

<b>4/01821/18/FUL</b>	<b>TEMPORARY CHANGE OF USE OF LAND TO CAR PARK PROVIDING 90 SPACES INCLUDING 6 DISABLED SPACES TO DISCHARGE CONDITION 15i OF PLANNING PERMISSION 4/00122/16/MFA (CONSTRUCTION OF 8 HALF STOREY CAR PARK WITH ASSOCIATED WORK TO PROVIDE 312 SPACES + 15 DISABLED SPACES.)</b>
<b>Site Address</b>	<b>THE MOOR, MILL STREET, BERKHAMSTED</b>
<b>Applicant</b>	<b>Dacorum Borough Council, The Forum</b>
<b>Case Officer</b>	<b>Rachel Marber</b>
<b>Referral to Committee</b>	<b>Council own scheme and objections received</b>

## **1. Recommendation**

1.1 That planning permission be **Delegated with View to Approval Subject to the receipt of a satisfactory Bat Report.**

## **2. Summary**

2.1 The use of the site as a temporary car park would not result in detrimental impact to visual or residential amenity of the immediate area, or highway safety and operation. The low level harm which would result to designated and non-designated heritage assets and loss of open recreational space would be off-set by the long term benefit of the multi-storey car park construction and provision to secure a higher quality public open space once the temporary permission ceases to operate. The proposed development is therefore considered to be in accordance with the NPPF (2018), Policies NP1, CS1, CS4, CS8, CS10, CS11, CS12, CS25, CS26, CS27, CS29, CS31 of the Core Strategy (2013) and Saved Local Plan Policies (2004) 10, 12, 51, 55, 57, 73, 75, 99, 100, 101, 113, 116, 118, 119, 120 and Appendices 5, 6 and 8.

## **3. Site Description**

3.1 The application site comprises the Moor Recreation Ground which is located to the west side of Mill Street within Berkhamsted Town Centre and designated as open land. The site is bordered by Mill Street to the east and the Grand Union Canal and River Bulbourne to the north and south. Berkhamsted School and its adjoining sports grounds are located immediately to the south of the site beyond the River Bulbourne.

3.2 The site sits within the designated Berkhamsted conservation area and area of Archaeological Significance and partially falls within flood zones 2 and 3.

## **4. Proposal**

4.1 The application seeks permission for use of the site as a temporary car park required by condition 15i of permission ref: 4/00122/16/MFA which granted permission for the construction of an 8 and half storey car park to provide 327 parking spaces.

4.2 This condition required details of temporary parking for the cars which will be displaced during construction of the new 8 half storey car park at Lower Kings Road as the existing car park on site will close.

4.3 The temporary car park would provide 90 spaces, including 6 disabled bays with vehicular and pedestrian access off Mill Street.

## **5. Relevant Planning History**

4/00122/16/MFA CONSTRUCTION OF 8 HALF STOREY CAR PARK WITH ASSOCIATED WORK TO PROVIDE 312 SPACES + 15 DISABLED SPACES.

Granted

22/12/2016

## **6. Policies**

### 6.1 National Policy Guidance (2018)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

### 6.2 Adopted Core Strategy – (2013)

NP1: Supporting Development

CS1: Distribution of Development

CS4: The Towns and Large Villages

CS8: Sustainable Transport

CS10: Quality of Settlement Design

CS11: Quality of Neighbourhood Design

CS12: Quality of Site Design

CS25: Landscape Character

CS26: Green Infrastructure

CS27: Quality of the Historic Environment

CS29: Sustainable Design and Construction

CS31: Water Management

CS32: Air, Soil and Water Quality

### 6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land

Policy 12: Infrastructure Provision and Phasing

Policy 51: Development and Transport Impacts

Policy 55: Traffic Management

Policy 57 - Provision and Management of Parking

Policy 73: Provision and Distribution of Leisure Space in Towns and Large Villages

Policy 75: Retention of Leisure Space

Policy 99: Preservation of Trees, Hedgerows and Woodlands

Policy 100: Tree and Woodland Planting

Policy 101: Tree and Woodland Management

Policy 113: Exterior Lighting

Policy 116: Open Land in Towns and Large Villages

Policy 118: Important Archaeological Remains

Policy 119: Development Affecting Listed Buildings

Policy 120: Development in Conservation Areas

Appendix 5: Parking Provision

Appendix 6: Open Space and Play Provision

## Appendix 8: Exterior Lighting

### 6.4 Supplementary Planning Guidance / Documents

Environmental Guidelines (2004)

### **7. Constraints**

Berkhamsted conservation area  
Open Space  
Area of Archaeological Significance  
Flood Zone 2  
Flood Zone 3

### **8. Representations**

#### 8.1 Consultee Responses

These are reproduced in full at Appendix A

#### 8.2 Neighbour notification responses

These are reproduced in full at Appendix B

### **9. Considerations**

1 The main issues to consider are:

- Principle of Development
- Flood Risk
- Impact on Street Scene
- Impact on Historic Environment and Conservation Area
- Effect on Amenity of Future Occupiers and Neighbours
- Highway Safety and Parking Provision
- Impact on Trees and Landscaping
- Protected Species
- Air Quality and Contamination
- Archaeology
- Consultation Responses

#### Principle of Development

##### *Town Centre Location*

9.2 Policy NP1 of the Core Strategy states that the Council will take a positive approach to the consideration of development proposals, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework.

9.3 Policy CS2 of the Core Strategy (2013) outlines a development preference of previously development land and buildings and areas of high accessibility. The proposed temporary car park would be located with Berkhamsted Town Centre which is an area of high accessibility within a defined settlement boundary.

9.4 The Government is keen to support the vitality and viability of town centres (para. 85 of the NPPF) and to ensure they are served by adequate quality of parking so that is convenient, safe and secure (para. 106).

9.5 Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for new homes, jobs and strategic services and Policy CS4 of the Core Strategy (2013) encourages a mix of uses within town and local centres although in open land areas the primary planning purpose is to maintain the generally open character. Development proposals will be assessed against relevant open land policies.

9.6 Saved Policy 12 of the Local Plan (2004) allows provision of new infrastructure (including public transport and other utilities) as long as it can be provided in a sustainable manner without causing harm to the environment of the surrounding area or the amenity and/or safety of the public and there are adequate access and serving arrangements.

9.7 Therefore, the site is located within the Town Centre where a broad range of uses are acceptable. In principle there is no objection to the provision of a public car park within a Town Centre location, subject to satisfying the open space policies outlined below.

#### *Development on open land*

9.8 The application site is designated open land. Saved Policy 116 outlines that open land forming part of the urban structure will be protected from building and other inappropriate development. Changes of use on open land must relate to the character and use of the open land setting and protect the future integrity of the wider area of open land. Proposals to develop on other open land in towns and large villages will be assessed on the basis of the local contribution the land makes to leisure facilities, townscape, visual amenity, nature conservation and the general environment. Measures to conserve and improve the attractiveness, variety and usefulness of all open land will be investigated, encouraged and promoted.

9.9 Saved Policy 75 of the Local Plan (2004) expands that building on leisure spaces will not be permitted unless the proposal is ancillary to the leisure use of the land, a sufficient proportion of the site with appropriate facilities is retained in open use to meet the formal and informal leisure needs of the local population and there is a demonstrable surplus of sports pitches and informal leisure space (Policy 73). The leisure space lost should be replaced to an equivalent or better standard and there is an overall benefit to sport as a result.

9.10 Saved Appendix 6 and Saved Policy 73 of the Local Plan (2003) requires a minimum of 2.8 hectares per 1,000 population of leisure space (including playing fields, parks, children's play areas, etc.) to be retained. The proposed car park would result in a temporary loss of the open space on The Moor; nevertheless, the most recent census data shows the population of Berkhamsted in 2011 as comprising 20,828 people. The temporary car park will only take up part of The Moor recreation ground, with 502 sq m remaining for use by the public. Taking into

account the open space temporarily lost as a result of the proposal, the open space provision for Berkhamsted and Northchurch would remain at 67.85 hectares. This gives an open space provision of 3.257 hectares per 1,000 population, complying with this policy guidance. Furthermore, it is important to note that the scheme would only result in a temporary loss of open space provision. Temporary use of green field sites is outlined as acceptable within Saved Policy 10 of the Local Plan (2004).

9.11 Such an approach is supported by Government in paragraph 97 of the NPPF (2018) which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

9.12 In short, although development on open space is discouraged by local and national policy, Berkhamsted would retain a sufficient amount of open space in-line with minimum standard. Furthermore, the restoration of the site post temporary use, would secure the open space provision to higher quality than previously existing (this is expanded upon with the Impact on historic environment and conservation area section below). Most importantly, the site will be in use for only a temporary period of time; this has been ensured by a recommended time-limited condition of 1 year.

#### *Local Transport Plan and Local Urban Transport Plan*

9.13 Policy CS8 of the Core Strategy (2013) outlines the sustainable transport approach for the borough. This policy references that development proposals will also contribute to the implementation of the strategies and priorities set out in the Local Transport Plan and Local Urban Transport Plan.

9.14 The Tring, Northchurch and Berkhamsted Urban Transport Plan was written in conjunction with Hertfordshire County Council and sets out a number of measures to improve movement across Berkhamsted in order to address local transport issues. The Transport Plan makes clear that it has to balance a range of competing issues including supporting the local economy and growth, environmental protection, and reducing greenhouse gases. One of the many opportunities and interventions to achieving this outlined within this document is the provision of a multi-storey car park off Lower Kings Road (reference 15.1), proforma 14 which states,

9.15 “Following a review of parking issues in Berkhamsted, it is clear that there is insufficient provision for those who wish to use the town centre as a result of growth in shopper, residential, business and commuter requirements. Since the abandonment of proposals of Controlled Parking Zones following public consultation, an alternative strategy for parking is required. As a result, Dacorum Borough Council has (Autumn 2012) proposed the development of a multi-storey car park in Berkhamsted Town Centre....”

9.16 Thus, the temporary car park is an important necessity to facilitate the successful implementation of the multi-storey car park.

## *Summary*

9.17 The proposal would be located within Berkhamsted Town Centre where the principle for use of a site as car parking is acceptable but subject to open land designation. The requirement of the multi-storey car park is to improve accessibility and traffic movements within Berkhamsted Town Centre in the long-term against the increase in housing growth allocated for this area. The principle of the multi-storey car park was set out in the Site Allocation DPD T/19 in the Schedule of Transport Proposals and Sites. The permission for this has now been granted (app ref: 4/00122/16/MFA). The temporary car park, subject of this application, will facilitate the successful implementation of the multi-storey car park with as minimal disruption possible. Therefore, although the site is designated open space the use as a car park would be for a temporary period only and the value of the open space would be enhanced within restoration works. Therefore, it is considered that there are considerable benefits to the scheme which would justify the acceptability of the temporary car park in principle and in this location. The proposal is considered in accordance with the above policies.

## Flood Risk

9.18 The western half of the application site falls within Flood Zones 2 and 3. In accordance with the NPPF (2018) development should be directed away from areas at highest risk, but where development is necessary, it should be made safe for its lifetime without increasing flood risk elsewhere (para 155). The NPPF requires a sequential risk-based approach to determining the suitability of land for development in flood risk areas which takes into account the current and future impacts of climate change so as to avoid flood risk to people and property.

9.19 The purpose of the sequential test is to demonstrate that there are no other reasonably available sites suitable for the proposed development, which are at a lower risk of flooding. An assessment of the Flood Zones is the starting point for the sequential approach. In areas at risk of river (or sea) flooding, preference should be given to locating new development in Flood Zone 1. If there are no reasonably available sites suitable for the proposed development within Flood Zone 1, sites within Flood Zone 2 can be considered and then, if necessary, Flood Zone 3.

9.20 The application has been submitted alongside a sequential test which highlights that only two possible locations for the displacement of the Lower Kings Road car parking were identified: The Moor Recreation Ground and Canal Fields. The suitability of available sites was restricted by the need to be located within the town centre, within a short walk from the existing car park at Lower Kings Road and the Berkhamsted railway station, as well as the need to be a suitably sized site in public ownership. The only other open parcels of land within an appropriate distance included playing pitches, grounds of the scheduled monument (Berkhamsted Castle), allotments and private playing fields of schools. It was determined that these sites were not suitable and thus did not warrant further consideration.

9.21 The Canal Fields site was concluded inappropriate as development on this site would have resulted in the removal of a large number of trees. Additionally, the entrance to the car park would have been located adjacent to a children's play area which was deemed to be unsuitable due to safety reasons.

9.22 The LPA are satisfied that this test demonstrates that there are no other reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

9.23 As it is not possible for development to be located in zones with a lower risk of flooding the exception test has been applied.

9.24 An exception test has been outlined and submitted alongside the planning application which highlights the following benefits to the scheme:

- The Environment Agency has advised that the proposed temporary car park use is Water Compatible.
- The temporary car park is essential to allow the town centre to remain accessible whilst the construction works are being undertaken at the site of the new multi-storey car park. If replacement car parking was not provided whilst the new multi-storey car park was being constructed this would have a significant and detrimental impact on the viability and vitality of the Berkhamsted Town Centre.
- The car park proposed is temporary in nature and is due to operate for less than one year.
- Consideration has been given to drainage of the site with a temporary and permeable tile surface proposed, which will limit surface water runoff.

9.25 The LPA are satisfied that the development would provide wider sustainability benefits to the community that outweigh the flood risk and would be safe for its lifetime, without increasing the flood risk elsewhere. As such, the exception test is passed in accordance with para. 160 of the NPPF (2018).

9.26 Policy CS31 of the Core Strategy (2013) seeks to minimise the risk of flooding and requires all development within Flood Zones 2 and 3 to submit a Flood Risk Assessment alongside the planning application. This demonstrates that the site would adapt to climate change, taking full account of flood risk and coastal change and would not be overly susceptible to flooding and would not increase the risk of flooding elsewhere.

9.27 The Environmental Agency were consulted on the proposal and requested the following amendments to the Flood Risk Assessment:

- Address the impact of climate change using an appropriate method for calculating flood levels. This will need to ensure that the development would also not increase the risk of flooding elsewhere.
- The FRA should demonstrate the flood risk with the Central allowance, in order to assess the flood level and thereby the safety of the users over the lifetime of the development.

9.28 The Lead Local Flood Authority were also consulted on the proposal and requested a drainage strategy be submitted to satisfy that the proposal will not have detrimental impact to water quality.

9.29 In light of these comments the Flood Risk Assessment has been amended and a

Sustainable Drainage Strategy has been outlined for which further details has been secured by condition.

9.30 For this reason, the use of this site as a temporary car park is considered acceptable and would not result in an increased susceptibility of flooding of this site or immediate area. As such, the proposal complies with Policy CS31 of the Core Strategy (2013) and the NPPF (2018).

#### Impact on Street Scene

9.31 Paragraph 127 of the NPPF (2018) states that, decisions should ensure that developments are visually attractive, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

9.32 In addition, paragraph 130 of the NPPF states that *'permission should be refused for developments of poor design that fail to take opportunity available for improving the character and quality of an area and the way it functions.'*

9.33 Core strategy Policy CS10 outlines that development will respect defined countryside borders and landscape character with the preservation and enhancement of green gateway. Policies CS11 and CS12 of the Core Strategy highlight the importance of high quality sustainable design in improving the character and quality of an area seeking to avoid large areas dominated by car parking, to preserve attractive streetscapes, provide sufficient parking and integrate development with the existing streetscape character.

9.34 Saved Policy 10 of the Local Plan (2004) states that development should be accessible by a range of transport options

9.35 The temporary car park would be of very simple design to enable easy installation and site restoration once the use ceases. The car park would be constructed from Cellpave (grasscrete) using a non-dig construction method. This would ensure the site retains a verdant character aspect and prevent a stark hard surfaced scheme.

9.36 The fencing to surrounding the car park would comprise post and rail with meshing between for further security, this will remain low-level and unobtrusive while acting as a safety barrier for children using the adjacent playground.

9.37 Therefore, the car park would be of low-level appearance which would not result in visual dominance or stark appearance within the street scene; in accordance with Policies CS10, CS11 and CS12 of the Core Strategy, Saved Policy 10 of the Local Plan (2004) and NPPF (2018).

#### Impact on Historic Environment and Conservation area

9.38 Core Strategy Policy CS25 states that all development will help conserve and enhance Dacorum's natural and historic landscape and proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition.

9.39 The specific historic environment policies within the NPPF (2018) are contained within paragraphs 189-202. Paragraph 192 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. In similar regard Policy CS27 of the Core Strategy (2013) and Saved Policies 119 and 120 of the Local Plan (2004) seek to preserve the setting and distinctiveness of heritage assets.

9.40 S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

9.41 Due to sensitive site location within the Berkhamsted conservation area, adjacent to Listed Buildings and in close proximity to a scheduled ancient monument, the DBC Conservation Officer was consulted on the proposals and provided the following conclusive comments:

- The removal of the trees would harm the character of the park and the setting of the conservation area however, we note that the report on the condition of the trees indicates that they are in a poor condition and it would be acceptable to remove them.
- The historic mapping and photographs show an avenue of trees to Mill Street. It would be recommended that this be replanted and the historic feature reinstated to the street.
- The proposal would result in enclosure and sub-division and loss temporarily of the green space. This would cause harm to the setting of the heritage assets both designated and non-designated.
- The impact on the setting of the scheduled ancient monument of the castle would be low.
- The impact of the car park on the listed former public house would be considered to be low.
- There would be some harm temporarily whilst the car park is in position but provided that the ground be reseeded and the trees planted in the longer term the harm would be negligible.
- We would assess this harm to be less than substantial and at a low level.
- If the park is reinstated and provided that the avenue of trees replanted the long term impact would be an enhancement to the area. Therefore, given this balance we would assess the harm to be acceptable in the short term to provide long term benefits.

9.42 As such, although the conservation officer identified harm to the both designated and non-designated heritage assets as a result of the temporary car park this was considered less than substantial harm due to the temporary nature of the proposal.

9.43 Paragraph 196 of the NPPF (2018) states that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.” Section 66(1) of the Act states that decision-makers should give “considerable importance and weight to any identified harm to

heritage assets."

9.44 Historic England have not raised concerns and the conservation officer has indicated that there would be a low level of harm to the significance of the listed buildings, scheduled ancient monument and conservation area. On the other side of the balance the proposal would provide temporary parking provision to enable the implementation of the multi-storey car park which has been identified under the site allocation T/19 in the schedule of Transport Proposals and Sites due to inadequate parking provision in Berkhamsted. Further, a landscaping strategy would be conditioned if permission were to be granted. This landscaping plan/strategy would include further landscape enhancements which would restore the historic avenue to its former state; this was identified by the conservation officer to be an opportunity to secure long-term benefit to the scheme.

9.45 Taken together in the context of the low level of harm identified with the public benefits of the proposal, it is considered that on balance, the benefits of the proposal would outweigh the harm that would be caused to the setting of the listed buildings and conservation area.

9.46 As such, the proposal is not considered to result in significant impact upon to Berkhamsted conservation area or designated and undesignated heritage assets, adhering to Policies CS27 of the Core Strategy (2013), Saved Policies 119 and 120 of the Local Plan (2004) and the NPPF (2018).

#### Effect on Amenity of Future Occupiers and Neighbours

9.47 The NPPF (2018) outlines the importance of planning in securing high 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 to neighbouring properties and their amenity space. Thus, the proposal should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.48 Due to the low level nature of the proposal it is not considered that a significant loss of daylight, outlook or privacy to neighbouring residents would result. Further, the car parking spaces have been set into the site further away from neighbouring residents opposite the site on Mill Street (approximately 15 meters away).

Environmental Health were consulted on the planning application in terms of noise and disturbance resulting from the use on the site. No objections were raised subject to an informative to be placed on the permission regarding construction hours of working. A lighting plan has been requested by condition so that levels of light pollution from the site can be controlled in-line with Appendix 8 and Saved Policy 113 of the Local Plan (2004).

9.49 Overall, the proposal is considered acceptable in terms of residential amenity.

#### Highway Safety and Parking Provision

9.50 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Para. 103 states of the NPPF (2018) states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be

taken into account in both plan-making and decision-making.

9.51 Policy CS8 of the Core Strategy (2013) gives priority to the needs of other road and passenger transport users over the private car while providing sufficient, safe and convenient parking based on car parking standards.

9.52 Saved Policy 51 of the Local Plan (2004) states that development must be compatible in locational and general highway planning, design and capacity terms with the current and future operation of the defined road hierarchy and road improvement strategy. Saved Policy 57 of the Local Plan (2004) states that parking provision and management will be used as a tool to encourage reduced car ownership and usage. This policy also highlights that consideration will be given to the introduction of Pay and Display charging to manage demand for on-street spaces within other parts of the Borough i.e. town centre locations.

9.53 A Transport Statement was submitted alongside the planning application to gauge the impact of reassigned traffic on the local highway network following the relocation of the car park facility from the existing site along Lower Kings Road to the proposed temporary site at The Moor Recreation Ground on Mill Street. It also considers junction performance and capacities in the vicinity of the proposed site.

9.54 Hertfordshire Highways were consulted on the planning application and provided the following summative comments:

The predicted movements from the new car park are 5 and 1 out in the morning rush hour, 33 in and 50 out in the evening and 58 in and 83 out in the busiest hour (12:45 – 13:45) on a Saturday. These figures were added to flows on the surrounding roads and then fed into computer models of these junctions: Proposed Site Access / Mill Street, Castle Street / Mill Street, Lower Kings Road / Castle Street, High Street / Castle Street and High Street / Water Lane. Junction performance was assessed by predicted RFC (Ratio of Flow to Capacity) and queue lengths. RFC values below 0.85 are usually taken to be acceptable. The maximum value predicted in association with the temporary car park was 0.36 at the junction High Street with Castle Street. The maximum queue lengths predicted are one vehicle.

9.55 The low incident of collisions in the area and the low level of severity of injuries indicates that the road network operates relatively well with no significant driver behaviour or junction design issues which require further investigation and review.

9.56 The primary concern of the highway authority during construction is the safe and free flow of road users nearby. This means that traffic and pedestrians should continue to be able to use Mill Street with hindrance from construction-related traffic. Stringent efforts should be made to prevent mud from the site being spread on the road and pavement.

9.57 Hertfordshire County Council (HCC) have reviewed the information provided and consider that proposed development would not be likely to have a detrimental impact on the safety and operation of the highway network. On this basis, HCC does not wish to raise an objection, subject to the imposition of suitable conditions and informatives.

9.58 In summary, the proposed temporary car park would not result in significantly further movement along Mill Street that would have a detrimental impact on Highway capacity or

safety. Further, the busiest times the car park is expected to be in use is on Saturdays, outside of school hours. Thus, the proposal is considered acceptable in accordance with the NPPF (2018), Policies CS8 and CS12 of the Core Strategy (2013) and Saved Policies 51, 55, 57 and Appendix 5 of the Local Plan (2004).

#### Impact on Trees and Landscaping

9.59 Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.60 Three trees would be removed from the site as result of the proposed use as a temporary car park. An Arboricultural Impact Assessment was submitted assessing the quality of trees on site. The DBC Trees and Woodlands Officer was consulted on the proposal and provided the following summative comments:

*“The submitted Arb Report is accurate and conforms with BS5837:2012. The removal of three trees is proposed; one (T2) to facilitate the development, two (T5, T13) due to poor condition. It is also proposed to lightly prune one other tree (T3). All these works are warranted and follow industry guidance, therefore I’d recommend approval.”*

9.61 Suggestions were also made by the tree officer regarding suitable species and sizes for replacement tree planting and to secure the historic tree avenue. These will feed into the landscaping plan condition which will request details of all new tree planting noting species, plant sizes and numbers and densities; as well as tree protection measures for existing trees during construction and demolition.

9.62 The non-dig construction method will ensure limited harm to existing tree root protection zones would result. This is reinforced further by a recommended condition outlining tree protection measures for existing trees during construction of the development.

9.63 A condition has also been recommended enforcing /maintaining this landscaping for a period of 5 years, by then the landscaping will be well established.

9.64 Thus, although the proposed development would result in a short-term reduction of trees on-site and therefore verdant character of the area, long-term the proposal would improve landscaping amenity by enhancing the tree barrier and quality around The Moor.

#### Protected Species

9.65 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 174-177), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS26 of the Core Strategy (2013) states that proposals should contribute to the conservation of habitats and species.

9.66 Hertfordshire Ecology were consulted on the planning application and raised concerns regarding the likelihood of bats being present in the bark of the trees to be removed. A bat

survey was requested prior to determination of the application in accordance with Circular 06/2005. The application is delegated with a view for approval subject to the findings of this report.

#### Air Quality Air Quality and Contamination

9.67 Policy CS8 of the Core Strategy (2013) seeks to improve road safety and air quality. Policy CS32 of the Core Strategy (2013) seeks to maintain soil, water and air quality standards and ensure any contaminated land is appropriately remediated.

9.68 Para. 181 of the NPPF (2018) requires planning policies and decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Para. 189 of the NPPF (2018) ensures that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

9.69 The site falls within 0.4 miles of one of the council Air Quality Management Area (AQMA) and as such Environment Health were consulted on the proposal and have requested an air quality report assessing the impacts of the development be conditioned as part of the approval.

9.70 The proposed development is also located on a radon affected area where 1-3% of homes are above the action level and also on a former contaminated land use i.e. timber yard, former wharf and garage. There is therefore a possibility that this may have affected the application site with potentially contaminated material. Consequently, an informative advising the developer be advised to keep a watching brief during ground works has been attached to the consent.

9.71 The above measures will prevent contamination of the site and adjacent water course and ensure air quality is maintained to a high standard in accordance with the NPPF (2018) and Policies CS8 and CS32 of the Core Strategy (2013).

#### Archaeology

9.72 In accordance with Saved Policy 118 of the Local Plan (2004) and NPPF (2018) planning permission will not be granted for development which would adversely affect scheduled ancient monuments or other nationally important sites and monuments, or their settings. The application site falls within an Area of Archaeological Significance and sits in close proximity to a scheduled ancient monument (Berkhamsted Motte and Bailey Castle) Herts Archaeology were consulted on the proposed application and provided no comment due to the development "being unlikely to have a significant impact on heritage assets of archaeological interest".

#### Consultation Responses

9.73 A number of concerns were received in regards to the above planning application. The main concerns are addressed below.

*Additional traffic generated as a result of the proposal:* This has been address within the Highway Safety and Parking Provision section of the report

*Loss of green space:* This has been addressed within the principle of development section above.

*Damage to The Moor will be irreversible:* The restoration of The Moor to a higher quality standard than existing will be ensured and enforced through appropriately worded landscaping conditions. Please also see the Trees and Landscaping and Protected Species section above.

9.74 A number of concerns were also raised relating to the Council's decision to submit an application for a car park and subsequent need for a temporary car park in Berkhamsted and the process leading to that decision and site selection. These are matters falling outside of the planning application process; the local community demonstrated their concerns at Full Council last July and the temporary car park is a prerequisite of the grant of the multi-storey car park.

#### Community Infrastructure Levy (CIL)

9.75 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

## **10. Conclusion**

10.1 The use of the site as a temporary car park would not result in detrimental impact to visual or residential amenity of the immediate area, or highway safety and operation. The low level harm which would result to designated and non-designated heritage assets and loss of open recreational space would be off-set by the long term benefit of the multi-storey car park construction and provision to secure a higher quality public open space once the temporary permission ceases to operate. The proposed development is therefore considered to be in accordance with the NPPF (2018), Policies NP1, CS1, CS4, CS8, CS10, CS11, CS12, CS25, CS26, CS27, CS29, CS31 of the Core Strategy (2013) and Saved Local Plan Policies (2004) 10, 12, 51, 55, 57, 73, 75, 99, 100, 101, 113, 116, 118, 119, 120 and Appendices 5, 6 and 8.

**11. RECOMMENDATION** – That planning permission be **DELEGATED** to the Group Manager Development Management and Planning with a view to **APPROVAL** subject to the receipt of a satisfactory Bat Survey report for the reasons referred to above and subject to the following conditions:

#### Conditions/Reasons for Refusal

No	Condition
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	After one year operation the use hereby permitted shall cease and any associated plant, materials and equipment shall be removed and any necessary works of reinstatement in accordance with the landscaping scheme approved within condition 6 shall be carried out.

	<p>The reinstatement works shall have been fully completed within 3 months post this one year period.</p> <p>Reason: The proposed use could be detrimental to the amenities of the locality and the local planning authority wishes to have the opportunity to review the development in the light of operational experience; in accordance with Saved Policies 73, 75, 116 and Saved Appendix 6 of the Local Plan (2004).</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Tree Details – by site Mill Street parking info dated 08/05/2018  Temporary Car Park, Berkhamsted Transport Statement dated 16th July 2018  Planning, Design and Access Statement and Open Space Assessment August 2018  Built Heritage Appraisal July 2018  Cellpave Anchored Ground Reinforcement Paver Material Detailing  The Moor, Berkhamsted Flood Risk Appraisal Dated 24/08/18  Sequential Test and Exception Test August 2018  Arboricultural Report 180734-PD-11 rev. A dated August 2018  DBC/018/042  DBC/018/002 Rev A</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
4	<p>No development shall take place above damp proof course level until details of the materials to be used in the construction of the post and rail with wire mesh of the development hereby permitted have been submitted and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of the visual amenities of the Conservation Area; in accordance with Policy CS27 of the Core Strategy (2013).</p> <p>Materials Informative</p> <p>Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p>
5	<p>No development shall take place above damp proof course level until details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>Trees to be retained and measures for their protection during construction works;  Proposed finished levels or contours;  Car parking layouts (including disabled bays) and other vehicle and pedestrian access and circulation areas; and  Proposed location and scale of the pay and display machines.</p> <p>The approved landscape works shall be carried out prior to the first occupation or use the development hereby permitted.</p> <p>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 Core Strategy (2013).</p>
6	<p>Prior to the first occupation or use of the development hereby permitted a</p>

	<p>reinstatement landscape plan shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>This landscaping plan shall include the following details:</p> <ul style="list-style-type: none"> <li>- re-turfing and replacement tree planting which shall include details of planting plans; location; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and</li> <li>- A plan detailing the closure of the vehicle access and foot path and reinstatement of the highway grass verge.</li> </ul> <p>The re-instatement landscape plan shall be implemented after the use hereby approved has continued for a period of one year.</p> <p>Reason: To ensure a high quality landscaping is restored to the site and to safeguard the visual character of the conservation immediate area; in accordance with Policies CS12 and CS27 of the Core Strategy (2013) and Saved Policies 99 and 100 of the Local Plan (2004).</p>
7	<p>All planting, seeding or turfing and soil preparation comprised in the approved details of the reinstatement landscaping detailed in condition 6 shall be carried out in the first planting and seeding seasons following one year post implementation of the development hereby approved; and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper reinstatement of the site and implementation of the agreed landscape details in the interest of the amenity value of the development; in accordance with Saved Policies 99 and 100 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).</p>
8	<p>No development shall take place above damp proof course level until details of an exterior lighting plan has been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>Specifications of lighting including: luminaire and lamp type, beam control, wattage, the use of reflectors, baffles, louvres, cowling (including colouring), lux contours/distribution diagrams and column type/colour;</p> <p>A lighting statement by a qualified engineer/consultant clarifying the precise lighting impact in relation to nearby housing and how the installation minimises light pollution in relation to the control criteria specified by the Institution of Lighting Engineers' 'Guidance Notes for the Reduction of Light Pollution';</p> <p>The position of the lighting within the site;</p> <p>A maintenance programme (after-care); and</p> <p>Hours of use;</p> <p>Exterior lighting works shall be carried out in accordance with the approved details prior to the first occupation or use the development hereby permitted.</p> <p>Reason: To safeguard and mitigate light pollution and illumination levels from the scheme; in accordance with Saved Appendix 8 and Policy 113 of the Local Plan (2004).</p>
9	<p>No development shall take place until an Air Quality Assessment has been submitted and approved in writing by the local planning authority.</p>

	<p>The Air Quality Assessment should include the following details:</p> <ul style="list-style-type: none"> <li>- indicate areas where there are, or likely to be, breaches of an air quality objective during the operational phase of the development;</li> <li>- If there are predicted exceedances in exposure to levels above the Air Quality Objectives then, a proposal for possible mitigation measures should be set out;</li> <li>- Impact of the construction vehicles and machinery of the proposed development; and</li> <li>- The post construction impact of the development.</li> </ul> <p>Construction and operation of the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013) and with regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.</p> <p>Un-expected Contaminated Land Informative</p> <p>The developer be advised to keep a watching brief during ground works on the site if any 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.</p> <p>Construction Hours of Working – (Plant &amp; Machinery) Informative</p> <p>All noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The developer is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p>
10	<p>No development shall take place until a Drainage Strategy has been submitted and approved in writing by the local planning authority.</p> <p>Construction of the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the site has adequate drainage provision to mitigate the risk of flooding in accordance with Policy CS31 of the Core Strategy (2013).</p>
11	<p>Before first occupation or use of the development the access road and parking areas as shown on the approved plan DBC/018/002 shall be provided and maintained thereafter.</p> <p>Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with its use in accordance with Policies CS8 and CS12 of the Core Strategy (2013).</p>

12	<p>Prior to construction of the development hereby approved a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The Construction Management Plan shall include details of:</p> <ul style="list-style-type: none"> <li>- Construction vehicle numbers, type, routing;</li> <li>- Traffic management requirements;</li> <li>- Construction and storage compounds (including areas designated for construction staff car parking);</li> <li>- Siting and details of wheel washing facilities;</li> <li>- Cleaning of site entrances, site tracks and the adjacent public highway; and</li> <li>- Timing of construction activities to avoid school pick up/drop off times.</li> </ul> <p>The construction of the development shall be carried out in accordance with these approved details.</p> <p>Reason: In the interests of maintaining highway efficiency and safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).</p>
13	<p>Prior to the construction of the development hereby approved a scaled drawing showing the new access arrangements and visibility splays shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The visibility splays shown on this drawing shall be no be less than 2.4m x 43m.</p> <p>The access arrangements and visibility splays approved shall be provided, and thereafter maintained, in both directions from the new access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway for the duration of use or occupation of the development.</p> <p>Reason: In the interest of highway safety and free and safe flow of traffic; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).</p> <p>Highway Informatives:</p> <ol style="list-style-type: none"> <li>1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <a href="https://www.hertfordshire.gov.uk/droppedkerbs/">https://www.hertfordshire.gov.uk/droppedkerbs/</a></li> <li>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</li> <li>3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047</li> </ol>

	<p>4. Section 278 or Section 184 Agreement All works within the highway boundary (including alterations to the footway, creation and subsequent reinstatement of the temporary vehicular access) will need to be secured and approved via an appropriate highways works agreement, either a S278 or S184 agreement.</p> <p>Advertisement Informative Any advertisement/ directional signage required for the temporary car park will require separate advertisement consent.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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) (Amendment No. 2) Order 2015.</p>
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## Appendix A

### Consultation Responses

#### Network Rail

Network Rail has reviewed the documentation submitted by the applicant and this proposal will not impact the railway infrastructure.

#### Canal and River Trust

The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”. We are a statutory consultee in the development management process.

The Trust has reviewed the application. This is our substantive response under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Based upon the information available we have **no comment** to make.

#### Historic England

Thank you for your letter of 8 August 2018 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

#### Lead Local Flood Authority

Thank you for consulting us on the above application for the temporary change of use of land

to car park providing 90 spaces including 6 disabled spaces to discharge condition 15i of planning permission 4/00122/16/MFA for the construction of 8 half storey car park with associated work to provide 312 spaces and 15 disabled spaces.

We acknowledge that the proposals are to convert this space to a temporary car parking area with an expected lifetime of <1 years while a new Multi-Storey Car Park is built on an existing car parking area. Parts of the site are located within Flood Zones 2 and 3 and there are areas within the site that are risk at risk from surface water flooding. However no information has been provided on how the site will be drained.

It is proposed to surface the car park with anchored ground reinforcement paving tiles. However this can impact the existing ground conditions including soil compaction which can increase run-off from the car parking area. The drainage arrangements for parking area should be confirmed with the identification of a discharge location. We note that the site is bounded by the Grand Union Canal to north and the River Bulbourne to the south. Given the large number of parking spaces the LPA needs to be satisfied that the proposed area will not have a detrimental impact to water quality.

For further advice on what we expect to be contained within the FRA to support an outline planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage

<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/>

Please note if the LPA decide to grant planning permission we wished to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development

#### DBC conservation

The moor is an open area of ground close to the centre of Berkhamsted. It consists of a relatively flat open green space with some trees planted to the perimeter. We understand that the land was granted to the town following the enclosure of Berkhamsted Common. The site is within the conservation area and nearby are a number of heritage assets including the castle, Castle Inn and the conservation area. On the opposite side of the canal are a cluster of locally listed buildings connected with the station. These are identified within the conservation area appraisal

The creation of the car park would have a number of impacts: The insertion of a dropped kerb, the removal of some trees, the laying down of matting and the construction of a fence around the car park and lighting for the car park. It would appear to be expected that some fencing to Mill St may need to be removed.

In relation to the heritage impacts we would comment as follows:

The dropped kerb would have a minimal impact as would the removal of any of the modern fencing to mill street. Ideally this rather standard fencing could be replaced with fencing more in keeping with late 19<sup>th</sup> century parks.

The removal of the trees would harm the character of the park and the setting of the conservation area. However we note that the report on the condition of the trees indicates that they are in a poor condition and it would be acceptable to remove them. We would not disagree with our specialist tree officers comments as stated in the report. However any planting replacement scheme needs to be carefully considered. The historic mapping and photographs show an avenue of trees to Mill Street. It would be recommended that this be replanted and the historic feature reinstated to the street. This would result in some conservation gain which could help to mitigate any harm and provide a long term benefit once the car park has been removed.

The creation of a car park with associated fencing and lighting would impact negatively on the

character of the area. We understand the fencing is to be post and rail which would soften its appearance. It would be recommended that any lighting columns be painted a dull matt green to reduce the visual impact. It would result in enclosure and sub-division and loss temporarily of the green space. This would cause harm to the setting of the heritage assets both designated and non designated noted above. The impact on the setting of the scheduled ancient monument of the castle would be low. This is due to the impact of the 19<sup>th</sup> century railway which sub divides the heritage asset from the town. The impact of the car park on the listed former public house would be considered to be low. There would be some harm temporarily whilst the car park was in position but provided that it be reseeded and the trees planted in the longer term the harm would be negligible. Therefore we would assess this harm to be less than substantial and at a low level. Similarly the impact on the setting of the locally listed station buildings would be less than substantial and at a low level.

The impact on the character and appearance of this part of the conservation area for the period of implementation would be less than substantial but at a high level. However if the park is reinstated and provided that the avenue of trees replanted the long term impact would be an enhancement to the area. Therefore given this balance we would assess the harm to be acceptable in the short term to provide long term benefits.

**Recommendation That permission be granted but this be for only for the period required to construct a new car park. That a landscaping scheme be agreed for the reinstatement of the green space and to balance the harm caused that the avenue of trees to Mill Street be reinstated to follow the historic planting of the park. Appropriate species of trees should be used. If the fencing to Mill St is to be removed it would be recommended that it be replaced with more sympathetic park style fencing.**

Any lighting columns, mesh for fencing to be a dull matt green. Fencing to be unpainted timber.

#### Herts Ecology

I have the following comments on the above:

1. There is no existing ecological information for this site. The site is in a reasonably sensitive location adjacent to the Grand Union Canal within the river valley of the Bulbourne which is adjacent to the site. However it has long lost any natural aspect being wholly urban in character and has long been used for recreation, as shown on maps of 1925 as The Moor Recreation Ground. As such its formal management for recreation considerably limits its ecological interest. Consequently there is no significant ecological constraint associated with the principle of the proposals, which is only for a temporary period in any event.
2. However, the site has clearly degraded in what ecological interest it did have in Y2000, when the boundary was characterised by an almost continuous line of mature trees. Around a third of these have since been lost and whilst replanting is evident, their current ecological contribution is limited so that the wider ecological value has declined. I note two large trees are proposed for removal; one on Health and Safety Ground (part of normal estate management and not related to any planning obligation) and one to enable the proposals to be implemented regarding access. Four trees are to be replaced to compensate for this tree's loss. However, given both are related to the proposals, I suggest this would amount to 7 or 8 new trees to provide adequate replacement. No details of these are provided.
3. Furthermore, there are no details of any protected species potential (bats) in the trees, which if hollow or with raised bark, could provide opportunities for roosting bats. This aspect should be the responsibility of anyone involved in felling such trees, but given the need to remove one of these to provide access, the LPA should only determine the application if it can be satisfied that if bats are present and affected, they will be adequately dealt with. Currently, there is insufficient information to enable the LPA to do this, as bats have not been considered.

4. Consequently I can only advise that the two large tree(s) affected should be assessed for bats prior to determination and any necessary recommendations provided to enable determination of the application.

5. I would also expect a landscape management (restoration) plan to be produced as a Condition of approval to help restore the site following removal of car parking and provide some of the general ecological interest that was previously present. The replacement trees will take a considerable time before they begin to provide any significant ecological contribution to the site. Enhancements for bats could include provision of bat boxes on some remaining trees as appropriate.

On this basis, whilst I do not consider there are any major ecological constraints, the bat issue should be addressed consistent with similar situations where trees are affected as a result of the planning proposals, and a landscaping plan provided. I can provide comments on any bat assessment as necessary to facilitate determination of these proposals in due course.

### Contaminated Land

Please be advise that we have **no objection to the proposed development in relation to Noise, Air Quality and land contamination.**

However, having given adequate consideration to the submitted design and access statement especially the applicant submission in section 4.0.2 with further study on the use of Cell Pave and the believe that no site digging will be involve, the following planning conditions and informative are recommend should planning permission be granted.

**This comment supersede our initial comment for the site below dated 21 August 2018 @ 1638hr.**

#### **1). Air Quality Assessment condition**

With the proposed development within 0.4 miles of one of the council AQMA with the proposed number of car parking spaces and length of the proposed temporary use, an air quality report assessing the impacts of the development will need to be submitted to the Local Planning Authority having, regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.

The report should indicate areas where there are, or likely to be, breaches of an air quality objective during the operational phase of the development. If there are predicted exceedances in exposure to levels above the Air Quality Objectives then, a proposal for possible mitigation measures should be included.

The impact of the construction vehicles and machinery of the proposed development **if any** must also be consider in the air quality assessment report to be submitted. The post construction impact of the development to the existing development will also need to be consider in the report to be submitted.

**Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013).**

#### **2). Un-expected Contaminated Land Informative**

Our contaminated land record shows that the proposed development land is located on a radon affected area where 1-3% of homes are above the action level and also on a former contaminated land use i.e. timber yard, former wharf and garage. There is a possibility that this

may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works on the site if any 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.

### **3). Construction Hours of Working – (Plant & Machinery) Informative**

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

### **4). Construction Dust Informative**

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

### **Trees and Woodlands**

I've looked through all available documentation for this app.

The submitted Arb Report is accurate and conforms with BS5837:2012. The removal of three trees is proposed; one (T2) to facilitate the development, two (T5, T13) due to poor condition. It is also proposed to lightly prune one other tree (T3). All these works are warranted and follow industry guidance, therefore I'd recommend approval.

Referring to the Tree Protection Plan 180734-P-12, it is proposed to use ground protection measures and a building up of ground levels (orange shaded area) in the proposed car park entrance. This proposal is agreed, protecting the RPA of tree T3. Planned protective fencing on the same drawing is shown in appropriate locations, so again this is agreed.

The use of a no-dig temporary surface (Planning, Design & Access Statement, 7.26) will limit the detrimental impact of development on site vegetation and allow the regeneration of the site to occur post works.

Replanting is proposed in the Arb Report but is limited to the mitigation of the loss of T2. Four trees are proposed to be planted within the same general location. In order to maintain the spacing of mature trees around the site boundary, I would propose that planting four trees is not necessary. Planting three trees at an equal spacing between T1 and T3 would enable the long term retention of the line of larger specimens through species choice. The centrally placed new tree species should be one that will ultimately replace the aesthetic value of the removed Chestnut. A tree such as a London Plane, Small-leaved Lime or Ginkgo would fill the space, being suited to the site soil type and not currently affected by any significant disease or other issue. A new tree to either side of this should be of a smaller ultimate size and shorter lived, enabling them to be removed after having provided several decades of visual amenity without having affected the growth habit of the desired central tree. Species such as *Betula pendula* or *utilis Jacquemontii* would be suited to this task, being attractive quicker growing trees providing dappled shade.

The removal of T5 could be mitigated in a similar way but using two trees instead of three; the new smaller tree species planted between the existing T4 and a larger tree species.

The removal of T13 could be mitigated by the planting of just one significant tree, such as those species previously suggested.

New trees should be procured from an established nursery and be of minimum heavy standard size. Planting should adhere to guidance within BS8545:2014 'Trees: from nursery to independence in the landscape – Recommendations'. Appropriate aftercare should be proposed.

### Environmental Agency

Thank you for consulting us on the above application. In the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal until a satisfactory FRA has been submitted.

### **Reason**

The FRA submitted with this application does not comply with the requirements set out in paragraph 163 of the National Planning Policy Framework (NPPF) which states that for areas at risk of flooding a site-specific flood risk assessment must be undertaken which demonstrates that the development will be safe for its lifetime. It does not comply with paragraph 149 of the NPPF which requires local planning authorities to adopt proactive strategies to adapt to climate change, taking full account of flood risk and coastal change. This objection is also in line with your Local Plan Policy CS31: Water management. The submitted FRA does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA; 'The Moor, Berkhamsted Flood Risk Appraisal' prepared by WYG Engineering Ltd, fails to assess the impact of climate change using an appropriate method for calculating flood levels. The development is classified as a Water Compatible development within Flood Zone 3a. The FRA did not identify the Central (1 in 100 year +10% for the 2020's epoch) climate change allowance to be assessed, and failed to calculate the flood levels with this climate change allowance. Model data held by the Environment Agency, including the 1 in 100 year plus climate change, can be obtained by requesting a Product 4 data package for the site from [HNLenquiries@environment-agency.gov.uk](mailto:HNLenquiries@environment-agency.gov.uk).

### **Overcoming our objection**

You can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. Specifically, the FRA should demonstrate the flood risk with the Central allowance, in order to assess the flood level and thereby the safety of the users over the lifetime of the development. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

We look forward to being re-consulted following submission of an amended FRA to you. We would provide our comments as soon as possible, although we would have another 21 days to respond. Our objection will be maintained until an adequate FRA has been submitted. If you are minded to approve the application contrary to our objection, I would be grateful if you could re-notify the Environment Agency to explain why, and to give us the opportunity to make further representations.

### **Advice to Local Planning Authority**

#### **Sequential Test**

In accordance with the NPPF paragraph 158, development should not be permitted if there are

reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the LPA to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

## **Advice to Applicant**

### **Pre Application advice**

We strongly encourage applicants to seek our pre-application advice to ensure environmental opportunities are maximised and to avoid any formal objections from us. If the applicant had come to us we could have worked with them to resolve these issues prior to submitting their planning application. The applicant is welcome to seek our advice now to help them overcome our objection via [HNLsustainablePlaces@environment-agency.gov.uk](mailto:HNLsustainablePlaces@environment-agency.gov.uk).

### Crime Prevention Officer

Thank you for sight of planning application 4/01821/18/FUL, Temporary change of use of land to car park providing 90 spaces to discharge condition 151 of planning permission 4/00122/16/MFA( construction of 8 half storey car park with associated work to provide 312 spaces + 15 disabled spaces ). The Moor, Mill Street, Berkhamstead.

I am able to support this application , however from a crime prevention and Security perspective I would ask that the car park is well managed and well lit.

### Herts Archaeology

Thank you for consulting me on the above application, and for sending me details of the CellPave ground reinforcement tiles.

Para 7.2.6 of the Design & Access Statement submitted with the application states that 'the temporary car parking surface within the RPA of T3 is to be constructed using a no-dig temporary surface'. This, in combination with the dimensions of the tiles to be laid (Depth 37mm approx.), suggests that the installation of the car park surfacing will have a limited impact on the existing ground surface.

In this instance therefore, although the development site is in an area with high archaeological potential, adjacent to the Castle, I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.

### HCC Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. No part of the development shall begin until the means of access has been constructed in accordance with the approved drawing and constructed in accordance with HCC highway design guide Roads in Hertfordshire.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

2. Before first occupation or use of the development the access road and parking areas as shown on the approved plan DBC/018/002 shall be provided and maintained thereafter.

Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with its use.

3. Prior to commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for approval in writing. The Construction Management Plan shall include details of: - Construction vehicle numbers, type, routing; - Traffic management requirements; - Construction and storage compounds (including areas designated for construction staff car parking); - Siting and details of wheel washing facilities; - Cleaning of site entrances, site tracks and the adjacent public highway; - Timing of construction activities to avoid school pick up/drop off times.

Reason: In the interests of maintaining highway efficiency and safety.

4. Visibility splays of not less than 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the new access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway. Construction work shall not commence until the applicant has demonstrated that the required visibility splays can be achieved by means of detailed scaled drawings showing the new access arrangements and visibility splays, to be submitted to and subsequently agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and free and safe flow of traffic.

5. Within 3 months of opening of the multi-storey car park off Kings Road the temporary car park access shall be permanently closed and the footway / highway verge reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority,

Reason: In the interests of highway safety and amenity.

I should be grateful if you would arrange for the following notes to the applicant to be appended to any consent issued by your council:-

#### INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-

<https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit

mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

Section 278 or Section 184 Agreement All works within the highway boundary (including alterations to the footway, creation and subsequent reinstatement of the temporary vehicular access) will need to be secured and approved via an appropriate highways works agreement, either a S278 or S184 agreement.

Description of the proposed scheme This proposal is for the temporary change of use of land to car park providing 90 spaces including 6 disabled spaces. This is required to discharge condition 15i of planning permission 4/00122/16/MFA which allowed construction of 8 half-storey car park with associated work to provide 312 spaces + 15 disabled spaces at Lower Kings Road.

The temporary car park is required by condition 15i. The whole condition stipulates that:

Construction of the development hereby approved shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of: a. Construction vehicle numbers, type, routing; b. Traffic management requirements; c. Construction and storage compounds (including areas designated for car parking); d. Siting and details of wheel washing facilities; e. Cleaning of site entrances, site tracks and the adjacent public highway; f. Timing of construction activities to avoid school pick-up/drop-off times; g. Provision of sufficient on-site parking prior to commencement of construction activities; h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and, i. Accommodation of the displaced parking as a consequence of the temporary closure of the car park through the duration of construction works.

The 90-space car park would be in the grounds of the Moor Recreation Ground on the northern edge of Berkhamsted town centre and would take the form of plastic or other artificial mesh placed on the grass. It would be surrounded by security fencing and access the highway network via a temporary access off Mill Street. No duration is given for the car park. This will be required by the highway authority.

This scheme was subject to discussions with the highway authority at the preapplication stage.

Site Description The proposed car park would be built in the Moor Recreation Ground, north of Berkhamsted town centre. The site is bordered by Mill Street to the east, the Grand Union Canal to the north with River Bulbourne and Berkhamsted School to the south. Opposite the site on Mill Street is the Chadwick Centre art and design building of Berkhamsted School.

Analysis The applicant has provided a Transport Statement (TS) for review as part of the application package. This describes a very detailed modelling exercise based on the Transport Assessment for the multistorey car park to assess the likely impacts of the temporary car park.

Trip Generation and Junction Assessment The predicted movements from the new car park are 5 and 1 out in the morning rush hour, 33 in and 50 out in the evening and 58 in and 83 out in the busiest hour (12:45 – 13:45) on a Saturday. These figures were added to flows on the surrounding roads and then fed into computer models of these junctions: Proposed Site Access / Mill Street, Castle Street / Mill Street, Lower Kings Road / Castle Street, High Street / Castle Street and High Street / Water Lane. Junction performance was assessed by predicted RFC (Ratio of Flow to Capacity) and queue lengths. RFC values below 0.85 are usually taken to be acceptable. The maximum value predicted in association with the temporary car park was 0.36 at the junction High Street with Castle Street. The maximum queue lengths predicted are one vehicle.

Road Safety Paragraphs 2.21 to 2.23 in the TS describe an examination of data held by HCC on collisions resulting in injury in the vicinity of the site. I agree with the conclusion that the low incident of collisions in the area and the low level of severity of injuries indicates that the road network operates relatively well with no significant driver behaviour or junction design issues which require further investigation and review.

Vehicle Layout Vehicle Access The TS states that access would be via a crossover facility. Given the size of the car park it is recommended that this is fully kerbed access bellmouth. This would need to be fully reinstated once the car park is closed.

All works carried out within the highway boundary will be subject to either a legal agreement under Section 184 or Section 278 of the Highways Act, whichever is most appropriate.

Pedestrian Access The TS states that it is proposed that the car parking facility would be accessible to pedestrians from Mill Street only. The justification given is that for security the perimeter of the car park would be fenced off with no secondary access routes from within the Recreation Ground. Since the car park is temporary replacement for the one at Waitrose I recommend that this position is reviewed since the pedestrians desire line would appear to be via the park, towpath and steps up to Lower Kings Road at the SW corner of the road bridge over the canal.

Cycle Parking Provisions None are to be provided give the development's purpose as remote car parking. Cyclists will want to leave thro bicycles near their trip end points.

Construction A 2-page information sheet on CellPave 'anchored ground reinforcement' was provided for consultees on the DBC website. Presumably this is the material proposed to surface the car park.

The primary concern of the highway authority during construction is the safe and free flow of road users nearby. This means that traffic and pedestrians should continue to be able to use Mill Street with hindrance from construction-related traffic. Stringent efforts should be made to prevent mud from the site being spread on the road and pavement.

Planning Obligations/ Community Infrastructure Levy (CIL) Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore contributions would be sought by CIL. No S106 contributions would be required by the highway authority.

Conclusion Hertfordshire County Council (HCC) have reviewed the information provided and consider that proposed development would not likely have a detrimental impact on the safety and operation of the highway network. On this basis, HCC does not wish to raise an objection, subject to the imposition of suitable conditions and informatives.

Recommendations Given its purpose as a replacement for the parking adjacent to the Waitrose supermarket, the developer and Waitrose store management should provide robust arrangements for managing abandoned supermarket trollies used by shoppers to transfer goods back to the car park.

The promoter is recommended to work with the town, borough and county councils to provide information and signage to ensure as smooth as possible transition from the existing to temporary car park as possible.

Comments on the Transport Assessment • The A41 is no longer a trunk road. It is now under HCC control. • Berkhamsted High Street is the A4251 which is a Principal Road. It is not part of the Primary Road Network. • The canal that runs through Berkhamsted is the Grand Union, not the Regents.

Berkhamsted Town Council

**No Objection**

No Objection subject to conditions.

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
1 PRIORY GARDENS, BERKHAMSTEAD, HP4 2DR	While I appreciate parking space is limited in Berkhamsted, so are the number of open green spaces. The Moor is one of the largest areas in the town for children to run around and explore and my toddler son and I spend time there almost every day. To convert much needed leisure space to parking, however temporary, does not seem to be a sensible solution.
1 UNION COURT, BEDFORD STREET, BERKHAMSTED, HP4 2ED	This green space is hugely important for recreation. I cannot believe that a) using this space as a car park wouldn't damage it and that b) it would return to a green space afterwards (without any delay, if at all). As a flat dweller this is one of the few spaces I have to use with my child. I also see it used massively by other families, dog walkers and individuals alike.
47 LEVERSTOCK GREEN ROAD, HEMEL HEMPSTEAD, HP2 4HH	Mill Street is not wide enough to take extra traffic. It is single track in places and will cause congestion on the bridge and junction with Station Road and Castle Street. Also this park is used by many people for daily recreational purposes. It would be an accident waiting to happen.
30 Castle Street, , , ,	<p>I've been reading the planning documentation in relation to the proposed temporary car park on Mill Street in Berkhamsted (4/01821/18/FUL). I am concerned that the proposed access/egress routes to the car park do not adequately take into account the road conditions on the approach to the junction between Mill Street and Castle Street.</p> <p>It is proposed that there be two-way traffic between Castle Street and Mill Street to give access to the temporary car park, however the road width on Mill Street nearby the junction with Castle Street does not allow for two cars to pass. I've attached a screenshot from Google maps with the area I refer to highlighted in red. This problem is exacerbated by the obstructed line-of-sight when approaching this area from the south on Mill Street - it is impossible to see if there is traffic approaching from the other direction until you round the corner to approach the junction with Castle Street.</p> <p>At present this issue only causes problems at peak times (school drop off and pick up) during which vehicles queue to turn right into Mill Street from Castle Street, often backing up to the junction between Castle Street and Lower Kings Road/Station Road. With the installation of the temporary car park and the introduction of the proposed no-right-turn when exiting the temporary car park onto Mill Street, these problems will inevitably be more frequent.</p> <p>I am also concerned about the effect this will have on the pedestrian footway that crossed the junction between Mill Street and Castle Street. The crossing here already suffers from limited visibility and increased traffic here will make that crossing increasingly dangerous.</p>

	<p>I propose that as part of this scheme Mill Street becomes a temporary one-way street with traffic only able to move from south to north. Traffic wishing to enter Mill Street should do so via Water Lane to create a unified traffic flow. This would mitigate the problems of traffic queueing on Castle Street, remove the prospect of traffic collisions on Mill Street and make the pedestrian footway crossing on the Mill Street/Castle Street junction far safer.</p>
<p>28 Highfield Road,,,,</p>	<p>I'm contacting you because it has recently come to my attention that Moor Recreation Park in Berkhamsted is under consideration for conversion into a temporary car park. I strongly appose the conversion.</p> <p>The space is a busy, valued recreation space, used heavily by the local community, myself included. The space itself offers a very unique set up, where the park and grass area is accessible to families with small children, who can at the same time enable their dogs to exercise. No other recreation park in the centre of Berkhamsted, or conventionally walkable, offers the same facilities where you can do both. I myself use this space for just this.</p> <p>The space is also regularly used by fitness trainers, conducting public exercise classes and personal training sessions. These are very popular sessions, because of the proximity to the station, which offers convenience to customers and the passing trade to the businesses. Without access to this park, these services would need to relocate. The only park on near proximity to this location would be on the other side of town. This would impact convenience and passing trade, severally impacting the success of the businesses.</p> <p>As such I think it's an injustice to the local community and business that rely on this facility, and would like the council to reconsider its position.</p>
<p>2 CHAPEL STREET, BERKHAMSTED,, HP4 2EA</p>	<p>2 points against this proposal:</p> <p>1. I appreciate the parking problem in Berkhamsted entirely. Living on Chapel St, I frequently have to park 3 streets from my home, which with a newborn baby doesn't make life easy. However there are often spaces in Waitrose car park demonstrating that more PAID parking isn't the issue; FREE parking is.</p> <p>2. Moreover I confess a very personal objection to the temporary car park in that the park is one I visit daily with my baby for a walk and fresh air while encouraging him to nap, walking through the park and up the canal in a loop. Without this rare green space we will lose this enjoyable daily loop, and there is no alternative space that offers this. In addition there are many others who enjoy the park in the same way - I often see other families enjoying this most central green space which will stop being an option.</p>
<p>5 MANOR STREET, BERKHAMSTED,,</p>	<p>I strongly object to the loss of one of Berkhamsted's most well used park facilities, on the basis that once precedent is set for</p>

,HP4 2BN	<p>its use as a temporary car park the cost of reverting it to its original use may not be honoured.</p> <p>The park is the first sight of the town when you arrive from the train station, so for commuters and visitors stepping off the train, the impression of Berkhamsted as a peaceful and beautiful place to be will be greatly impacted. It is used every day by mums and babies, dog owners and is a sanctuary for many of the birds on the canal. The small space of green and calm simply must be protected.</p> <p>What's more, the pay and display car park on Lower Kings Road isn't often full as it is, so I question the need for so much additional capacity while it's being developed.</p>
43 CASTLE STREET, BERKHAMSTED,, HP4 2DW	<p>The use of the Moor as a temporary carpark is both unnecessary and dangerous. Mill Street is incredibly dangerous at peak school drop off times and is a thoroughfare for school children crossing from the science block back to the main school quad. I have already witnessed a number of collisions between cars on the tight single lane bend into Castle Street and no amount of traffic management can make this an acceptably safe option.</p> <p>There is a high risk that this sets a precedent for the use of the land and I am highly sceptical that it will be returned to its current state.</p> <p>This is one of the few open park areas in Berkhamsted and a vibrant centre to the town where people exercise, walk their dogs and rest with their children. The Council is proposing to mix cars and an unfenced children's playground and remove one of Berkhamsted's prime recreational areas.</p> <p>Why is the use of one of the fields opposite Hall Park not considered. It is on the edge of town and has good access</p>
6 Covert Close,,,	<p>I have read with astonishment about the council's plan to place cars on the beautiful Berkhamsted green space known as the Moor.</p> <p>The progressive sacrifice of living and recreational space to the tyranny of the car will, in reality, simply bring more cars into town, further overloading our infrastructure and leading to more traffic jams which, in turn, will lead to further destruction of our beautiful town as a viable living-space.</p> <p>The objective difficulties posed by this plan include safety, the unsatisfactory access from Mill Street and yet more pollution. It is high time that our Council represented our interests by reducing the dominance of cars in our town and improving alternative forms of access.</p> <p>What is to be done for the many who use the Moor for sport and family leisure - or is this to be sacrificed on the altar of the car?</p> <p>I am unmoved by the response that 'this will be a temporary measure'. The destruction of long-established trees is irreversible.</p>

	<p>Rather than leading to an improvement of amenity this is, rather, another capitulation to the insatiable needs of the motor car and the pollution that it brings to our town.</p> <p>My position is far from being 'conservative' or 'reactionary' or naive. Progressive towns and their councils have already rejected the tyranny of cars and their drivers. It is high time that Dacorum and Berkhamsted councils showed the imagination needed to bring their policy approach on this matter up to date.</p>
21 Cross Oak Road,,,,	<p>I'm writing to express my concerns at the proposal to turn The Moor into a temporary car park so that a multi-storey car park can be built elsewhere in the town. I understand that the Borough Council considers this proposal on 6th September and I should be grateful if my objections can be brought to the attention of the Planning Committee. My concerns are as follows:</p> <p>Safety - it's right next to a busy school, at which my son is a pupil</p> <p>Access from Mill Street is very limited, and the proposal will likely add to the existing traffic congestion within the town, thereby further increasing pollution levels</p> <p>Environment - I understand the proposal will involve the cutting down of two ancient and beautiful trees, and it will mean the loss of a precious green space where the people of the town can relax, play and walk our dogs.</p> <p>I believe this proposal demonstrates a lack of vision and concern for the welfare of residents. Quite simply, we need fewer cars coming into the town, not more, and we should be thinking of ways to reduce traffic into the town.</p>
42 Castle Street,,,,	<p>There are very few Green Spaces for recreation in the open air. The Moor is used by children playing, by people for working, doing exercises, having picnics, walking their dogs or just sitting and lying on the grass.</p> <p>There are lovely trees, geese and ducks and other birds. All these users will be affect by motor traffic, cars and petrol fumes.</p>
22 UPPER HALL PARK,BERKHAMSTED,,H P4 2NP	<p>I object to the loss of this much valued and well-used recreational calm and peaceful open space in Berkhamsted and call on the Council to pause and review the plan with further consultation with local residents as there has not yet been sufficient consideration of alternative options. Use of the Moor for car parking will increase congestion and air pollution in the area. Sharing the space with a children's play area presents safety risks for pedestrians. Children's developing lungs are particularly vulnerable to the health impacts of air pollution, there is also now evidence associating air pollution with loss of brain function in older people. To allow access it is proposed to cut down two large, beautiful trees causing long-lasting damage to the visual amenity of the space, harm to wildlife, and the release of carbon. The whole space of the Moor is well-used by walkers, mothers and children, for exercising dogs, fitness classes, as well as the only site in the town which is used for a fun fair, and is home to several</p>

	<p>Canada goose families. It is a scandalous waste of council taxpayers money to spend £100,000 on this, on top of £5 million for the awful Lower Kings Road multi-storey, when that money could be used to reduce the need for car use and car parking in the town through investment in public transport and other solutions.</p>
<p>32 EGERTON ROAD, BERKHAMSTED,,,HP4 1DU</p>	<p>This is too close to a school, Access is inadequate.  Loss of a civic amenity.  Threat to wildlife in the area. .  This will add to the already high levels of air pollution.</p>
<p>36 CASTLE STREET, BERKHAMSTED,,HP4 2DW</p>	<p>Firstly the use of leisure land as a car park is not appropriate. The Moor is valuable green space, used for exercising, dog walking and children, and is especially important in winter months when local access is needed. Berkhamsted already has very limited green space for local residents, with many houses lacking a garden of their own.</p> <p>Second the location is only going to add to the on going traffic problems in the area. Has a traffic survey been conducted to understand the impact? The close proximity to the Berkhamsted school, with coaches running down Castle Street twice a day, and the restricted road width of Mill street make The Moor location very difficult to access by car. Will the council be making Mill Street one-way? My concern is that there will be air pollution from idling cars on Castle Street.</p> <p>Also, I am very saddened to hear that a mature horse chestnut tree will be destroyed for the temporary car park. Mature trees provide a diverse habitat for wildlife and although there are plans to replace this with smaller trees, this is not equivalent in terms of carbon dioxide filtration and habitat to support to invertebrates.</p> <p>Lastly, I call upon the council to ask for a completion date for when The Moor will be returned to a green space and to ensure it is returned to its original state with grass covering.</p> <p>I hope these points will be considered in your decision making.</p>
<p>71 High Street,,,,</p>	<p>I am writing to you to voice my objection to your plans to turn the Moor in Berkhamsted into a temporary car park during the construction of the new (unnecessary) car park, for the following reasons:</p> <ul style="list-style-type: none"> <li>- The land is a beautiful green space where people and families can relax and the environment of Berkhamsted. Green space has positive mental health benefits and encourages people to be more active and healthy. Air pollution is an increasing problem – cutting down trees to make more space for cars seems outmoded at best. At worst it will directly contribute to poorer health of Berko citizens.</li> <li>- Berkhamsted is already overrun with cars – it would be far better to put extra thought as to car alternatives to keep our town pedestrian friendly. The bus services are terrible unless you live on the High St, and even then they stop running in the</li> </ul>

	<p>early evening. Why are the council not putting more thought into this and cycle lanes (cycling seems to be very popular in Berko!)? If you give people pleasant, convenient and affordable alternatives they will actually use them.</p> <ul style="list-style-type: none"> <li>- It is a slippery slope – once it is turned into a car park will it really be converted back into green space?</li> <li>- Car access to the Moor is fairly terrible, with narrow spaces and next to a busy school. This will increase the already high levels of traffic congestion in Berko and present safety risks to children.</li> </ul> <p>I hope you will decide against these plans, and find an alternative one which encourages heavy car users to switch to more active and less polluting means of travelling into the centre. The idea of building the new car park is a terrible one anyway, as in this day and age we should be discouraging unnecessary car use, not facilitating it.</p>
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### Supporting

Address	Comments
32 Kings Road,,,	<p>Just wanted to drop you a line to voice my support for the proposed temporary car park.</p> <p>It makes sense while the much needed new car park is built and in fact anything at all that helps alleviate the current chronic and desperate parking situation in Berko is frankly welcomed on my part.</p> <p>As a resident in Kings Road (number 32) the parking situation is the worse I've ever know in the 10 years I've lived here. The ever constant issue of train station commuters blocking up spaces in Kings Road and Charles Street from 6am onwards to 7pm at night is the biggest blight and issue. The building work by the library is also not helping but at least that is temporary, the commuters are not !</p> <p>I'm hoping therefore that the council will consider some way of enabling residents parking to help, especially when the new car park is built.</p> <p>Could we not have a single yellow line that restricts parking on Kings Road and Charles Street say for 1 hour in the middle of a day to stop all day commuters dumping their cars but with residents permits to enable residents to park all day whilst at the same time enabling shoppers to come and go during the day (apart from the restricted hour) and not therefore adversely affect business In the town. The only 'losers ' in this scenario are the commuters but they are adequately provided for by the station car park but just choose not to use it and block the rest of the side streets up. Seems a fair all round solution to me.</p>

**Commenting**

<b>Address</b>	<b>Comments</b>
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