

**5k E/10/0254/A - The unauthorised extension of car parking into grass island and retaining wall at Windmill Way, Much Hadham, Herts, SG10 6BG**

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**Parish: MUCH HADHAM**

**Ward: MUCH HADHAM**

**RECOMMENDATION**

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the newly formed parking area and retaining wall.

Period for compliance: 4 months

Reason why it is expedient to issue an enforcement notice:

The retaining wall and parking bay has resulted in the loss of a landscaped area which is important to the character and appearance of the area. The parking area and retaining wall are an incongruous feature in the street scene and are detrimental to the verdant character of the area. This development is therefore contrary to policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007.

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**1.0 Background**

- 1.1 The site is shown on the attached Ordnance Survey extract. Windmill Way is located to the south west of the main village of Much Hadham with the parking bays situated within a grass island at the western end of the highway.
- 1.2 In July 2010 a complaint was received by this Council concerning works being carried out at the site that may require planning permission. During a site visit in July 2010, officers noted and photographed the commencement of the development that included the construction of a retaining wall within the central green island and the formation of a number of parking bays.
- 1.3 The owners of the site were advised that the works required planning permission and at the time it had not been sought or granted. A planning application was submitted in September 2010 under reference 3/10/1572/FP. After due consideration planning permission was refused for the following reason:-

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The development of parking bays and the retaining wall has resulted in the loss of a landscaped area which is important to the character and appearance of the area. The parking area and retaining wall are an incongruous feature in the street scene and are detrimental to the verdant character of the area. This development is therefore contrary to policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007.

1.4 Photographs of the site will be made available at the meeting

### **2.0 Planning History**

2.1 The most recent planning history for the site can be summarised as follows:-

3/10/1572/FP	Extended car parking into grass island to provide an additional 4no. car parking spaces including 1no. disabled space with brick retaining wall – Retrospective.	Refused
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### **3.0 Policy**

3.1 The relevant policies of the adopted local plan in this matter are:-

ENV1 Design and Environmental Quality  
ENV2 Landscaping

### **4.0 Considerations.**

4.1 The site is at the western end of Windmill Way within the village of Much Hadham and the works involved the removal of a grass bank and the building of an orange/red brick retaining wall measuring 14 metres in length and an average of 1 metre in height. The wall has white railings on top, which increases the height of the wall to an average of 2 metres. The wall has been built around an existing lamp post, which separates a single disabled parking bay from the three regular parking bays. The four parking spaces are set at a lower level than the existing parking spaces.

4.2 In a recent Appeal decision at the adjacent neighbouring dwelling, 7 Windmill Way (3/10/1169/FP), the Planning Inspector describes the street scene as “a curving road of houses simple in their form and design... The buildings are set back from the road with a frontage setting of predominantly neat green, well planted front gardens. The mature front boundary hedges; lawned and planted front gardens; and their backdrop of groups of mature trees within the surrounding area, gives Windmill Way and the wider

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environs of the village a strongly verdant character and appearance”.

The current unauthorised development detracts from the areas of soft landscaping within this part of Windmill Way and fails to reflect the semi-rural character and appearance of the street scene.

- 4.3 Policy ENV1 of the East Herts Local Plan Second Review April 2007 states that development proposals should be of a high standard of design and layout that reflects local distinctiveness; considers the loss of open land on the character and appearance of the locality, and minimises the loss or damage of any important landscape features. Also, policy ENV2 of the Local Plan states that development proposals will be expected to retain and enhance existing landscape features, and proposals on prominent sites will be required to give special consideration to landscape features.
- 4.4 The unauthorised works result in the loss of an area of grass land, which is considered an important feature within the semi rural character of Windmill Way. Prior to this development, the low level grass bank created a soft solution for the creation of a turning and parking area, and also allowed for an open aspect to the rows of terraced dwellings to the north, especially given the prominence of the elevated location of the site. It is the opinion of officers that the starkness of the orange/red brick retaining wall and its elevated position is a significant change to the original grass bank and the open character of the street scene, and therefore detrimental to the character and appearance of the locality.
- 4.5 The unauthorised work harms the open and semi-rural character and appearance of the locality. The soft landscaping that forms an important landscape feature within the semi rural setting of this estate has been removed and replaced with an incongruous orange brick retaining wall that is detrimental to the character and appearance of the street scene.

## **5.0 Recommendation**

- 5.1 It is therefore recommended that authorisation be given to issue and serve enforcement notices requiring the removal of the parking bays and the reinstatement of the central grass island.