

ITEM NUMBER: 5d

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|-------------------------------|---|-------------------|
| 4/02276/19/FUL | Install six parking bays on amenity green | |
| Site Address: | Amenity Green Opp. 132 Gadebridge Road Hemel Hempstead HP1 3EP | |
| Applicant/Agent: | Dacorum Borough Council (Ms Martinez) | |
| Case Officer: | Heather Edey | |
| Parish/Ward: | No Parish | Gadebridge |
| Referral to Committee: | Council Scheme | |

1. RECOMMENDATION

That planning permission be granted.

2. SUMMARY

2.1 The principle of residential development is acceptable within the residential area of Hemel Hempstead. The proposed development is considered to be acceptable in terms of its impact on visual amenity, given that it would not be considered to detract from the character and appearance of the streetscene. Given the scale and nature of the proposed works, it is not considered that there would be any adverse impacts on the residential amenity of neighbouring properties. The proposal is considered to provide safe and sufficient off-street parking provision and would not be considered to give rise to any highway or pedestrian safety concerns. No trees would be removed or detrimentally impacted in order to facilitate the development. Given all of the above, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework (2019); Policies CS4, CS8, CS11, CS12 and CS13 of the Core Strategy (2006-2031); and Saved Policies 57-58, 99 and Saved Appendices 3, 5 and 7 of the Dacorum Borough Local Plan (1999-2011).

3. SITE DESCRIPTION

3.1 The application site comprises a strip of amenity green, located opposite properties 128-132 Gadebridge Road and adjacent to Galley Hill Primary School.

4. PROPOSAL

4.1 Planning permission is sought to install six new car parking spaces on the existing amenity green.

5. PLANNING HISTORY

Planning Applications (If Any):

Appeals (If Any):

6. CONSTRAINTS

15.2m Air Dir Limit
Community Infrastructure Levy - Zone 3
Residential Character Areas
SSSI Impact Risk Zones

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

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
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2002)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity;
The impact on highway safety and car parking; and
The impact on trees.

Principle of Development

9.2 The application site is located within an established residential area of Hemel Hempstead, whereby residential development is acceptable in accordance with Policy CS4 of the Dacorum Borough Core Strategy (2013).

Quality of Design / Impact on Visual Amenity

9.3 Policies CS11, CS12 and CS13 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development contributes to the quality of the public realm, through avoiding large areas

dominated by car parking, preserving attractive streetscapes, avoiding disturbance to surrounding properties and retaining important trees, or replacing them with suitable species where their loss is justified.

9.4 The site falls within the HCA6: Gadebridge Character Area Appraisal, whereby the loss of amenity land to development is not normally permitted. It does however go on to list exceptions to this, stating that there may be opportunities for the conversion of parts of these areas to communal car parking, provided the character and appearance of the area is not unduly harmed through its visual impact.

9.5 Though the proposed development would involve the installation of six new parking spaces, a large area of public open amenity space would be retained in front of properties 134, 136 and 138 Gadebridge Road. In light of this, it is considered that the character and appearance of the streetscape would largely be maintained, and that the proposed new parking bays would not result in the creation of an area overly dominated by car parking.

9.6 In addition to the above, it is not considered that the proposed works would cause significant disturbance to properties along Gadebridge Road, and it is noted that no trees would be removed or adversely impacted in order to facilitate the development.

9.7 In light of everything considered above, it is not considered that the proposed development would have a detrimental impact on the visual amenity of the streetscene. As such, the proposal accords with Policies CS4, CS11, CS12 and CS13 of the Dacorum Borough Core Strategy (2013) and the HCA6: Gadebridge Character Area Appraisal (2004).

Impact on Residential Amenity

9.8 The NPPF (2019) outlines the importance of securing high standards of amenity for existing and future occupiers of land and buildings. Furthermore, Saved Appendix 3 of the Dacorum Borough Local Plan (2004) and Policy CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to properties in the surrounding area.

9.9 Given the scale and nature of the proposed works, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by being visually overbearing or resulting in a significant loss of light or privacy. Equally, it is not considered that the proposal would give rise to any concerns relating to noise or disturbance, given the layout of the six parking spaces and noting their close proximity to the highway.

9.10 No neighbour objections have been received in regards to the proposals impact on the residential amenity of neighbouring properties. In light of everything considered above, the proposal is considered to be acceptable in terms of its impact on residential amenity, according with Saved Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).

Impact on Highway Safety and Parking

9.11 The NPPF (2019), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policies 57- 58 of the Dacorum Borough Local Plan (2004) all seek to ensure that new development provides safe, sufficient and convenient parking provision in line with parking standards. Furthermore, Saved Appendix 5 of the Dacorum Borough Local Plan (2004) outlines specific guidance for the construction of new parking spaces, noting that they should measure a minimum of 2.4m wide and 4.8m deep, providing a minimum gap of 6m between rows of spaces, to facilitate safe and sufficient manoeuvrability.

9.12 The application originally sought consent for the installation of six car parking spaces, measuring 2.8m wide and 4.7m deep, with the two end spaces backing directly onto the public footpath that extends between the site and properties 128-132 Gadebridge Road. Given that the proposed parking spaces would fail to comply with the dimensions set out under Saved Appendix 5, concerns were raised with regards to the functionality of the proposed spaces. In addition to this, queries were also raised with regards to the two end spaces, with concerns questioning whether these spaces would allow safe and sufficient access to and from the highway, and whether sufficient measures would be implemented to protect the safety of pedestrians using the public footpath.

9.13 In response to the above, the proposal has been amended, with the proposed parking spaces now measuring 2.8m wide and 5m deep, and comprising a gap of 6m between the proposed rows of spaces to facilitate safe and sufficient manoeuvrability. Furthermore, swept path diagrams have been submitted in support of the application, evidencing that cars would be able to safely access the proposed spaces and exit onto the highway in a forward gear. In light of these amendments, it is considered that the six proposed car parking spaces would be functional.

9.14 It has also been confirmed that there would be a distinct change in levels between the two end car parking spaces, with 'the proposed car parking area being contained within a PCC kerb with 125mm upstand' (see Email Correspondence dated 18/02/2020). This element of the proposal is considered sufficient to differentiate the parking area from the existing public footpath, ensuring that the public footpath remains safe for pedestrian use.

9.15 Hertfordshire County Council were consulted on the application as the Highways Authority, and raised no objection to the proposed works, noting that they would not consider the proposal to have a severe residual impact on pedestrian safety or on the safety and operation of the adjoining highway. They have however requested that a condition be attached to the formal planning consent, requiring the new parking area to be surfaced in porous paving, tarmacadam or a similar durable bound material and for arrangements to be made to ensure that surface water does not discharge onto the highway. Given that a 2m³ soakaway would be contained within the parking area boundary to prevent surface water discharging onto the highway, it is not considered reasonable or necessary to attach this condition to the formal planning consent.

9.16 The proposed development would result in the loss of two on-street parking spaces. Given that these spaces would be replaced, and noting that four additional parking spaces would be introduced to the area, it is considered that there would be a significant net gain in parking spaces, with the proposal significantly improving the existing parking arrangements and relieving parking stress in the area.

9.17 Given the above assessment, it is not considered that the proposal would have a detrimental impact on highway or pedestrian safety. The proposal is also considered to be beneficial, given that it would create a net gain in parking and would significantly improve existing parking arrangements in the area. In light of this, the proposal complies with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), Saved Policies 57- 58 and Saved Appendix 5 of the Dacorum Borough Local Plan (2004) and the relevant sections of the NPPF (2019).

Other Material Planning Considerations

Impact on Trees and Landscaping

9.18 The NPPF (2019), Saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 of the Core Strategy (2013) all seek to ensure that important trees are retained and preserved or replaced if their loss is justified.

9.19 No trees would be removed in order to facilitate the development. Furthermore, prior to the submission of the application, the DBC Trees and Woodlands Officer was consulted, confirming that the proposed works would not adversely impact on the root protection area of any nearby trees.

9.20 Taking all of the above into account, the proposal is considered to be acceptable in terms of its impact on trees, according with Saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Core Strategy (2013) and the relevant sections of the NPPF (2019).

Response to Neighbour Comments

9.21 One neighbour has raised a number of objections to the proposal. Firstly, they have raised concerns that the introduction of parking spaces in this area would give rise to pedestrian safety hazards, noting that the area is regularly used by local children.

9.22 Given the scale of the existing amenity green and noting that it borders the highway, questions are raised as to the suitability of the site for use by local children. Though it is noted that the introduction of a new parking area would increase the provision of cars accessing the site, it is considered that sufficient measures would be put in place, (i.e. by way of the difference in levels between the site, retained amenity green and public footpath), to ensure that the surrounding area would remain safe for pedestrian use. It is also noted that the Highways Authority were consulted in this regard and raised no objection to the scheme.

9.23 The neighbour raised an additional objection to the proposal on the grounds that the benefits of the retention of the amenity green, (i.e. noting its public usage and ecological benefits), would outweigh the requirement and need for new parking in the area.

9.24 The current application follows a detailed two year process, (i.e. 'The Verge Hardening Project'), in which areas facing extreme parking stress within the Borough were identified, with the aim of considering the feasibility and cost effectiveness of introducing new parking schemes.

9.25 Gadebridge Road currently faces significant parking pressures, with residents typically parking on the street. Though it is noted that there would be some disadvantages to the loss of amenity space, a significant portion of public amenity space would be retained for local residents following the construction of the development, with existing trees being retained. Taking the above into account, and noting that the proposed development would help to alleviate existing on-street parking pressures, the benefits of the introduction of new parking to the area are considered to be sufficient to outweigh the disadvantages of the development.

Community Infrastructure Levy (CIL)

9.26 Policy CS35 of the Core Strategy (2013) 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 1st July 2015. The application is not CIL liable.

10. CONCLUSION

10.1 The application is recommended for approval.

10.2 The principle of residential development is acceptable within the residential area of Hemel Hempstead. The proposed development is considered to be acceptable in terms of its impact on visual amenity, given that it would not be considered to detract from the character and appearance of the streetscene. Given the scale and nature of the proposed works, it is not considered that there would be any adverse impacts on the residential amenity of neighbouring properties. The proposal is

considered to provide safe and sufficient off-street parking provision and would not be considered to give rise to any highway or pedestrian safety concerns. No trees would be removed or detrimentally impacted in order to facilitate the development. Given all of the above, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework (2019); Policies CS4, CS8, CS11, CS12 and CS13 of the Core Strategy (2006-2031); and Saved Policies 57-58, 99 and Saved Appendices 3, 5 and 7 of the Dacorum Borough Local Plan (1999-2011).

11. RECOMMENDATION

11.1 That planning permission be granted.

Condition(s) and Reason(s):

- The development hereby permitted shall begin 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.

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

Vehicle Tracking - Sheet 1 of 1
 Email Correspondence (dated 18/02/2020)
 DBC/019/010 Rev *
 HST/500/004

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

Informatives:

- Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
|------------------------------|--|
| Hertfordshire Highways (HCC) | 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 subject to the following conditions: CONDITIONS: |

1. Before being brought in to use the new parking areas hereby approved shall be surfaced in porous paving or tarmacadam or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.

Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety.

INFORMATIVES:

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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

COMMENTS

This application is for Installation of six parking bays on amenity green, opposite 132 Gadebridge Road.

ANALYSIS

The application is submitted by Dacorum Council, the LPA.

ACCESS/PARKING

The application site is surrounded by residential properties and while the proposed additional parking spaces will remove a current off street parking space, it will provide 6 additional off-street parking spaces. Gadebridge Road is an unclassified local access road with a 30mph speed limit.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

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| Trees and Woodlands | No formal comments received. |
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 10 | 1 | 0 | 1 | 0 |

Neighbour Responses

| Address | Comments |
|---|--|
| 134 Gadebridge Road Hemel Hempstead HP1 3EP | <p>The installation of 6 parking spaces on the green outside 132 Gadebridge is an unnecessary action, having lived at a property in very close proximity to the green for over 14 years and despite living in a household with 2 cars it is rare not to be able to find on street parking in the close vicinity to my property. Installing the proposed parking spaces will not only significantly reduce green space that local children use to play on, both those that live in close proximity to the green but also children who go to Gade Valley school who often play on the green after school but it will also prove to be a significant health and safety risk with cars driving onto the green in an area where children play, locals walk their dogs and those who live in the houses nearby walk to access their properties, it will pose significant risk to members of the public whilst providing very little benefit as there is not currently a problem with parking for residents. The introduction of the parking spaces will also be a threat to local wildlife and domestic animals who use the green and it does little to promote a more ecological approach to transport. Whilst I fully appreciate the councils attempts to make things better for local residents the council are seeking to solve a problem that simply does not significantly exist by tearing up green land and putting at risk members of the public and particularly children by allowing cars to be driven on to the green where children play. Evidence of children playing can be seen by the fact that 2 swings have been erected from the large tree on the green and are used on a daily basis by multiple children. I wholeheartedly object to this planning application on the grounds of public safety, that it is unnecessary and it reduces valuable green space used for amongst other things children's play.</p> |