

<b>4/01413/18/FUL</b>	<b>EXTENSION OF THE EXISTING CAR PARK INTO THE FIELD/PARKLAND TO CREATE 22 NEW PARKING BAYS</b>
<b>Site Address</b>	<b>THE VILLAGE HALL SIDE CAR PARK, LEVERSTOCK GREEN VILLAGE CENTRE, HEMEL HEMPSTEAD, HP3 8QG</b>
<b>Applicant</b>	<b>Dacorum Borough Council, The Forum</b>
<b>Case Officer</b>	<b>Nigel Gibbs</b>
<b>Referral to Committee</b>	<b>The land is owned by this Council and objections received</b>

## **Recommendation**

1.1 That planning permission be **GRANTED**.

## **2. Summary**

2.1 This is a challenging application to carefully reconcile the loss of parkland against the requested needs for additional parking to serve for Leverstock Local Centre in an existing very sustainable location where there is already available parking. It is also set against insufficient time to report the responses to the recently submitted Revised Scheme, with the requirement to report the application to this meeting.

2.2 The change of use would result in the removal of part of a long established area of Playing Fields/ Parkland/ Public Open Space adjoining The Village Hall. As a whole this designated Open Space performs a fundamentally important role at Leverstock Green.

2.3 The loss of the land conflicts with Policy CS23 of Dacorum Core Strategy regarding Social Infrastructure and can only be justified if there are other material considerations which outweigh this harm. Sport England, as statutory consultee, considers that there is a case to support the application with the resultant loss of some playing field land. This is notwithstanding the closeness of the proposed car parking to the longstanding informal very important well used basketball /wall facility. It is fundamentally important that the car park does not undermine the current harmonious coexistence of this facility with the wider Parkland and the existing car park, with resultant pressure for this recreational facility's closure/ relocation through challenges by car users that it is too close for the safe use of the car park.

2.4 The proposal would cause visual harm to the setting of the Parkland due to the car park's physical/ visual encroachment of the Open Land and the consequent loss of the existing long established boundary hedge which forms such an important strong transitional buffer between the car park and the edge of the Parkland. New proposed low hedging will soften but not eliminate the car park's significant visual incursion which would be reinforced by the need for essential additional lighting to create a safe parking area, reflecting the vulnerability of this fragile transitional edge.

2.5 The Revised Scheme has sought to reduce the impact following consideration of the redesign of the existing car park layout.

2.6 In determining the application considerable weight has been given to the Strategic Planning Team's advice upon the future benefits for the Local Centre of the additional parking which have been balanced against the aforementioned identified harm.

### **3. Site Description**

3.1 The Village Hall Car Park adjoins the Leverstock Green Parkland. It is separated by a long established hedge with a small gap enabling access between the car park and the Parkland. This substantial designated Open Space features an informal basketball /wall facility, a children's play area and football pitch. The land is also used by dog walkers providing a substantial 'green lung'. The ' wooded edged Parkland is partially abutted by gardens. The former Commission for New Towns purchased the site in 1964 from which this Council has acquired the land.

3.2 The football pitch is let to Hemel Athletic every season, September to mid- May, being a very sought after location. It sometimes serves two teams with staggered 10.00 and 12.00 kick offs.

3.3 The field also serves as a venue for Leverstock Green Association, Summer functions, an annual firework display and a children's sports day.

3.4 There is evidence of unlawful use of the Parkland by drivers, reinforced by the responses from local residents to the application.

3.5 The existing car park is surrounded by the aforementioned hedge which is reinforced by strong planting on its south eastern edge. It is served by a one way ' in / out 'system/ layout and some column based lighting. This lighting is complemented by two wall mounted mesh encased caged floodlights attached to the flank wall of the Village Community Centre.

### **4. Proposal**

4.1 This is for the enlargement of the existing car park to provide 18 additional car parking spaces through the change of use of part of the adjoining Parkland with an additional 4 derived from the re-design of the existing car park. The Original Scheme proposed 20 spaces within the area subject to the change of use and an additional 4 within the existing car park, facilitated by the removal of the aforementioned boundary hedge.

4.2 Following the application's receipt the LPA requested the details to explain the need for the car park. The DBC Agent's Supporting Statements are referred by the Considerations.

### **5. Relevant Planning History**

4/00520/07/BPA	EXTERNAL WORKS TO FORM FENCED PLAY/BIN STORE AREA AND REPOSITIONING OF STORAGE CONTAINER Granted 29/05/2007
4/01844/06/FUL	TEMPORARY STORAGE CONTAINER Temporary permission 13/10/2006
4/02342/04/BPA	EXTENSION TO COMMUNITY CENTRE, PLAY AREA AND BIN STORE Granted

26/11/2004

4/01516/93/4 FRONT AND REAR EXTENSIONS TO HALL  
Granted  
20/01/1994

## **6. Policies**

### **6.1 National Policy Guidance**

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

### **6.2 Adopted Core Strategy**

NP1, CS4, CS8, CS10, CS11, CS12, CS13, CS23 and CS32

### **6.3 Saved Policies of the Dacorum Borough Local Plan**

12, 13, 43, 54, 57 73, 99, 113 and 116

Appendices 6 and 8

### **6.4 Supplementary Planning Guidance / Documents**

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area HCA 27 : Leverstock Green Central
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)

### **6.5 Advice Notes and Appraisals**

- Hemel Hempstead

## **7. Constraints**

- Open land
- Local centre
- 15.2m Air Limit
- CIL Zone 3

## **8. Representations**

Consultation responses: Original Scheme

8.1 These are reproduced in full at Appendix A.

## Neighbour notification/site notice responses

### Original Scheme

8.2 These are reproduced in full at Appendix B.

## **9. Considerations**

### Main issues

9.1 The main issues to consider are:

- Policy and Principle: Loss of the Open Space and The Need for the Car Parking to serve the Locality, and
- Layout, Design, Scale/Impact on the Character of the Locality.

### Policy and Principle

9.2 Dacorum Core Strategy Policy CS1 expects that Hemel will be the focus of new development based upon a range of criteria. These include making best use of existing green infrastructure under its criterion (e). This is in association with Policy CS4 which aims to ensure that in Open Land Areas the primary purpose is to maintain the generally open character and development proposals will be assessed against relevant open land policies. This approach is reinforced by paragraph 15.21 which expects that land already identified as existing open space will be protected and enhanced. The emphasis upon the role/ protection of Open Spaces is acknowledged through Dacorum Core Strategy's Strategic Objectives (Part 12 page 28) and the Community Strategy, in addition to their role in the Public Realm (page 60).

9.3 Moreover Dacorum Core Strategy Part 20 - Hemel Hempstead Place Strategy-recognises the role of Green Spaces under its Point 4, with one of the Local Objectives (page 144) being to deliver major open space enhancements. The HHPS also recognises the close interaction between the neighbourhoods and open spaces under Paragraph 20.11 This is whereby the town's neighbourhoods will be supported through the planning and maintenance of shops / local centres (also through paragraph 20.8) and services and retaining the pattern of open spaces. It is recognised that the management of the town's open spaces will ensure Hemel's green infrastructure is effectively used.

9.4. This reference to the importance of the open spaces is focussed through the expectations of Policy CS23 in supporting the Borough's Social Infrastructure. Under Figure 14 the definition of Social Infrastructure includes open space and outdoor leisure. This policy expects that such existing social infrastructure is protected unless appropriate alternative provision is made, or satisfactory evidence is provided to prove the facility is no longer viable.

9.5 The principle regarding the loss of the Open Space is therefore a fundamental issue set against this background. Whilst Sport England raises no objections there are major concerns expressed by Parks & Open Spaces. This is reinforced by the implications of Original Scheme's closeness of the car parking to the informal basketball facility and potential resultant pressures by car park users to actively seek the closure/ relocation of

this recreational facility as explained above. The Revised Scheme has sought to address/ reduce this identified potentially problematical inbuilt conflict situation which is as explained by the updated Supporting Statement.

9.6 The respective Original Supporting Statement and for the Revised Scheme are referred to below:

9.7 The DBC Agent's Supporting Statement confirms:

“The car park extension is desperately needed to assist with high usage peak times during the day for the shops and community buildings. I have received complaints/requests from residents in Malmes Croft for verge hardening and enforcement where vehicles are parking on the verges and footpaths to use the shops as they are not able to find space in the car park.

This situation has been exacerbated by the new developments close by where the shops and community facilities have seen an increase in usage. For these businesses to continue to sustain themselves and provide economic growth to the area additional capacity needs to be provided.

I have looked at the existing parking orientation to see if this can be changed to facilitate additional spaces and reduce the impact and amount of additional green space required, however, due to existing rights of access to the properties that back on to the car park this was not achievable.”

9.8 The Revised Scheme which involves lesser uptake of the Parkland is supported by the following Statement:

“The car park extension is desperately needed to assist with high usage at peak times during the day for the shops and community buildings. Complaints have been received from residents in adjacent roads where vehicles are parking on the verges and footpaths to use the shops as they are not able to find space in the car park.

I do acknowledge the distance between the existing basketball facilities and proposed parking isn't ideal, but the scheme has been amended and moved away to take this in to consideration. With additional fencing and hedging around the car park extension will reduce, if not eliminate, any possible conflict between park users and vehicles.

If conflict does arise as a result of this car park extension, additional measure can be introduced by way of sports fencing around the sports facilities however, I don't believe this will be necessary.

The parking situation has been exacerbated for a number of reasons over the years with the new play facilities being one of them. An upgrade in 2016 to the play park has proven to be very popular with the community and residents visiting from other neighbourhoods.

New housing developments close by has also added pressure to the shops and

community facilities that have seen an increase in usage. For these businesses to continue to sustain, grow and provided economic growth to the area, additional capacity needs to be provided.

I have considered the existing parking orientation to see if this can be improved to facilitate additional spaces and reduce the impact and amount of additional green space required. However, due to existing rights of access to the properties that back on to the car park this was not achievable.”

9.9 In addition there are environmental issues (see below).

#### Layout, Design, Scale/Impact on the Character of the Locality

9.10 Policy CS11 (Quality of Neighbourhood Design) specifies that within settlements and neighbourhoods, development should satisfy a range of criteria including avoiding large areas dominated by car parking. Policy CS11 is complemented by various Policy CS12 (Quality of Site Design) development criteria including (e) the planting of trees and shrubs and (f) the integration within the streetscape character.

9.11 Although the area of land to be used for parking does not have a specific recreational formalised function it is an integral and long established part of the Parkland, acting as a very informal 'soft gateway' / transition from the car park, like so many park entrances. Its loss, in conjunction with the hedge at this entrance and replacement with the formalised car park significantly changes the whole context and ambience. The proposal would cause visual harm to the setting of the Parkland due to the car park's physical/ visual encroachment of the Open Land at the entrance and the consequent loss of the existing long established boundary hedge which forms such an important strong transitional buffer between the car park and the edge of the Parkland. New low hedging will soften but not eliminate the car park's significant visual incursion which would be reinforced by the need for essential additional lighting to create a safe parking area, reflecting the vulnerability of this fragile transitional edge and blurring the current night time physical distinction between the lit car park and unlit park.

#### Impact on Neighbouring Properties/ Residential Amenity

9.12 This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity.

9.13 There are understandable concerns raised by some residents to the impact of the additional parking. However, there would not be a case to resist the application due to the impact upon the residential amenity of the locality.

#### Impact on Highway Safety

9.14 Hertfordshire Highways raise no objections. The layout would enable an emergency/ maintenance vehicle to access the Parkland. The reconfiguration of the existing layout has taken into account parking for persons with disabilities/ limited mobility.

#### Other Material Planning Considerations

9.15 As the land is a former land use the Scientific Officer recommending a precautionary approach to contamination. There should be no soakaways installed on contaminated land. There is no known localised land stability or drainage problems.

9.16 Hertfordshire Ecology raises no objections, notwithstanding the loss of the existing planting to facilitate the construction of the new parking. This removal will be only partially compensated by new planting around the new parking area perimeter, being however less than the existing to be removed. The introduction of lighting into this 'in town dark landscape' for essential safety reasons is an environmental dis-benefit.

9.17 An Environmental Impact Assessment is not necessary and there are no air safeguarding issues. Several conditions are necessary.

#### Response to Neighbour comments

9.18 The loss of the Parkland. The negative implications are addressed by the Report and reinforced by Parks & Open Spaces consultation response.

9.19 The concerns regarding resultant increased anti-social behaviour are understandable. Improved lighting is fundamentally important, which could be complemented by the introduction of CCTV. Hertfordshire Constabulary has raises no objections to the car parking even without these technical improvements.

### **10. Conclusions**

10.1 As confirmed by the Summary the proposal is contrary to Policy CS23 with the Original Scheme resulting in objections from Parks & Open Spaces, notwithstanding Sports England's response. In addition, there will be visual harm day and night. Also according to nearby local residents there are very real concerns regarding resultant anti-social behaviour which is however set against Hertfordshire Constabulary's response. The Revised Scheme has sought to reduce the harm.

10.2 There will be benefits for car drivers visiting the Local Centre/ local businesses and the Village Hall during the day and night, with the latter dependent upon improved lighting. The day time includes visitors/users of the Parkland such as the football teams using the pitch.

10.3 Therefore, the decision in this case is most difficult in reconciling the provision of increased parking requirements in a relatively sustainable location - without survey evidence - set against the permanent resultant harm to part of the long established parkland local environment/ setting. However, despite the identified harm, there are a very limited number of objections (from a wide consultation with neighbours) which is a reflection of the local community's reaction to the proposal and as advised by Strategic Planning the car park would 'future proof' the Local Centre. It is an application where an organised site visit by Members of the Committee would be beneficial.

10.4 For clarification under Departure Procedures although there is a loss of part of a sports pitch facility involving Council owned land, as Sport England have not objected it is interpreted that it is not an application requiring referral to the Secretary of State.

**1. RECOMMENDATION** – That planning permission be **GRANTED** for the

reasons referred to above and subject to the following conditions

Conditions/Reasons for Refusal

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The car park shall be surfaced in accordance with details submitted and approved in writing by the local planning authority.</p> <p>Reason: In the interests of visual amenity in accordance with Policy CS12 of Dacorum Core Strategy.</p>
3	<p>The planting around the whole perimeter of the car park shown by Drawing No.DBC/ 1018/003/REV A1B shall be carried out in the planting season following the first use of the car park hereby permitted fully in accordance with the planting details also subject to this condition. For the purposes of this condition the planting season is between 1 October and 31 March. Details of the precise details of the planting shall be submitted within 6 months of this decision.</p> <p>Reason: In the interests of the appearance of the locality and biodiversity in accordance with Policies CS 11, CS12, CS26 and CS29 of Dacorum Core Strategy.</p>
4	<p>The planting subject to Condition 3 which if within a period of ten years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by another section of hedge of the same species and size as that originally planted at the same place in the next planting season. For the purposes of this condition the planting season is between 1 October and 31 March.</p> <p>Reason: In the interests of the appearance of the locality and biodiversity in accordance with Policies CS11, CS12, CS26 and CS29 of Dacorum Core Strategy.</p>
5	<p>The car park hereby permitted shall not be brought into use until all of the perimeter fence referred to by Drawing No.DBC/ 1018/003/REV A1B has been installed fully in accordance details approved in writing by the local planning authority. Thereafter the approved fence shall be retained at all times.</p> <p>Reason: In the interests of visual amenity in accordance with Policy CS12 of Dacorum Core Strategy.</p>
6	<p>The car park hereby permitted shall not be brought into use until a scheme for its exterior lighting in conjunction with improvements to the existing car park have been submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained and maintained fully in accordance with approved details.</p> <p>Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS29 and CS32 of the Dacorum Core</p>



	Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.
7	<p>Subject to the requirements of the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans :</p> <p>LOCATION PLAN DBC/ 1018/003/REV A</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Informatives Highways</p> <p>1. 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 willfully 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.</p> <p>2. 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</p> <p>Un-expected Contaminated Land Informative</p> <p>Our contaminated land record shows that the land is located on a tip of a former contaminated land use i.e. garage and within a very close proximity of Smithy and former petrol station, there is a possibility that these activities 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 where applicable on the site for any potentially</p>

<p>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><b>Construction Hours of Working – (Plant &amp; Machinery) Informative</b> 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.</p> <p><b>Construction Dust Informative</b></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 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.</p> <p><b>Ecology</b> In order to protect breeding birds, their nests, eggs and young, tree-felling or pruning should only be carried out during the period October to February. If this is not possible then a pre-development (same-day) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed.</p>
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## **Appendix A - Consultation responses to Original Scheme**

### Strategic Planning

The land in question is identified as Open Land under Policies 116 in the saved DBLP and CS4 in the Core Strategy. Obviously, the approach of both these policies is to safeguard the open character of such land and to limit opportunities for new development except where they relate to ancillary/related facilities. The proposed car park is to chiefly serve the adjoining local centre, so it is difficult to argue that this is directly needed in terms of the existing Open Land. In addition, the land forms part of the wider playing fields as highlighted in the earlier response and enclosed extract from the 2008 Open Space Study. Therefore, there would be a loss of some of the associated play area of the playing fields.

Whilst we would not want to see any loss of play space/Open Land we need to consider whether there are arguments for the expanded car park. We would suspect that this local centre experiences high demand for parking during the day (as most of the local centres do) and that this exceeds existing capacity at peak times. There may well be highway related issues in terms of queuing into the centre and potentially

illegal/inappropriate parking pressures elsewhere as a result (that may lead to highway safety issues). The reality is that the Council has already undertaken a programme of hard-surfacing amenity areas in Hemel Hempstead to attempt to alleviate/reduce residential parking problems (We do not know if any, for example, involved the loss of Open Land.). Furthermore, there may be some planning advantages in part to “future-proofing” the centre given the potential for substantial housing/employment growth on the eastern side of the town.

We are not familiar with the parcel of land proposed to be lost but this seems to be relatively small in relation to the playing fields as a whole and lies at its southern periphery. It does not appear to result in the loss of any formal playing pitches nor would it appear to undermine the integrity of the wider Open Land. It would be sensible to seek the views of the Clean, Safe and Green team regarding the impact of the proposal on the playing space. There is no reason why the additional car parking could not benefit users of the playing fields as well as the centre itself.

Overall, the policy preference is not to see the land developed. However, we do see wider potential advantages, if properly evidenced, that could be argued in favour of being flexible over this approach.

#### Trees & Woodlands

Response awaited.

#### Estates & Valuation

Response awaited.

#### Parks & Open Spaces

Just a couple of questions:

1. The statement provided by Sport England- The rationale is to provide additional car parking capacity to support the use of the playing field (including the playground, basketball court and wider public open space) and adjoining village hall. It is understood that the existing car park is operating at capacity during peak periods and that the additional spaces would help facilitate greater community use of the open space during these periods including use of the football pitch. The car park extension would therefore be considered ancillary to the principal use of the site as a playing field.

2. Where do Sport England get this rationale from? There is no evidence or statement within the planning application, that gives a reason why the car park is being built, in fact the planning application and associated documents contain very little information at all gain the statement from Strategic Planning is rather general and does not use any given proof, surely we need proof? We would suspect that this local centre experiences high demand for parking during the day (as most of the local centres do) and that this exceeds existing capacity at peak times – How can they comment on a suspicion that there is a high demand for parking? And then come to the conclusion it is ok, to build on open space.

The planning application and associated documents contains no information in regards

to- Why the car park is needed, have any studies been carried out to prove that the extra parking is needed to quote our own planning-

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 needs for which clearly outweigh the loss.

Parks & Open Spaces can find no evidence within the application for the above. The main concern for the whole application is there is nothing within the planning application to explain why the car park is needed. P & O have been to the park on numerous occasions and the car park has never been full. The car park is next to a Green Line bus stop, which travels to London, and suspect that people who use this bus, park in the car park, as there are no parking restrictions. It would be more cost effective to monitor this use and if needed implement parking restrictions. On another note P & O we have never had any complaints from users of the park whether that be users of the play area or sports pitches, that the parking is not adequate.

However P & O's biggest concern is the loss of open space/park/sports land. Parks and open spaces are of massive importance, Parks provide intrinsic environmental, aesthetic, and recreation benefits to our residents, as well as both physical and mental health benefits. As you may know we have had other parks threatened with being built upon and P & O have had to make forcible cases not to let this happen. If the Council lets one of its parks be built upon, by DBC it leaves us open to other applications and weakens our argument against these

#### Scientific Officer

No objection to the proposed development in relation to Noise, Air Quality and land contamination.

However, with the proposed development located on the tip of a former contaminated land use i.e. garage and within a very close proximity of a Smithy and former petrol station, the following planning informative are recommend should planning permission be granted.

#### 1). Un-expected Contaminated Land Informative

Our contaminated land record shows that the land is located on a tip of a former contaminated land use i.e. garage and within a very close proximity of Smithy and former petrol station, there is a possibility that these activities 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 where applicable on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation

and an appropriate course of action agreed.

2). 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.

3). 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.

Hertfordshire County Council Highways

Decision

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.

The proposal is unlikely to have a severe residual impact on the highway network. It reduces some existing amenity land, but the introduction of 38 additional parking bays as shown on the submitted plan may reduce some of the on street parking that occurs at present.

The following informatives should be included within the decision notice should the Local Planning authority wish to grant planning permission.

Informative notes

1. 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.

2. 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

Conclusion

The assessment does not indicate any significant issues with the proposal to create additional off street parking on amenity green land.

The highway authority would not wish to restrict the grant of planning permission subject to the above informatives.

#### Hertfordshire Ecology

Although situated in close proximity to a range of protected sites and features, it is not anticipated that any of these will be affected by this proposal.

If any trees or shrubs need to be pruned or removed, breeding birds must be a consideration. However, a precautionary approach is appropriate and the following Informative should be added to any consent:

“In order to protect breeding birds, their nests, eggs and young, tree-felling or pruning should only be carried out during the period October to February. If this is not possible then a pre-development (same-day) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed”.

Otherwise, the application can be determined accordingly and I make no further.

#### Hertfordshire Constabulary: Crime Prevention

I have visited the area and have no concerns relating to crime prevention or security, therefore I can support this application.

#### Sport England

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

The proposal involves an extension to the car park at Leverstock Green Sports Field to create an additional 24 parking bays. The rationale is to provide additional car parking capacity to support the use of the playing field (including the playground, basketball court and wider public open space) and adjoining village hall. It is understood that the existing car park is operating at capacity during peak periods and that the additional spaces would help facilitate greater community use of the open space during these periods including use of the football pitch. The car park extension would therefore be considered ancillary to the principal use of the site as a playing field.

In terms of the impact on the playing field, the car park extension would encroach onto a relatively small area of the playing field adjoining the existing car park. Part of this area is occupied by trees and a path and could not be used for marking out playing pitches. The remaining area is not currently used for playing pitches and the limited space available between the nearby basketball court and the site boundary would limit the potential for playing pitch use of this area in any case. The basketball court and the football pitch to the north would not be affected by the proposal.

## **Appendix B - Comments received from Local residents/ Responses to Site Notice: Original Scheme**

### Old Leverstock

This car park is already very noisy with young drivers who park late at night revving their engines and playing loud music with their doors open.

These meet ups by young drivers also result in a nuisance as they throw beer cans, needles and condoms into the hedges and into our garden. Adding additional spaces will make this situation worse.

These drivers treat the current small area of parking as a race track. Making it larger will only result in more cars participating around a larger track.

Adding these spaces will add to the traffic issues of the junction of the car park exit where cars are regularly backed up at rush hours. As people get anxious they edge out causing local people not able to get out of their drives and a dangerous position in not being able to see on coming traffic. The traffic on any afternoon rush hour can back up all the way to the A414 dual carriageway.

This also cuts into the children playing area of a field. Why are we eating into that.

### 3 Curtis Road

This car park is already creating hurdle for neighbours, very noisy especially night time.

Adding additional spaces is not the solution and will make this situation more worse, will cause more cars, rush , noise , pollution etc.

It will reduce/cut the ground space, which is not fair with childrens and other local community who use this ground / park regularly.

There is will be more rush and traffic issue, especially in rush hours, junction always

blocked and will be more worse.

I strongly oppose this parking extension proposal.

#### 5 Curtis Road

Living directly next to the proposed extension of the existing car park, I do not actually understand the necessity of doing so. The existing car park serves the village hall, and the shops adequately, I have never seen the car park full in the 10 years I have lived here.

The car park itself is next to the park, a large green space that is used by so many in the village. Why make it smaller? We have very little usable green space in the village that is within easy walking distance, and not used as a sports facility.

There are many nights and evenings that are disturbed by cars that are parked in the car park that have their doors open with music blaring.

I also do not understand why we want to allow more cars to park in the centre of the village, this will create more pollution, I'd like a full report on the safety of the air for those of us who live directly next to the proposed extension, ensuring the quality of the air that we breathe won't be impacted by the increase in cars.

#### Neighbour

The Council's website advises of an application to create 38 new parking bays. This cannot be right, and whilst this has probably already been pointed out, the new bays will be 24. 38 is the number of the existing bays. I assume the application will be corrected as it could give a rather misleading position.



