

4/01843/15/FUL - CHANGE OF USE OF AMENITY GREEN TO CREATE 12 PARKING SPACES..

AMENITY GREEN, SOMERIES ROAD, HEMEL HEMPSTEAD, HP1 3PH.

APPLICANT: Resident Services.

[Case Officer - Andrew Parrish]

Summary

The application is recommended for approval.

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 application site is considered a priority in this Project. There is a clear need for additional off-street parking in the area. This application provides 10 net additional parking bays and this would be achieved in a way that maintains the most important amenity greens in the locality and maintains some greenery to 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. The application therefore complies with Policies CS11 and CS12 of the Core Strategy.

Site Description

The amenity green the subject of this application is located off Someries Road in the Warners End area of Hemel Hempstead. It extends to some 0.02 ha and comprises a grassed area and three semi-mature trees with perimeter footpath access to the dwellings either side. Someries Road comprises an area of terraced dwellings with limited off-street parking to some of the dwellings. The amenity green concerned is fronted by 2 storey terraced properties that step down the valley side towards the public open space at Warners End Valley. Someries Road is relatively narrow with on street parking, including 4 informal spaces for parking in front of the amenity green.

Proposal

It is proposed to convert part of the existing amenity green into a parking area comprising 12 bays. The existing disabled bay on the frontage would be relocated to one of these new bays. Vehicular access would be provided on the eastern side with two existing trees removed. One tree would be retained on the frontage, and the applicant has agreed to provision of replacement trees on the adjoining open space after seeking advice from the Tree Officer over the size and species etc. The new parking bays would be laid in dense bituminous macadam with sustainable drainage introduced at the bottom into a soakaway on the field.

Referral to Committee

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

Planning History

None relevant to this site.

Policies

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
CS10 - Quality of Settlement Design
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
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 13, 57, 59 and 116
Appendix 5

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area HCA 3: Warners End
Water Conservation & Sustainable Drainage (June 2005)
Accessibility Zones for the Application of Car Parking Standards (July 2002)

Summary of Representations

Hertfordshire Highways (in summary)

Whilst the highway authority does not object in principle to the construction of these off street car parking spaces (on amenity land) any works on the highway to enable vehicular access to these proposed works will be subject to a legal section 278 agreement as per the informative below. The submitted plan shows that there are three trees on the green. The highway authority assumes that these three trees will be removed to enable efficient access and manoeuvrability to all of the parking spaces.

Trees and Woodlands

Its not difficult to see why there is a clamour for extra parking spaces in this part of

Hemel, the original design was made at a time when car ownership was not the norm that it is today.

The trees, incorrectly plotted and only 2 of 3 shown are unremarkable.

However as a champion of greenspace, I don't support converting a green with trees into a car park. Apart from the loss of green space it sets a precedent for other greens in the area, of which there are quite a few.

Scientific Officer

Due to the nature of the application, I have no comments to make in respect of contamination.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

26 Someries Road - note from the plan that the 12 bays are being constructed on the opposite side to us on the green. We would really like to get the assurance that we will be able to drop our kerb to allow us to put a driveway in. The frontage to our property will allow a double drive and the ability to get our two cars off the road this alleviating the parking pressure further on the green.

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. The application site is considered a priority in this Project.

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.

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*".

The application site is located within the residential area of Warners End (HCA3). In this area proposals for built development on areas of amenity land or for their enclosure within private domestic curtilages will not normally be permitted unless it can be demonstrated that the loss of that land will not unduly harm the character of the area. It goes on to say that the use of parts of areas of amenity land for car parking may be acceptable if the resulting visual impact does not adversely affect the character and appearance of the area and established landscaping.

Impact on Street Scene / Character of Area

The creation of twelve 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 and the loss of two existing mature trees.

However, there are several factors that should be noted:

- The proposal has been the subject of pre-application discussions with the applicants wherein it was advised that this amenity green would be preferable to convert to parking than the next one along to the west which would involve the removal of a greater number of visually more important trees to the street scene.
- A small area of amenity green to the frontage would remain and the existing tree therein will be retained. This will ensure that the view from Someries Road is softened whilst helping to break up and landscape the car park.
- Sustainable drainage will be incorporated.
- Although clearly providing a local amenity to the immediate area of Someries Road, it is not considered that the amenity green is of such importance within the wider locality to warrant its retention in full. This view has been reached for two reasons. Firstly, the area in front of the amenity green within the highway is already used as a parking area by up to four cars and, given the downward slope of the land towards Galley Fields, the green is not generally perceptible in the street scene due to these cars. Therefore the extension of this parking area further into the green will not be prominent in the local street scene. Secondly, whilst the loss of two trees is noted, these are relatively small compared to those within the amenity green further along, but in any event will be replaced by at least two trees within the adjoining field (Warners End Valley) which will help compensate for their visual loss.
- 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.

On balance, it is considered that the proposal as submitted represents the most appropriate way of achieving the parking spaces that are in short supply in this locality. In addition it is considered that the provision of these spaces would not unduly harm the character and appearance of the area and as such the proposals comply with Policies CS10, 11, 12 and 13 of the Core Strategy and saved Policy 116 and HCA3 of the Local Plan.

Impact on Trees and Landscaping

There are three semi-mature trees within the site that would 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 Tree Officer has advised that the trees are unremarkable.

The proposal will directly affect 2 of the existing trees, shown indicatively on the plan, through their removal. The loss of existing trees is always regrettable but needs to be balanced against the need for additional parking in this case. A condition is recommended with regards to the details of replacement tree planting.

The third tree (not shown) towards the Someries Road frontage would be retained within a grassed island, which is welcomed. Tree protection measures would be appropriate during construction works to ensure that damage does not occur to the tree and this can be secured by a condition. An amended plan has been requested to show this tree retained for the avoidance of doubt and an update will be given at the meeting.

Impact on Highway Safety

The Highway Authority has raised no objection subject to an informative regarding works within the highway needing to be subject to a s278 agreement under the Highways Act.

Impact on Neighbours

Other than the visual change, there would be no direct impact on the amenity of neighbours.

The proposals would accord with Policy CS12.

One neighbour has written to query whether she will be able to gain permission for an access for off-street parking within her front garden.

Provision of an access would potentially require planning permission as it would involve an access across private (DBC) land. We have advised that there may be an opportunity to create an access subject to details, i.e. provided some element of landscaping is included to help break up any hard surface area, and to prevent an undesirable precedent for excessive hard surfacing at building frontages in this immediate area.

Sustainability

Sustainable drainage in the form of a drainage channel discharging into the adjacent grass verge is proposed to offset the increase in runoff from the site. The details are considered acceptable.

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 and, subject to details of replacement tree planting and protective fencing, would be achieved in a way that would not significantly compromise the visual amenity of the area.

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 No development shall take place, unless otherwise approved in writing by the local planning authority, until trees have been planted on the adjoining field (Warners End Valley, north of Galley Hill) in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. These details shall include:**

- (d) scale plan showing the proposed siting of the trees;**
- (a) provision of a minimum of two container grown trees;**
- (b) details of size, which shall be a minimum circumference of 16-18 cm;**
- (c) details of species.**
- (e) programme for planting.**

If within a period of five years from the date of the planting of any tree, that tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: In compensation for the loss of part of the amenity green and trees and to safeguard the visual character of the immediate area in accordance with saved Policy 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.

- 3 The existing tree shown on the approved plan to be retained shall be protected by fencing in accordance with details on a scale plan which shall first have been submitted to and approved in writing by the local planning authority. The approved fencing shall be erected before the commencement of development and shall be retained in position during the whole period of site excavation and construction. No materials, plant, soil or spoil shall be stored within the approved area of**

protection.

Reason: In the interests of the health and survival of the tree and to safeguard the visual character of the immediate area in accordance with Policies CS12 and CS13 of the Dacorum Core Strategy (September 2013) and Policy 99 and 100 of the Dacorum Borough Local Plan 1991-2011.

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

Location Plan

DBC/014/013 received 30/06/15

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

Article 31 Statement:

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the pre-application stage and determination process which led 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 2012.