

**4/02407/16/FUL - EXTENSION OF EXISTING PARKING WITH 4 ADDITIONAL BAYS ON AMENITY GREEN.  
AMENITY LAND, HETCHLEYS, HEMEL HEMPSTEAD.  
APPLICANT: Resident Services.**

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[Case Officer - Matt Heron]

### **Summary**

The applicant has shown that there is considerable local support for the loss of this amenity space for parking provision and has therefore demonstrated that the open space is surplus to local requirements, in accordance with national policy.

As such, as not all of the existing amenity space would be lost, there is access to other open spaces within the surrounding area and as the proposal would not significantly disrupt the wider Green Infrastructure Network, it is considered that the loss of the area of amenity land would not significantly harm the health and well-being of the local community. The principle of the development is therefore acceptable.

The proposal has also been assessed in terms of its impacts on the character of the area, the living conditions of the occupants of neighbouring properties, highways and parking matters and on other relevant material planning considerations. It has been concluded that the proposal is acceptable in terms of the above and is therefore in accordance with identified local and national policy in this regard.

### **Site Description**

The application site is located within a residential area of Hemel Hempstead. The site forms part of an area of open amenity space which, at present, is partly covered by hardstanding for a number of existing parking bays.

The site is enclosed by single storey and two storey residential units to north, east and west and is accessed from the south.

### **Proposal**

The application seeks permission for the extension of the existing parking bays to create four additional bays. The hardstanding to facilitate this would be constructed of block pavements (Hanson Aqua Flow Blocks) to match the existing hardstanding.

### **Referral to Committee**

The application is referred to the Development Control Committee as Dacorum Borough Council has an interest in land at the application site.

### **Relevant History**

None relevant.

### **Policies**

## National Policy Guidance

National Planning Policy Framework (the Framework)

## Adopted Core Strategy

NP1 – Supporting Development  
CS1 – Distribution of Development  
CS4 – The Towns and Large Villages  
CS8 – Sustainable Transport  
CS9 – Management of Roads  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS29 – Sustainable Design and Construction  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS31 - Water Management  
CS32 – Air, Soil and Water Quality

## Saved Policies of the Dacorum Borough Local Plan

Policy 10 – Optimising the use of Urban Land  
Policy 57 – Provision and Management of Parking  
Policy 58 – Private Parking Provision  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 116 – Open Land in Towns and Large Villages  
Appendix 5 – Parking Provision

## **Summary of Representations**

### **Comments received from consultees:**

**Hertfordshire County Council Transport, Programmes and Strategy** – No objection.

### **Comments received from local residents:**

None received.

### **Key Considerations:**

The main planning considerations in the determination of this application are:

1. The principle of the development
2. The quality of the design and the impact on the character of the area
3. The potential impact on the living conditions of the occupants of surrounding neighbouring dwellings

4. Highways and parking
5. Other Material Planning Considerations
  - (i) Flooding and Drainage

### **1. The principle of the development**

Saved Local Plan Policy 116 states that open land forming part of the urban structure will be protected from inappropriate development and that changes of use of such land must ensure that developments; relate well to the character of existing development, not compromise the future of the wider area of open land in which the development is set, do not harm the character of the area and result in an environmental improvement to the site.

In addition to the above, Policies CS25 and CS26 seek to ensure proposals preserve or improve landscape features and that the Green Infrastructure Network is protected, extended and enhanced. Notwithstanding this, Policy CS26 does state that development of open space can aid in contributing to a greater range of uses for urban green spaces.

The above mentioned local policies are broadly consistent with Section 8 of the Framework, as Paragraph 73 recognises that access to high quality open spaces can make an important contribution to the health and well-being of communities. Furthermore, Paragraph 74 states that existing open space should not be built on unless a number of criteria are demonstrated. One such criteria is that an assessment has been undertaken which clearly shows that the open space is surplus to requirements.

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.

The applicant has also submitted consultation responses received as a result of the Verge Hardening Project from surrounding neighbouring properties. This demonstrates large scale support for this development within the local community.

Taking all of the above into account, though it is acknowledged that the application site does provide a visual break from more intensive built urban form, it is considered that the applicant, through conducting a full consultation process which shows considerable support for the loss of this amenity space for parking provision, has clearly demonstrated that the open space is surplus to local requirements, in accordance with national policy.

As such, as not all of the existing amenity space would be lost, there is access to other open spaces within the surrounding area and as the proposal would not significantly disrupt the wider Green Infrastructure Network, it is considered that the loss of the area of amenity land would not significantly harm the health and well-being of the local community. Subject to the proposal being acceptable with regards to other relevant material planning considerations (see discussion below) there is no compelling objection to the principle of development.

## **2. The quality of the design and the impact on the character of the area**

Core Strategy Policies CS11 and CS12 state that development within settlements should respect the typical density in the area and integrate with the streetscape character. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

Furthermore, saved Appendix 5 of the Local Plan 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"*.

Though it is acknowledged that the application site provides a visual break from surrounding built form, the proposed parking spaces are limited in scale and when considered in conjunction with the existing parking bays would not result in a large, unbroken, expanse of hardstanding. As such, and given that the hardstanding would be constructed of Hansen Aqua Flow Blocks to match the colour and texture of the existing hardstanding, it is considered that the form and layout of the proposed spaces would not result in significant harm to the overall character of the area to the extent that would warrant a refusal of permission.

Turning to landscaping, it is also noted that the proposal would result in the loss of established vegetation at the site. However, on discussion with Dacorum Trees and Woodland Department, it is not considered that this vegetation is of significant amenity value to protect. Taking this into account, and as the applicant may remove this existing vegetation without consent from the Local Authority, it is considered that the proposal would be acceptable in this regard.

Having regard to all of the above, the proposal would, on balance, be visually acceptable. As such, the proposal complies with identified local and national policy in this regard.

## **3. The potential impact on the living conditions of the occupants of surrounding neighbouring dwellings**

Policy CS12 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

Given the build, form and nature of the proposal, the development would not result in significant harm to the living conditions of the occupants of neighbouring units, in terms of overbearing, overlooking and loss of light.

Turning to noise and disturbance, it is acknowledged that the development would result in increased vehicular movements to and from the application site. However, given the scale of the proposal and the residential context in which the development would be located, it is not considered that the proposal would result in significant and demonstrable harm to living conditions in this regard.

Taking all of the above into account, the proposal would not significantly harm the living conditions of the occupants of surrounding residential units, in terms of overbearing, overlooking, loss of light and noise and disturbance. The proposal therefore complies with relevant local policy and national policy in this regard.

#### **4. Highways and parking**

Policy CS12 seeks to ensure developments have sufficient parking provision. Paragraph 39 of the Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Saved Policies CS8, 57 and 58 (and associated Appendix 5) of the Local Plan promote an assessment based upon maximum parking standards. This is not consistent with Policy CS12 and the Framework and, accordingly, more weight is given to the 'case by case' approach to parking provision prescribed in national policy and CS12

The proposed development would result in the provision of four parking bays. In an area with recognised historic on-street parking problems, this would help alleviate existing on-street parking pressures. This weighs significantly in favour of the proposal.

Turning to highway safety, Hertfordshire County Council Transport, Programmes and Strategy (HCCTPS) have been consulted and consider that the development would not prejudice vehicular or pedestrian safety. As such, subject to the inclusion of relevant informatives, the proposal is considered acceptable in this regard.

#### **6. Other Material Planning Considerations**

##### *(i) Flooding and Drainage*

Policy CS31 seeks to minimise the risk of flooding. The application site is not located within Flood Zones 2 or 3 – indicating a low probability of flooding. Furthermore, the applicant has submitted details of the proposed block paving which demonstrates that water would permeate through the hardstanding.

Taking this into account, and given the scale and nature of the proposal, it is not considered that the proposal would be susceptible to flooding or increase the overall risk of flooding in the area. As such, the development is considered acceptable in this regard.

#### **Conclusion**

The applicant has demonstrated that there is considerable local support for the loss of this amenity space for parking provision, and has therefore demonstrated that the open space is surplus to local requirements, in accordance with national policy.

As such, as not all of the existing amenity space would be lost, there is access to other open spaces within the surrounding area and as the proposal would not significantly disrupt the wider Green Infrastructure Network, it is considered that the loss of the area of amenity land would not significantly harm the health and well-being of the local community.

The proposal has also been assessed in terms of its impacts on the character of the area, the

living conditions of the occupants of neighbouring properties, highways and parking matters and on other relevant material planning considerations. It has been concluded that the proposal is acceptable in terms of the above and is therefore in accordance with identified local and national policy.

**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 not be carried out other than in accordance with the following approved plans/documents: DBC/016/20 & e-mail dated 27 October 2016 confirming use and details of Hansen Aqua Blocks to match the existing hardstanding.**

Reason: For the avoidance of doubt, in the interests of proper planning, to ensure a satisfactory design and to ensure that the proposal is acceptable in terms of flooding and drainage, in accordance with Policies CS11, CS12 and CS31 of the Dacorum Core Strategy 2013.

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) Order 2015.

**Informative:**

1. 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.
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.