

**4/01866/16/FUL - TO INSTALL 7 PARKING BAYS ON THE AMENITY GREEN.
AMENITY GREEN , ADJ 17-21 GOLDCROFT, HEMEL HEMPSTEAD.
APPLICANT: DACORUM BOROUGH COUNCIL Resident Services.**

[Case Officer - Jason Seed]

Summary

The application is recommended for approval.

The proposed development forms part of the Council's 'The Verge Hardening Project' that has highlighted and prioritised the areas of extreme parking stress in the Borough, checked the feasibility and cost effectiveness of parking schemes in those areas, and undergone a pre-application process to determine the most appropriate areas and methods to deliver the needed additional parking.

It is evident from both the aforementioned and the Officer's site visit that there is a clear need for additional off-street parking in the area. This application provides 7 net additional parking bays and this would be achieved in a way which retains some greenery within the road. It is considered that an appropriate balance is struck between meeting the parking needs of the area and protecting the visual amenity of the neighbourhood and as such, it is considered that the application complies with Policies CS11 and CS12 of the Core Strategy.

Site Description

The amenity green which is the subject of this application is approximately 94 sqm in area and is located on the northern side of Goldcroft, Hemel Hempstead. The amenity green is situated within close proximity to the residential properties 17-25 Goldcroft which are located to the north and north-east of the proposal area. A mature Weeping Willow tree is situated to the south-west of the proposal site yet positioned within the same amenity green as the proposed parking area. The tree is not the subject of a Tree Preservation Order.

The site is not covered by any relevant planning designations.

Proposal

It is proposed to convert part of the existing amenity green into a parking area comprising 7 bays. Vehicular access is proposed to be achieved via a new vehicle crossover which is to be provided immediately adjacent to Goldcroft. The new parking bays are to be laid in bituminous macadam with a soakaway proposed to be situated within the easternmost corner of the site.

Referral to Committee

The application is referred to the Development Control Committee as the applicant is the Borough Council.

Planning History

None

Relevant Planning Policies and Guidance

National Policy Guidance

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

Adopted Core Strategy

CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 - Water Management

Saved Policies of the Dacorum Borough Local Plan

Policies 57, 59 and 116
Appendix 5 (Parking)

Summary of Representations

Contaminated Land

The site is located within the vicinity of potentially contaminative former land uses. Consequently there may be land contamination issues associated with this site. However, due to the nature of the application, a contamination investigation is not required.

Strategic Planning

On the site specific merits of the application there appears to be justification for the parking albeit with consideration of the impact on residents however thought needs to be given to whether this might set a precedent for other conversion of amenity spaces into parking areas.

Highway Authority

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 highway authority recommends the inclusion of Advisory Notes to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

Trees and Woodlands

The proposal will result in the loss of approximately 50% of the grass verge. There is a large Weeping Willow on this verge and although its Root protection Area (RPA) will

be slightly encroached by the development, the impact will be small. However, if the tree survives, its crown will be overhanging the newly constructed parking bays and there will be frequent requests to cut the branches back. The tree is also completely covering a street light and its branches are leaning on several telephone wires. I have discussed the proposal with the applicant's colleague and suggested that I would have no objections if the applicant funded the removal of the Weeping Willow and 2 replacement trees on the remaining green. He agreed.

I therefore make the following recommendations:

No objections to the loss of part of the grass verge if Housing management are in agreement. The Weeping Willow will be removed and 2 young trees (*Ligustrum lucidum* 'Variegata' 16-18 cm diameter) will be planted on the remaining green as replacement. The removal of the tree and planting of replacement trees will be funded by the applicant. The proposed parking bays on the North Eastern side only face one property, number 25. There are no other properties affected by light spillage from vehicle headlights I therefore do not recommend any barrier planting (these would be difficult to maintain adjacent to parked vehicles and footpaths).

Considerations

Policy and Principle

The proposed development would take place in an urban area of Hemel Hempstead and would therefore be acceptable in principle in accordance with Policy CS4 of the Core Strategy.

This application is the subject of a two year process ('The Verge Hardening Project') that has highlighted and prioritised the areas of extreme parking stress in the Borough, checked the feasibility and cost effectiveness of parking schemes in those areas, and undergone a pre-application process to determine the most appropriate areas and methods to deliver the needed additional parking.

In accordance with policies CS11, 12 and 13, any scheme is expected, inter alia, to integrate with the streetscape character, preserve and enhance green gateways, avoid large areas dominated by parking, retain important trees or replace with suitable species if their loss is justified, avoid harm to neighbouring residential amenities and not compromise highway safety.

Furthermore saved Policy 116 of the DBLP seeks the protection of open land in towns from inappropriate development. In particular, the location, scale and use of the new development must be well related to the character of existing development, its use and its open land setting, while the integrity and future of the wider area of open land in which the new development is set must not be compromised.

Saved Appendix 5 of the DBLP states that "achievement of parking provision at the expense of the environment and good design will not be acceptable. Large unbroken expanses of parking are undesirable. All parking must be adequately screened and landscaped".

Impact on Street Scene

The creation of 7 parking spaces within this amenity green would result in a change to the appearance of the area through the introduction of additional hard surfacing and the reduction in the size of the amenity green, in addition to the loss of an existing mature tree.

However, there are several factors which should be noted:

- An area of amenity green to the frontage would remain and the proposal will result in the introduction of two new trees on the remaining green. This will ensure that the visual impact of the proposal when experienced from Goldcroft is minimised;
- Sustainable drainage will be incorporated;
- Although clearly providing a local amenity to the immediate area of Goldcroft, it is not considered that the amenity green is of such importance within the wider locality to warrant its retention in full when weighed against the benefits of the proposal. This view has been reached for two reasons. Firstly, the proposal area is already used informally for parking due to parking pressure within the immediate area. The formalising of this parking area will not result in any greater harm arising than the current situation which also risks increased damage to the grass and resultant adverse impact within the street scene. Secondly, whilst the loss of the existing tree is noted, the tree is completely covering a street light and its branches are leaning on several telephone wires. The proposal would remedy these problems and as such, is considered to provide a positive benefit in this respect, and the two new trees will assist with mitigating the visual impact of the proposal.
- Whilst accepting that the existing amenity green creates a pleasant outlook for adjoining residential occupiers, this must be balanced against the benefit of providing additional parking for residents, with an associated reduction in on-street parking and congestion, and an improvement in visibility, safety, manoeuvrability and access, as well as the general appearance of the street scene.

Impact on Trees and Landscaping

As previously discussed, there is a mature Weeping Willow tree within close proximity to the site's boundary which could be affected or potentially affected by the proposals. Policy CS12 and saved Policy 99 seek to retain trees in new development or replace them with suitable species if their loss is justified under Policy CS12 and saved Policy 100.

The Trees and Woodlands Officer has been consulted on the application and has stated that the Root protection Area (RPA) of the Weeping Willow will be slightly encroached by the development. They further state that they have no objection to the loss of part of the grass verge or the existing Weeping Willow provided that it is replaced by 2 young trees (*Ligustrum lucidum* 'Variegata' of 16-18 cm diameter).

The Tree Officer also states that they had discussed the proposal with a member of the Project Team and suggested that they would have no objections to the application if the applicant funded the removal of the Weeping Willow and 2 replacement trees on the remaining green, and states that the member of the Project Team has agreed to these measures.

It should be noted that the land outside of the application site where the tree is situated is within the same ownership as the application site (Dacorum Borough Council).

Furthermore, the Weeping Willow tree is not protected and could be removed without the need for any consent. Taking all of these circumstances into consideration, it is considered that matters in respect of existing and replacement trees do not require any further consideration under this application and can be addressed by the relevant aforementioned parties.

Impact on Highway Safety

The Highway Authority have been consulted on the application and have raised no objection and have recommended a number of informatives to be placed upon the decision notice in respect of construction standards, storage of materials, obstruction of the highway and road deposits.

Impact on Neighbours

The Council's Environmental Health Officer has been consulted on the application and has stated that they do not consider that the potential impacts regarding light intrusion are significant enough to warrant the requirement of specific mitigation measures as part of the development. The Council's records were consulted and it was found that there have been no record of any complaints received relating to light intrusion from the informal use of the parking area to date, although it acknowledged by this Officer that the proposed parking space orientation is not identical to that which is currently evident.

It is noted that in advance of the submission of this application, the Council consulted with local residents during January 2016 about the proposed development and it was fully supported within the responses provided by the occupants of Nos. 15, 18, 21, 22, 24, and 30 Goldcroft.

Furthermore, with regards to this planning application, all of the properties which are situated within close proximity to the site were consulted in writing, in addition to a site notice being placed adjacent to the site. No objections have been received by any of those who were consulted.

As such, it is considered that the proposal will not result in an unacceptable impact upon neighbouring properties.

Sustainability

Sustainable drainage in the form of a soakaway is proposed within the easternmost corner of the site.

Under Policy CS29 and Para. 18.22 of the Core Strategy, completion of a sustainability statement online via C-Plan is a normal requirement. Whilst no statement has been submitted, given the nature of the development it is not considered that much further value would be added from the submission of such a statement in this case.

Conclusions

The proposed parking spaces would provide much needed local parking which has the support of the local community and would be achieved in a way that would not

significantly compromise the visual amenity of the area. As such, the proposal is considered to comply with the relevant planning policy environment as detailed within the report.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

DBC/015/017 Rev B

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

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings and application forms:**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.

ARTICLE 35 STATEMENT

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

Construction standards for new/amended vehicle access: 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 and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Mud on highway (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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.