflicts with the policies of the development plan (CS8 and CS12 of the Core Strategy and Appendix 5 of the DBLP) and would not provide adequate off-road parking for future occupiers. The Inspector was not satisfied that the parking survey submitted as part of the application sufficiently demonstrates that the area does not experience on-road parking congestion and that the scheme would not exacerbate this. Consequently, the Inspector dismissed the appeal.

4/00937/16/FUL

HARPER
CONSTRUCTION OF ONE 3-BED DWELLING AND TWO-STOREY REAR
EXTENSION
3 HILLSIDE COTTAGES, LEVERSTOCK GREEN ROAD, HEMEL
HEMPSTEAD, HP3 8QB

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Decision

1. The appeal is dismissed.

Procedural matters

2. The appeal details show that amended plans were submitted on 1 June 2017 before the application was determined. For the avoidance of doubt and in view of the fact that there does not appear to be any dispute between the Council and appellant on this matter, I have proceeded on the basis that the plans under consideration in this appeal are Drawing Nos 02, 03, 04, 05, 06, 07 and 08. I am satisfied that dealing with the appeal on this basis would not prejudice the interests of any party.

3. The description on the application form does not accurately describe the proposed development. I have therefore considered the scheme on the basis of the description shown on the decision notice and appeal form and am satisfied that dealing with the appeal on this basis would not prejudice the interests of any party.

4. The appellant has confirmed on the application form that they own all of the land necessary for the development, but on the appeal form they state that they do not and have served notice upon the owner of No 3 Hillside Cottages. However, given that I am dismissing the appeal for other reasons based on planning merits, this conflict in land ownership details is not determinative to the appeal outcome and as such I do not need to consider it any further.

5. The appellant states that that the development would accommodate off-road parking for one car, with the potential for 2 additional cars on the driveway leading to this. However, the Council states that parking is not allowed on the driveway in accordance with Paragraph 3.1.1.3 of the relevant deed of easement¹. This has not been disputed by the appellant in their final comments and I have accordingly considered the scheme on the basis of one off-road parking space being proposed for the new dwelling.

Main issue

6. The Council has raised no concerns regarding: (a) the design of the dwelling; (b) its impact upon the living conditions of neighbouring occupiers; (c) its impact upon trees and hedges; and (d) its ecological impact. Accordingly, within the context of the Council's reason for refusal and the evidence in this case, the main issue is whether the scheme makes adequate provision for off-road parking.

Reasons

7. The appeal site contains an historic 2-storey cottage with no off-road parking which forms the end unit of an attractive terrace ('the terrace'). There is a large grass verge between the front elevation of the terrace and the vehicular highway, which appears to have been used for parking as there are a number of concentrated areas where the grass has worn away. The appeal site lies on an important local distributor road (A4147) channelling traffic into and out of Hemel Hempstead, with no on-road parking restrictions outside the terrace.

8. Policy CS12 of the Core Strategy² requires, amongst other things, the provision of sufficient parking for new development. Appendix 5 of the Local Plan³ contains the Council's standards for parking and states

that for 3 bedroom dwellings this should be between 2 and 2.25 on-site spaces (depending on the accessibility zone it falls within).

9. Although the development would provide 1 off-road parking space for the proposed house, none would be provided for the existing dwelling the appellant proposes to extend. The scheme would accordingly result in a significantly lower level of off-road parking provision than required by Appendix 5.

10. The appellant has acknowledged in their appeal statement that off-road parking for the terrace is insufficient and that as a consequence, a number of residents park on the grass verge. The appellant says that this results in the verge becoming 'very muddy' and that the Council should address this as part of its verge hardening scheme. However, I can only consider the scheme before me, which makes provision for 1-off road space and does not incorporate improvements to the verge to allow for unfettered off-road parking by residents. Furthermore, I have no evidence before me of any surveys to demonstrate that parking congestion does not exist in front of the terrace and details of where existing and future residents would park their vehicles if the scheme was allowed and additional demands were placed on the grass verge.

11. On the basis of the evidence before me, I am not therefore satisfied that it has been demonstrated that the grass verge in front of the terrace does not experience parking congestion. As a consequence, I have significant concerns that the development would exacerbate this congestion, give rise to conflict with other owners of parked cars, and be harmful to the amenities of existing and future residents.

12. I recognise that the site is in an urban location within walking and cycling distance of a local retail centre, public houses, employment opportunities at the Hemel Hempstead Industrial Estate and public transport (buses), and that Paragraphs 17 and 39 of the Framework4 collectively state that growth should be managed to make the fullest use of walking, cycling and public transport and that local parking standards should take into account the accessibility of development and the availability of public transport. However, no evidence has been supplied detailing the frequency of local buses or their destination, or the proximity of the site to facilities relating to education, healthcare, sport and recreation. In view of this, I am unable to conclude that a wide range of services and facilities are within easy walking or cycling distance of the site and/or whether they are accessible by public transport. I have as a consequence concluded that future occupiers would be car-dependent and that a lower level of off-road parking provision has not been sufficiently justified.

13. The appellant has drawn my attention to other grass verges and driveways on public land where cars are routinely parked and which they feel helps justify a similar approach in respect of the appeal scheme. However, I am not aware of the particular circumstances where this parking occurs and in any event, I must consider the development on its own merits. The existence of these other examples of parking on grass verges and public land does not justify the harm I have identified and nor do the benefits of providing an additional dwelling.

14. I recognise that the appellant has amended the scheme on a number of occasions to address the views of Council officers and that the application was recommended for approval by the case officer. However, this has little bearing on the matter before me and is a matter between the parties. I have also noted the lack of objections by the local highway authority, but this in itself does not demonstrate a lack of harm, as is the case for the anecdotal support for the scheme referred to by the appellant.

15. In view of the above, I have concluded that it has not been demonstrated; - (a) that the development would provide sufficient parking for existing and future occupiers of the existing and proposed dwellings; and (b) that it would not give rise to undue parking congestion in the area. The proposal would as a consequence be harmful to the amenities of future and neighbouring occupiers and not accord with Policy CS12 of the Core Strategy and Appendix 5 of the Local Plan, which collectively seek, amongst other things, to ensure that new development provides a sufficient level of parking for new development.

Other matters

16. Given my conclusion on the main issue that the development is unacceptable, the other objections raised by third parties have not been central to my decision. Accordingly, there is no need for me to consider them further as it would not alter the outcome of the appeal.

Conclusion

17. I have concluded that the proposal conflicts with the policies of the development plan and would not provide adequate off-road parking for existing and future occupiers. In view of this, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

F. ALLOWED

None

