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Sally Vallance

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PLANNING
DEPARTMENT
15 JUN 2011
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Dear Councillor

S6/2011/0413/FP – The Highway Authority Response

We wish to bring to your attention the fact that the Lambs Close Leaseholders' Association does not accept the advice given to Welwyn Hatfield Borough Council by the Highway Authority pertaining to planning application S6/2011/0413/FP because it focuses primarily on the proposed new development traffic rather than a vital component of this planning application which is the permanent impact on the local road network following a decrease of 65% (37 – 24) of the on-site car parking provision for residents of the existing development of 71 dwellings.

Please find attached our full comments in relation to the highway authority's advice in preparation for this Thursday's meeting.

Regards

Hilary Birch

Chairman

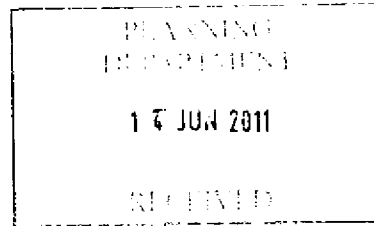
Lambs Close Leaseholders' Association



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LJR

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Part 1
Item No. 8

LAMBS CLOSE LEASEHOLDERS' ASSOCIATION
PLANNING CONTROL COMMITTEE MEETING – 16 JUNE 2011
COMMENTS REGARDING THE HIGHWAY AUTHORITY RESPONSE TO WELWYN
HATFIELD BOROUGH COUNCIL

S6/2011/0413/FP

Land adjacent to Flats 37 - 48 Lambs Close, Cuffley, Hertfordshire EN6 4HD

Change of use of land from parking, including demolition of 11 existing garages (other than rear walls) and removal of existing hard standing (13 open parking spaces), and erection of a pair of semi detached dwellings with associated parking.

(Northaw and Cuffley)

1 Introduction

- 1.1 The Lambs Close Leaseholders' Association does not accept the advice given to Welwyn Hatfield Borough Council (WHBC) by the Highway Authority pertaining to planning application S6/2011/0413/FP because it focuses primarily on the proposed new development traffic rather than a **vital component of this planning application** which is the permanent impact on the local road network following a decrease of 65% (37 – 24) of the on-site car parking provision for residents of the existing development of 71 dwellings.
- 1.2 The Highway Authority response is as follows:

"The site was originally garages and parking spaces associated with the existing residential accommodation in Lambs Close, however I understand from the Planning Authority that this site has been fenced off since 2008 and has not been used for parking since that time. Parking is a matter for the LPA and they will determine whether the loss of this site for parking is relevant to this application. I acknowledge the concerns of the residents association regarding the permanent loss of this site for parking; however the concern of the Highway Authority is whether the proposed development will have a significant detrimental impact on highway safety and free flow.

The proposal provides 4 parking spaces for the two dwellings and there is adequate turning space within the site for vehicles from the development to enter and leave Lambs Close in a forward gear. The appropriate quantity of parking spaces has been provided and therefore the proposal should not lead to an increased demand for on street parking. If permission is granted it may be appropriate for the LPA to add a condition which would prevent the occupiers of the proposed dwellings applying for residents parking permits.

The additional traffic movements from two new dwellings in a cul-de-sac containing 71 dwellings are not considered a significant increase in traffic movements. If the land were to be re-used as parking for the flats it is unlikely to reduce the traffic movements in Lambs Close as vehicles would access Lambs Close for both the on and off street parking."

2 Discussion

- 2.1 The Highway Authority response (paragraph 2) in relation to whether or not the proposed development would lead to an increased demand for on street parking is based only on the fact that there would be sufficient on-site parking provided for the proposed two dwellings. It does **NOT** take in to account the permanent loss of parking that would arise as a consequence of allowing this planning application nor the impact of that loss in relation to on street parking pressure.
- 2.2 The proposed development of two houses would undoubtedly lead to an increased demand for on street parking because it would result in the permanent loss of 24 on-site car parking spaces that represent the main on-site parking provision for residents of 71 existing flats.
- 2.3 The loss of 65% of the existing on-site parking provision would significantly increase pressure for on street car parking. To make matters worse there is not enough on street parking spaces in Lambs Close to accommodate the overspill of parking from the application site, namely 45 on street parking spaces to serve a total of 79 dwellings (71 flats in Lambs Close and 8 maisonettes in Station Road). This equates to just **0.56** (45/79) on street spaces per dwelling. A further problem arises because apart from two hours in the middle of the day (11am – 1pm) Monday to Friday the on street spaces are available to, and very well used by, the general public because Lambs Close is adjacent to the high street (Station Road) shops, restaurants and other amenities.
- 2.4 The insufficient level of on-site and on street parking in Lambs Close results in people having to drive around the local road network seeking vacant on street parking spaces in other residential streets and subsequently causing congestion in those streets. This is explored further below.
- 2.5 On street parking spaces are at a premium in both Lambs Close and surrounding residential streets and existing residents cannot therefore rely on finding a vacant on street parking space. It is only the on-site parking spaces upon which residents

can rely. This approach is consistent with the advice at paragraph 4.1 of the WHBC Supplementary Planning Guidance Parking Standards (Adopted January 2004) that states:

"Residential development will generally be expected to accommodate all parking demand on site".

- 2.6 The permanent loss of 24 on-site car parking spaces would leave just **0.18 (13/71)** on-site parking spaces per dwelling. Even with retention of the 24 on-site parking spaces located within the application site there will still only be 37 on-site spaces to serve 71 flats.
- 2.7 The development proposal would decrease by **30% (82 – 58)** the overall on-site and on street parking provision for existing residents leaving just 58 car parking spaces (13 on-site and 45 on street) to serve a total of 79 existing dwellings (71 flats and 8 maisonettes). This equates to only **0.73 (58/79)** parking spaces per dwelling.
- 2.8 The severe under-provision of both on-site and on street car parking spaces in Lambs Close means that there is increased displacement parking thus unreasonably extending the number of car trips on the local road network caused by the search for vacant car parking spaces.
- 2.9 Clearly the recent use of the application site for car parking purposes has not been in the control of residents since a locked gate was erected in 2008 by the landowner thus preventing lawful access. This is a clear breach of **condition 3 of planning permission S6/1997/0656/FP** that requires the provision of garaging and car parking spaces located within the application site to be '*retained in that use in perpetuity*'.
- 2.10 Without the existence of condition 3 of S6/1997/0656/FP the LPA would have to have refused planning permission for the development of mansard roof flats. The existence of this condition means that the application site can, and should be, secured in perpetuity for car parking purposes. The condition runs with the land (not land ownership) and is still operative. Legal advice confirms that condition 3 of S6/1997/0656/FP continues to be enforceable (see letter from Jameson & Hill Solicitors dated 11 April 2011). Furthermore residents expect the Council to enforce this condition.
- 2.11 The Highway Authority response (paragraph 3) comments on the likely impact of traffic movements if the application site were to be re-introduced as car parking but this advice refers only to people driving their vehicles into Lambs Close seeking on-site and on street car parking. This does **NOT** take in to account what happens when no vacant on-site or on street parking spaces are available:

When vacant parking spaces are unavailable residents who have accessed Lambs Close to park their vehicle have to drive out of Lambs Close to other residential streets looking for vacant on street parking spaces thus increasing traffic movements and causing traffic congestion in those other

streets. Residents are often forced to leave their cars in other residential streets overnight. The increased traffic movements on the local road network are consolidated and exacerbated because people then have to re-park their vehicle at 8am the next day when parking restrictions commence in the surrounding residential streets.

- 2.12 The lack of sufficient on-site and on street car parking in a street within an urban settlement such as Cuffley is wholly inconsistent with the advice contained within the Manual for Streets and other Government policies which highway authorities and local authorities are asked to follow. It also contravenes the Welwyn Hatfield District Plan Review, Supplementary Planning Guidance, Parking Standards, Adopted January 2004.

3 Conclusion

- 3.1 If the application site were to be re-used as on-site car parking for the flats (as intended by condition 3 of S6/1997/0656/FP) it would reduce traffic movements and traffic congestion considerably in both Lambs Close and the surrounding residential streets because the availability of 24 on-site parking spaces would result in more residents being able to park their vehicles in Lambs Close thus fewer people regularly driving around the local road network hunting for somewhere to park.

Lambs Close Leaseholders' Association
Date: 16 June 2011