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Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

Director of Planning

St Albans City & District Council
St Peters Street
St Albans
Hertfordshire
AL1 3JE

District ref: S62A/2024/0060
HCC ref: SA/23094/2024
HCC received: 26 November 2024
Area manager: [REDACTED] do
Case officer: William Rogers

Location

22 and 24 St. Annes Road, London Colney, St. Albans, Herts, AL2 1LJ

Application type

Full Application

Proposal

Application for Planning Permission for Demolition of 2no. bungalow and the construction of 5no. four bedroom houses, with associated external works

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

1) The proposed extended vehicle crossovers (VXO) are not in accordance with Hertfordshire County Council's (HCC) policy on crossovers and has the potential to negatively impact on the free and safe flow of pedestrian highway users on the adjacent local access road due to the unnecessarily long VXO / dropped kerb in which pedestrians would need to cross. The proposals are therefore contrary to the National Planning Policy Framework (NPPF) 2019, Hertfordshire's Local Transport Plan (LTP4) 2018 and Hertfordshire's Place & Movement Planning and Design Guide (2024).

2) Insufficient details have been submitted to demonstrate that the access arrangements adhere to guidelines in or are in accordance with 'Manual for Streets (MfS)' and 'Place and Movement Planning Design Guide', 2024. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy Framework (NPPF) and Hertfordshire County Council's (HCC) Local Transport Plan 4 (LTP4).

Comments

This is an application the demolition of two existing bungalows and the construction of, five four-bedroom houses, with associated external works. St Annes Road is an unclassified local access road and is highway maintainable at public expense. A 30mph speed limit applies. On HCC's Place and Movement network, St Annes Road is classed as P2/M1 (E.g. Residential Street) There is one reported highway collision recorded within the vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRow map) directly affects the site or would be affected by the proposal. The county council considers St Annes Road to be a traffic sensitive road (Monday – Friday, AM & PM peak hours).

Submitted drawing ref 23008wd2.01 shows three proposed sections of parking bays that will require extended dropped kerbs to access them. This consists of (from north to south) a group of three bays fronting the highway, followed by a group of four bays, then a final group of two bays. To access these proposed parking bays three new overlong sections of dropped kerbs will be required. This is in contrary to Policy 5 of Hertfordshire's Local Transport Plan and Hertfordshire's Place and Movement Planning Design Guide (Part 3, Chapter 9, section 3.4).

Policy Framework

Paragraph 104 of the National Planning Policy Framework (NPPF) states that "Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: ...opportunities to promote walking, cycling and public transport use are identified and pursued"

Paragraph 110 of the NPPF states that: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- (b) safe and suitable access to the site can be achieved for all users;
- (c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance,"

Policies with Hertfordshire County Council's Local Transport Plan, 2018, (LTP) detail the issues that need to be considered to ensure that development is safe and sustainable. Policy one states that: "To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- Opportunities to reduce travel demand and the need to travel
- Vulnerable road user needs (such as pedestrians and cyclists)

Policy 5 of Hertfordshire's Local Transport Plan seeks to ensure that access arrangements are safe and suitable for all people, built to an adequate standard, adhere to the county council's Highway Design Standards and reflect the LTP Transport User Hierarchy. Guidance set out in Place and Movement Planning Design Guide states that the number of crossovers should be kept to a minimum to reduce conflict with and discomfort for footway users. The widths of drives and lengths of dropped kerbs should be sufficient to allow vehicles to manoeuvre into and out of the property but unnecessarily long crossovers should be avoided to minimise inconvenience to pedestrians.

Policy 6 of the LTP seeks to address: "the barriers to accessibility particularly regarding active modes and for people with impaired mobility." Policies 7 and 8 of the LTP seek to promote walking and cycling respectively, whilst policy 17 seeks: "to continually improve safety on the county's roads".

Policy 19 of the LTP states that “The county council will reduce levels of harmful emissions by: a) Promoting a change in people’s travel behaviour to encourage a modal shift in journeys from cars to walking, cycling and passenger transport...”

Part 2 Chapter 4, section 10.2 of Hertfordshire’s Place and Movement Planning Design Guide states “Developers will need to demonstrate how access to their development meets the requirements of LTP4. In particular, they shall be clear how the proposals would create more favourable access for walking, cycling, emerging forms of micromobility and passenger transport than for the private car.”

Part 3, Chapter 9, section 3.4 of Hertfordshire’s Place and Movement Planning Design Guide states “The widths of drives and the length of dropped kerbs at a vehicle crossover shall be sufficient to allow vehicles to safely manoeuvre into and out of the property. In certain situations, it may be necessary for a scheme proposal to be accompanied by a swept path analysis. Unnecessarily long crossovers should be avoided to minimise inconvenience and danger to footway users.”

Part 4 Chapter 6 Table 11.9 of Hertfordshire’s Place and Movement Planning Design Guide states the required sizes of parking bays should be 5m deep x 2.5m wide (unobstructed) or 5m deep x 2.7m wide (obstructed on one side).

Further information can be found here:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#designguidedshir>
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No detail has been submitted on the proposed dropped kerb accesses and how they will be implemented with the existing shared access arrangement between properties 22 and 20A. No swept path drawings have been provided showing an estate size car (Place and Movement Planning Design Guide, Part 3, Chapter 9, Section 3.4) can safely manoeuvre into and out of the property. It is suggested that the applicant considers amending the proposed access arrangements. As submitted, the proposed extended vehicle crossovers are not in accordance with Hertfordshire County Council’s (HCC) specifications and has the potential to negatively impact on the free and safe flow of pedestrian highway users on the adjacent local access road.

Conclusion

HCC as highways authority recommends that the application as submitted is refused.

If the Planning Inspectorate is minded to grant planning permission then highway conditions and informatives are detailed below:

COND1) Prior to the first occupation of the development, additional plans, drawn to an appropriate scale which show the detailed design and construction of all works within the public highway including site accesses and footway works, must be submitted to and approved in writing by the Highway Authority. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before first occupation of the development.

Reason: To ensure the provision of an access appropriate for the development in the interests of highway safety.

COND2) Prior to the first occupation of the development, all access arrangements serving the development shall be constructed and completed to the specification of the Highway Authority and Local Planning Authority's satisfaction. Prior to its use commencing, arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure the provision of an access appropriate for the development in the interest of highway safety.

COND3) No development shall commence until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

- a/. photographic condition survey of public carriageways, verges and footways in the vicinity of the site,
- b/. routing of construction vehicles to/from the site,
- c/. access arrangements to the site (inclusive of signage),
- d/. programme of works (Work programme and/or timescale for each phase of the demolition, excavation and construction works),
- e/. the estimated number, type and routing of construction vehicle per day/week;
- f/. traffic management requirements (including details of any vehicle holding area, details of the vehicle call up procedure),
- g/. construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas),
- h/. siting and details of wheel washing facilities, cleaning of site entrances, site tracks and the adjacent public highway,
- i/. timing of construction activities (including delivery times and removal of waste) and to network peak times,
- j/. provision of sufficient contractors, staff and visitors on-site parking prior to commencement of construction activities,
- k/. details of measures to protect pedestrians and other highway users from construction activities on the highway,
- l/. coordination with other development projects in the vicinity,
- m/. details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent,
- n/. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

The applicant is advised to use HCC's Construction Management Plan template, which can be tailored to the scale of the development can be found here:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#managementplans>

Reason: To minimise the impact of construction works on public highway.

INFORMATIVES

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) 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:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: 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 County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN5) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN6) Extent of highway: Information on obtaining the extent of public highway around the site can be acquired from the County Council's website at:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx.

AN7) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

Signed

William Rogers

5 December 2024