

**ITEM NUMBER: 5a**

<b>21/00585/FUL</b>	<b>Installation of 8 parking bays on amenity green</b>	
<b>Site Address:</b>	<b>Amenity Green Entrance To Deanfield, Bovingdon, Hertfordshire</b>	
<b>Applicant/Agent:</b>	<b>Joe Guiton (DBC)</b>	
<b>Case Officer:</b>	<b>Martin Stickley</b>	
<b>Parish/Ward:</b>	<b>Bovingdon Parish Council</b>	<b>Bovingdon/Flaunden/Chipperfield</b>
<b>Referral to Committee:</b>	<b>Dacorum Borough Council is the applicant</b>	

**1. RECOMMENDATION**

1.1 That planning permission be granted.

**2. SUMMARY**

2.1 The application site comprises a rectangular area of amenity land adjacent to 42 Old Dean, Bovingdon. The land has been identified as an area that could provide additional parking spaces for the local residents, alleviating on-street parking pressures. The proposal for additional parking spaces is considered sufficient to outweigh the modest visual harm to the streetscape.

**3. SITE DESCRIPTION**

3.1 The application site comprises a rectangular area of grassed amenity land at the entrance to Deanfield in Bovingdon, situated at the junction to Old Dean between Nos. 40 and 42 (Old Dean).

**4. PROPOSAL**

4.1 The application proposes eight parking bays. The application forms part of the 'Verge Hardening Project', which aims to highlight and prioritise areas of parking stress in the Borough, check the feasibility and cost effectiveness of parking schemes in those areas and ultimately obtain formal planning permission to deliver the additional parking.

**5. PLANNING HISTORY**

5.1 None.

**6. CONSTRAINTS**

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Bovingdon

Parish: Bovingdon CP

RAF Halton and Chenies Zone: Red (10.7m)

Residential Area (Town/Village): Residential Area in Town Village (Bovingdon)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

**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 (July 2021)  
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  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of the Public Realm  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Car Parking Standards (2020)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (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; and  
The impact on highway safety and car parking.

### Principle of Development

9.2 The Dacorum Borough Core Strategy 2006-2031 (Policies CS11, CS12 and CS13) seeks to ensure that development avoids large areas dominated by car parking, preserves attractive streetscapes, avoids disturbance to surrounding properties and retains important trees or replaces them with suitable species if their loss is justified. Saved Policy 57 Provision and Management of Parking in the DBLP states: (g) In areas experiencing severe on-street parking pressures, consideration will be given to the establishment of residents parking schemes.

9.3 The proposals would result in the partial loss of a grassed amenity area. It is not felt that this area has any significant landscape features. A small tree would be lost; however, a condition would be added, if approved, to ensure that a replacement tree can be provided. The area

contributes towards local amenity but the on-street parking detracts from the appearance of the area. As such, the overall visual impacts would be limited.

- 9.4 Currently, it is difficult to say whether the provision of additional off-street parking would improve the parking situation or compound it by just encouraging more vehicles to the area. However, local Councillors have identified this area as one with on-street parking pressures. A survey of the residents on Deanfield revealed that, of the seven respondents, 100% said 'yes' to extra parking bays on the amenity green. Contrastingly, the Council has received three objection letters in response to the formal application. These letters raise concerns over the following:
- Loss of privacy and noise caused by vehicles entering/exiting the proposed parking bays;
  - Loss of green space and visual impacts caused by the scheme; and
  - Requests for parking permits for Deanfield residents to avoid residents from other roads using the parking bays.
- 9.5 Regarding the loss of green space, visual impacts and impacts on residential amenity (noise and privacy), these topics will be discussed in later sections.
- 9.6 Turning to the allocation of the parking bays to Deanfield residents, the Applicant highlighted, *"unfortunately we cannot allocate bays as part of the Verge Hardening Scheme as it is funded by public money. As long as cars are taxed and insured they are legally entitled to park wherever they choose regardless if they live in the street or not."*
- 9.7 In summary, the proposal would involve the loss of amenity land but would provide eight additional parking spaces. These spaces would benefit the local community and road network. Therefore no compelling objection is raised to the principle of development.

#### Quality of Design / Impact on Visual Amenity

- 9.8 The creation of a parking area within this amenity green would result in a change to the appearance of the area through the introduction of additional hard surfacing and the loss of part of the amenity green. One small tree would be lost.
- 9.9 A similarly sized grassed area to north of the site would be retained. There are also a number of other green amenity areas within close proximity to the site, for example, the green circled by Old Dean to the northeast, which is visible from the site; or the amenity land at Hyde Meadows to the south. These areas would remain easily visible and would help retain the green, open nature of the area. Considering the retention of these areas, it is felt that the overall visual impact would be modest. Although clearly providing local amenity to the immediate residents, the amenity green is not considered of such importance within the wider locality to warrant its retention when fully weighed against the benefits of the proposal. This part of Bovingdon has far more significant areas of open space that would remain unaffected by this proposal.
- 9.10 Whilst accepting that the existing amenity green creates a pleasant outlook for adjoining residential occupiers, the area to be lost must be balanced against the benefit of providing additional parking for residents. Overall, the proposal is deemed acceptable in visual terms and would not have a significant adverse impact on the overall character or appearance of the street scene, complying with Policies CS11 and CS12.

#### Impact on Residential Amenity

- 9.11 The proposal would introduce eight new parking bays within close proximity to an existing residential property and garden (42/42A Old Dean). Two of the spaces would be situated

adjacent to the property and six would run along the garden. The amenity land and pavement that runs alongside this property is already accessible by the public. Whilst the parking bays may encourage people to use the land more frequently, it is unlikely that there would be a significant increase in overlooking or loss of privacy as a result of the proposal when considering the existing public nature of the amenity land, footpath and roadway.

- 9.12 The introduction of the parking bays is likely to increase vehicular noise within proximity to these residential units. However, there are no parking restrictions on the road and vehicles can already park on the kerb by these properties. Whilst the parking bays would encourage the use of this area and bring the noise slightly closer, it is unlikely to be excessively greater than existing conditions (e.g. vehicles passing and parking on the road). Dacorum Borough Council's Environmental and Community Protection Team were informally consulted on this application and they have raised no objection, stating that a proposal of this limited scale would not trigger the requirement for a noise impact assessment.
- 9.13 Considering the nature, scale and location of the proposals, it is not felt that the proposed parking bays would have a significant impact on residential amenity. As such, the proposal deemed acceptable under Policy CS12 and Paragraph 130 (f) of the National Planning Policy Framework.

#### Impact on Highway Safety and Parking

- 9.14 It has been confirmed by the County Council that the position and layout of the parking area would not result in significant harm to matters of highways safety as a result of the proposal. They have requested that an informative be added in relation to the works required on the highway including the extended dropped kerb and required alterations to the footway. This informative would be added if the application is approved.
- 9.15 A resident at 1 Deanfield has highlighted that whilst eight parking spaces are being provided, there would be a loss of existing kerb parking spaces. It appears that around four kerb spaces would be lost to provide eight parking bays, resulting in a net gain of approximately four spaces.

#### Drainage

- 9.16 Details of the ground soakaway have been provided and are considered acceptable to deal with surface water runoff.

#### Landscaping

- 9.17 One small tree would be removed as a result of this proposal. Dacorum's Trees and Woodlands Department (T&W) have confirmed that "The tree is of poor form with a structural defect so would be beneficial to get a replacement." They have suggested that an Ironwood tree with a girth of 12-14cm be planted. An amended drawing was received on the 13<sup>th</sup> April 2022 showing the location of the new tree on the green verge opposite. The plan also indicates the size of the proposed tree. The verge to the north is within Dacorum Borough Council's control to plant a tree and therefore, whilst outside of the application site, a condition can be used as per Section 72 of the Town and Country Planning Act to secure its planting. If this application is approved, a condition would be attached to the decision notice ensuring that a replacement tree is provided within the first planting season and replanted if it dies within a period of five years.

#### Response to Neighbour Comments

- 9.18 These points have been addressed above.

## 10. CONCLUSION

- 10.1 The principle of development is acceptable. The proposal would result in a net gain of four on-street parking spaces. The proposal would have some modest impacts on visual amenity and result in a less congested street. The proposal would provide a replacement tree to compensate for the existing, which was considered "of poor form with a structural defect." . The proposals would have a limited impact on visual and residential amenity. No concerns are raised with regards to highway safety or parking. Taking all of this into account, the proposal is considered acceptable in accordance with the aforementioned policies.

## 11. RECOMMENDATION

- 11.1 That planning permission be approved.

### Condition(s) and Reason(s):

1. **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.

2. **Within the first planting season following removal of the tree hereby authorised, a replacement tree shall be provided in accordance with the details/specifications on the Proposed Block Plan (reference: DBC/020/41, received 13<sup>th</sup> April 2022).**

**All work shall be carried out in accordance with B.S.3998:2010 "Tree Work Recommendations".**

**If within a period of five years from planting the tree 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 a tree of the same size and maturity.**

Reason: To ensure that the loss of the tree is mitigated by a replacement in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

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

**Site Location Plan  
DBC/020/41 (Proposed Block Plan) (Received 13<sup>th</sup> April 2022)**

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

### Informatives:

1. 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.

2. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
  
3. Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and 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, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

#### APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Trees & Woodlands	No comment.
Parish/Town Council	Support application.
Hertfordshire Highways (HCC)	<p>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:</p> <p>No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <ul style="list-style-type: none"> <li>- provision for a replacement tree including the location and species.</li> </ul> <p>Reason: To ensure suitable planning and development of the site in accordance with Policy 5 and 21 of Hertfordshire's Local Transport Plan (adopted 2018)</p> <p>Highway Informatives</p> <p>Hertfordshire County Council (HCC) recommends inclusion of the following highway informatives / advisory notes (AN) to ensure that any</p>

works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Construction standards for highway works: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and 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, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority 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 / Analysis

The application comprises of the construction of 8 car parking bays on amenity land at Deanfield, Bovington. None of the proposed parking spaces themselves are location on land which is considered to be highway maintainable at public expense.

#### Vehicle Access and Parking

The general design and layout of the car park (as shown on submitted drawing number DBC/020/41) is considered to be acceptable by HCC as Highway Authority. The dimension of the proposed car parking spaces is in accordance with Manual for Streets (MfS). It should be noted that the accessibility of the proposed car parking spaces may be impacted if any vehicles are parked on the north side of the carriageway, which in turn could encourage vehicles to park up on the

	<p>existing highway footway and therefore impacting on the accessibility for pedestrians. Nevertheless the additional car parking spaces themselves would have the potential benefit of removing a number of parked vehicles from the surrounding highway carriageways and footways, which affects the free and safe of use for pedestrians and cyclists.</p> <p>It would be recommended that consideration be given to allowing conversion of one of the spaces into a disabled car parking space if one is required in the future for a local resident(s).</p> <p>The proposed required dropped kerb would be need to be provided at least 1m from the relocated street lighting column and full height kerb of the parking space - the relocation of the street lighting column would need to be approved as acceptable by Ringway, which presumably is the case as proposed plan has been prepared by Ringway. The proposals would also need to not interfere with the existing telecommunications cabinet.</p> <p>Please see the above informative in relation to the works required on the highway including the creation of the extended dropped kerb and alterations to the existing footway required.</p> <p>Tree Removal</p> <p>HCC as Highway Authority would recommend that a replacement tree is provided (potentially on the amenity land opposite?) to counter the environment and biodiversity loss from the removed tree and in the interest of enhancing amenity and a sense of place.</p> <p>Conclusion</p> <p>HCC has no further objections or comments on highway grounds to the planning application, subject to the inclusion of the above condition and informatives.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
9	3	0	3	0

**Neighbour Responses**

Address	Comments
<p>42 Old Dean Bovingdon Hemel Hempstead Hertfordshire HP3 0EX</p>	<p>The council could spend their money better by putting parking where the grass verges have been churned up by vehicles parking on the verge outside flats 20/22 and all along this area up to the village. This proposal will spoil a pleasant green area beside my flat. It is just unnecessary there is adequate parking in this area in my opinion.</p>
<p>42A Old Dean Bovingdon Hemel Hempstead Hertfordshire HP3 0EX</p>	<p>Noise hazards and potential loss of privacy as cars will be driving towards my property causing light and noise issues as they reverse or drive into the bays. Potential loss of parking spaces for me and my downstairs neighbour and visitors.</p> <p>I have already had to replace the hedging as DBC cut them too low and removed all privacy to my garden. The existing conifers were planted by myself at considerable expense and I am concerned of the affect the vehicles may have on my trees, my privacy and the affect the noise will have and lights as they will shine into my property. I (and my neighbour) may also lose our parking spaces and we both suggest that two of the bays be dedicated for us as we are the most negatively affected.</p>
<p>1 Deanfield Bovingdon Hemel Hempstead Hertfordshire HP3 0EW</p>	<p>At present, five cars currently park along the curb by the proposed new parking bays and therefore these parking spaces will be redundant. The new eight bays proposed will be available to residents on the adjoining road, Old Dean and therefore parking for residence within Deanfield will be compromised and cause more parking issues than the new proposed bays in will solve. Only way to avoid this, is to make the eight bays only available to residence of Deanfield. However, a parking permit solution must be at no cost to residence.</p>