

Meeting: Planning and Development Committee
Agenda Item:

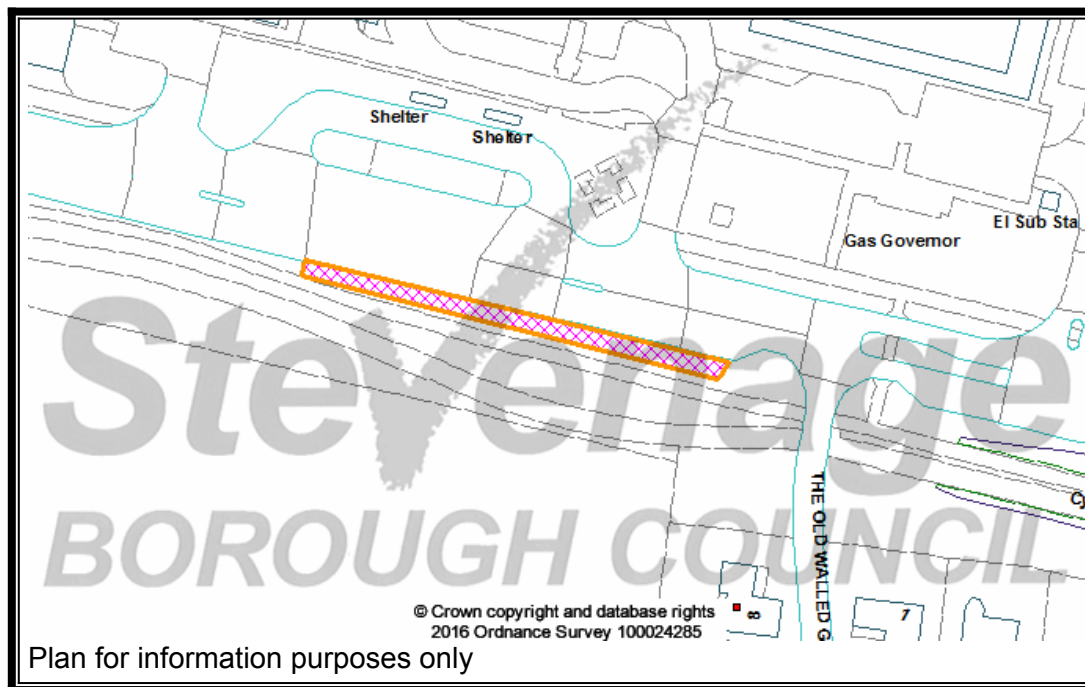
Date: 14 August 2018

Author: Dave Rusling 01438 242270

Lead Officer: Chris Berry 01438 242257

Contact Officer: Dave Rusling 01438 242270

Application No:	18/00305/FP
Location:	Coreys Mill Lane, Stevenage
Proposal:	Conversion of existing parking lay-bys and amenity land into end on parking bays with additional footpaths adjacent to the Kerbs.
Drawing Nos.:	Proposed location plan, R/153/1 and R/153/3
Applicant:	Mr Steve Bentley
Date Valid:	3 July 2018
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises an area of on-street parking and associated grassed verge located on the southern side of Coreys Mill Lane. The area in question is located immediately to the west of the access onto The Old Walled Garden and extends further west for a length of approximately 75m. It has a width of between 8m at its eastern end and 5.4m at its western

end. The area in question is located opposite the bus interchange and the Taxi Rank serving the Lister Hospital.

- 1.2 As indicated above, the land comprises existing on-street parking, comprising of 12 pay and display spaces which are located parallel with the highway and would utilise some of the adjoining grass verge, which contains a mature tree and a further group of three trees. A footpath is located to the south of the application site and it is not intended to alter this as part of these proposals.

2. RELEVANT PLANNING HISTORY

- 2.1 There is no relevant planning history associated with the site.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission to re-configure the existing parking bays utilising some of the adjoining amenity land/grassed verge in order to turn the spaces through 90 degrees. This will enable the number of spaces to be increased from 12 to 24. The area of soft landscaping in question would amount to approximately 270 sqm and would involve the removal of a group of three trees located within it. However, it is proposed to retain the other tree and protect with a built out kerb arrangement. The spaces will be retained as pay and display spaces and any existing parking meters or highway furniture would be relocated as part of the development.
- 3.2 The application comes before the planning committee for determination as the applicant is Stevenage Borough Council and the works are proposed on behalf of the Council by the Engineering Services Section.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to adjoining premises and a site notice was displayed on a nearby lamp post. One response has been received from the occupier of 34 Whitney Drive making the following comment:- .

“This is a busy road that is often blocked one way with people trying to park side on in the existing parking. To park end on, you will need to swing round a lot wider and this will block both sides of the road. This is an accident waiting to happen. Parking should be encouraged in the hospital parking, not on a busy road. This is just another council money making operation that will inconvenience everyone who uses this road”.

5. CONSULTATIONS

5.1 Hertfordshire County Council - Highways

- 5.1.1 Hertfordshire County Council as highway authority strongly object to the proposals. By provision of additional car parking the scheme significantly undermines the objectives of the newly adopted Hertfordshire Local Transport Plan 4 which aims to promote sustainable modes of travel over the use of a private car.

5.2 SBC Parks and Amenities Section

- 5.2.1 We have studied the above application for additional parking spaces on Coreys Mill Lane and have no major concerns. Request that no areas of grass immediately about the car parking spaces and that no small pocket of grass is left which might cause maintenance issues.
- 5.2.2 The Council's Arboriculturist has assessed the trees to be lost and comments that there are three trees in this group. The nearest one to the curb is a multistem poor condition Ash tree of limited value. However, the other two trees are mature Field Maples of good overall condition and conservation value. Although not one of the highest amenity value trees in this area, the two Field Maple trees are likely the reminisce of an ancient hedgerow and their retention would be desirable.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits, however, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to

relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.3 Adopted Local Plan

TW2 Structural Open Space
TW8 Environmental Safeguards
TW9 Quality in Design
T6 Design Standards
T15 Car Parking Strategy
EN13 Trees in New Developments

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

GD1 High Quality Design.
NH6 General Protection for Open Space.
SP8 Good Design
IT5 Parking and Access
IT8 Public Parking Provision
NH5 Trees and Woodlands
GD1 High Quality Design

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide 2009.

7 APPRAISAL

7.1 The main issues for consideration in the determination of this application are the impact of the loss of this area of amenity land on the character and appearance of the area and the acceptability of the new parking in highway safety terms.

7.2 Impact upon the Character and Appearance of the Area

7.2.1 The application site forms highway land as well as a small area of landscaped open space as defined by policy TW2 of the Local Plan. Policy TW2 states that development proposals which have an unacceptable adverse impact on structural open spaces of the town will not be permitted. The criteria used in assessing the impact that a development proposal may have are a) the size, form, function and character of the structural open space affected by the development proposal; and b) the impact of the development proposal on the structural open space.

7.2.2 Furthermore, the new emerging Local Plan Policy NH6 for general protection of open space states that the loss of unallocated open space should have regard to the quality and accessibility of the open space, whether the open space is serving its function and purpose, and whether alternate space(s) would remain available for community use.

7.2.3 The proposal involves the loss of a relatively small area of land and due to its location and limited size it is not conducive to being used as recreational open space by nearby residents. The proposal would result in the loss of a group of three trees currently within the amenity land. Following consultation with the Council's Arboriculturist, whilst no objection has been raised to the loss of one of the trees, the retention of the others would be desirable. However, if the trees are to be removed the Arboriculturist has requested the replacement of two trees to

be planted in the vicinity of the application site on Council owned land. This could be covered by the imposition of a suitably worded condition.

- 7.2.4 As only a modest area of the overall landscaped space would be lost, it is not considered that the loss of this small area of open space/amenity land would harm the character or appearance of the area but would, in fact, facilitate the provision of additional parking, which would help to alleviate the existing parking problems in the area. Furthermore, as the land is currently not used for any particular purpose, it is considered that the proposal would not harm the form or function of the open land, nor that it needs to be re-provided. Finally, it is proposed to retain a second mature tree, which is arguably the most attractive specimen within the open space which will be protected by the construction of a kerb build-out. Furthermore, it is proposed to replace the trees to be lost as part on the development.
- 7.2.5 Having regard to the above, whilst it is clear that the creation of additional car parking in lieu of the open space and the removal of the 3 trees would alter the character and appearance of the area, the works would be seen as an extension of the on street parking. Furthermore, in accordance with policy IT8 of the Emerging Local Plan, the proposal will create additional public off street parking provision in an area where there are currently severe parking problems. Finally, the use of tarmac to create the parking area and associated footpaths would complement the existing hard surface finish in the area.

7.3 Highway Safety implications

- 7.3.1 With regard to access and highway safety, the proposal involves works to Council owned land. The County Council as Highway Authority have been consulted on the application and have raised no objection to the proposal in terms of highway safety caused by the re-configuring of the car parking. However, they have raised an objection on sustainability grounds citing that the provision of additional car parking significantly undermines the objectives of the newly adopted Hertfordshire Local Transport Plan 4 (LTP4) which aims to promote sustainable modes of travel over the use of a private car.
- 7.3.2 The comments of the Highway Authority have been referred to the Council's Engineering Section, who is promoting the application. In response, they have they have confirmed that whilst they support the LTP4's objectives regarding limiting parking provision in principle, it is felt that the Hospital site is a special case due to the under-provision of on-site parking, the growing public demand and the high number of disabled visitors to the site who are dependent on travel by car. They also comment that pay and display charges were introduced to successfully limit demand for parking in Corey's Mill Lane. However, with increasing numbers of visitors to the expanding hospital it is felt that whilst there is a choice between raising charges to keep traffic flowing or increasing capacity. The latter is more preferred.
- 7.3.3 To conclude on this issue, whilst the comments of HCC as Highway Authority are noted, in this particular instance it is considered that the additional parking provision to help address an acute parking need in this location is considered acceptable.

8 CONCLUSIONS

- 8.1 The works to create the additional parking facilities is not considered to harm the form and function of the structural open space or be detrimental to the character and appearance of the area. Furthermore, the works would not cause any detriment to highway safety. Finally, whilst the comments of HCC regarding the need to move away from the dependence on the private car are noted, given the circumstances of the application as set out above and the acute need for additional car parking, it is recommended that planning permission be granted.

9 RECOMMENDATIONS

9.1 Planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed location plan, R/153/1 and R/153/3
REASON: - For the avoidance of doubt and in the interest of proper planning.
2. 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 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. The materials to be used in the construction of the new parking spaces and footpath areas hereby permitted shall be as specified on the drawings and application details forming part of this application.
REASON:- To ensure the development has an acceptable appearance.
4. Prior to the first use of the parking spaces hereby permitted, details shall be submitted to and agreed in writing by the Local Planning Authority of the replacement trees and their locations in order to offset the loss of the existing trees at the site. The replacement planting shall be undertaken as agreed in the first available planting season following the completion of the works.
REASON:- To ensure a satisfactory appearance for the development.
5. If within a period of five years from the completion of the development the replacement landscaping and trees die, are removed or become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
6. No removal of trees shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.
REASON: It is an offence under Part I, section 1(1) of the Wildlife and Countryside Act 1981 (as amended) to damage or destroy the nest of any wild bird whilst that nest is in use or being built.

Pro-active 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 National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012. Stevenage Design Guide 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.

5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Practice Guidance March 2014.