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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/2025/0087
HCC ref: SA/24441/2025
HCC received: 26 March 2025
Area manager: Rosemary Chatindo
Case officer: Graham Burrell

Location

Land between 84 and 108 Ragged Hall Lane, Chiswell Green, St Albans, Hertfordshire, AL2 3NN

Application type

Outline

Proposal

Outline planning application (all matters reserved) for 7 serviced plots for self-build and custom housebuilding

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:

REASONS

1. The proposed widening of the road does not meet current HCC standards within its P&MPDG 2024 and would risk blocking the public highway to larger vehicles seeking to pass, as detailed below. This is considered contrary to policies 5 and 12 of Hertfordshire's Local Transport Plan 2018.
2. The proposed pedestrian access is considered sub-standard as it is significantly below the minimum width indicated in both HCC's Place & Movement Planning Design Guide 2024 and Inclusive Mobility. This is considered contrary to policies 1, 5, 6 and 7 of Hertfordshire's Local Transport Plan, 2018.

COMMENTS

Introduction

Two previous applications for this site are St. Albans planning reference 5/2022/1517 and 5/2024/0144. A transport statement (TS) dated May 2022 was provided to support both applications and has been re-submitted by the applicant to support the present application. This is problematic as Hertfordshire County Council's highway standards have been updated since 2022 by way of its Place & Movement Planning and Design Guidance, 2024. The previous highway design guide entitled "Roads in Hertfordshire" 2011 was withdrawn at the time of adopting the new planning and design guide. A TS supporting an application should reference current standards. This is discussed in more detail below.

Policy and Guidance

Any planning application submitted will be considered against national and local policy. In respect to transport considerations, relevant policies include the NPPF 2024 and Hertfordshire's Local Transport Plan 2018.

Paragraphs 115-117 of the NPPF 2024 are especially relevant in considering transport issues related to the current proposal.

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, 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, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

117. Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The most relevant policies of Hertfordshire's Local Transport Plan 4 (2018) are as follows:

Policy 1 establishes a hierarchy of transport users to support sustainable movements.

Policy 3 seeks the widespread adoption of travel plans.

Policy 5 addresses development issues in detail and is provided in full below:

"The county council will to work with development promoters and the district and borough councils to:

- a) Ensure the location and design of proposals reflect the LTP Transport User Hierarchy and encourage movement by sustainable transport modes and reduced travel demand.
- b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards.
- c) Consider the adoption of access roads and internal road layouts where they comply with the appropriate adoption requirements and will offer demonstrable utility to the wider public. Where internal roads are not adopted the county council will expect suitable private management arrangements to be in place.
- d) Secure developer mitigation measures to limit the impacts of development on the transport network, and resist development where the residual cumulative impact of development is considered to be severe.
- e) Require a travel plan for developments according to the requirements of 'Hertfordshire's Travel Plan Guidance'.
- f) Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals.
- g) Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users.
- h) Ensure new developments provide facilities for charging plug-in and other Ultra Low Emission vehicles, as well as shared mobility solutions such as car clubs."

Policy 6 addresses accessibility "particularly regarding active modes and for people with reduced mobility".

Policy 7 seeks to encourage and promote walking.

Policy 8 seeks a step change in cycling.

Policy 12 relates to Network Management.

As noted above Hertfordshire's Place and Movement Planning Design Guide (P&MPDG) was formally adopted in 2024 as a supporting document for Hertfordshire's Local Transport Plan 2018. P&MPDG notes the fresh approach this is intended to facilitate:

"Traditionally, planning applications focused on road design requirements and provision for sustainable modes was a secondary consideration often leading to sustainable mode provision being compromised by land and budgetary constraints. Planning for sustainable development needs to reverse this thinking, with sustainable modes being considered first, maximising opportunities for connecting to key destinations in a sustainable way before considering residual vehicle impacts so that resulting development is LTP4 compliant, without compromise. Given that sustainable modes are given the highest priority within the hierarchy of provision through Policy 1 of LTP4 it is vital that provision for them is considered and demonstrated in sufficient detail within planning applications."

Sustainability

The site is in a generally unsustainable area. The TS notes that there are bus stops at about 600 metres to the east. HCC's P&MPDG notes the walking distance to bus stops should be no longer than 400m. The local shopping parade at Chiswell Green is about 1km from the site. Accordingly, the location of the proposed development would fail to meet the objectives of Policies 1 and 5 of the Hertfordshire Local Transport Plan (LTP4) in respect of encouraging movement by sustainable

transport modes and reducing travel demand. It is recognised that the question of sustainability has been addressed by way of a previous appeal decision for the site and no objections are therefore raised in this respect.

Site

East of the site, Ragged Hall Lane is a residential access road with a 30mph speed limit. That part of Ragged Hall Lane is considered a P2/M1 road under HCC's P&MPDG. The speed limit changes to 60mph just east of the site. West of No. 84 Ragged Hall Lane becomes a rural lane. This is considered a P1/M1 road under HCC's P&MPDG. Ragged Hall Lane is a highway maintained at the public expense by Hertfordshire County Council.

The P2/M1 part of Ragged Hall Lane has a carriageway width of about 5.8 metres with a c.2 metre footway plus a grass verge (of varying width) on the north side of the carriageway and a grass verge on the south side. The P1/M1 part of Ragged Hall Lane has a carriageway width of roughly 3 metres with no footway provision. The change between the residential road and the rural lane is abrupt.

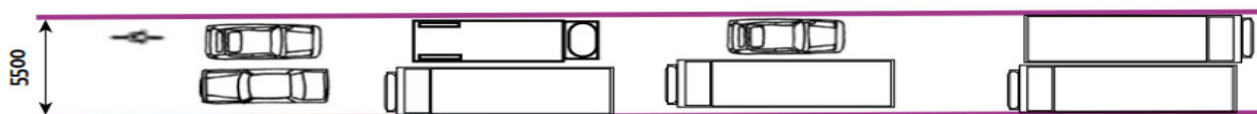


Public Right of Way (ST. MICHAEL RURAL 010) is on the eastern edge of the site. Separate comments have been provided by HCC's Rights of Way team.

Access

The applicant recognises that widening of the carriageway adjacent to the development is a necessary requirement. Drawing 35257 revision P2 has been submitted to show three proposed accesses onto Ragged Hall Lane – two vehicular accesses and one pedestrian access. The plan also shows the carriageway widened from its existing narrow width. The TS notes the proposed widening of the carriageway to 4.8 metres. This references a minimum width of 4.8 metres stated in

the now withdrawn “Roads In Hertfordshire” 2011. The minimum width of a carriageway specified in HCC’s P&MPDG is 5.5 metres. As indicated in Manual for Streets a 5.5 metre width allows two larger vehicles to pass each other:



A 5.5-metre-wide carriageway is particularly relevant for the proposed development. The car parking forecourt would not be able to accommodate larger service vehicles. Any larger service vehicles (including removal vehicles) would need to park on the carriageway adjacent to the premises. If the carriageway width is less than 5.5 metres a larger vehicle may not be able to pass.

Although drawing no. 35257 revision P2 shows a widened carriageway adjacent to the site, the applicant has not provided a plan indicating the extra width of carriageway to be constructed and offered for adoption as public highway. This would be very useful as a reference plan within a planning condition. This is requested. In the absence of this a suggested condition is provided below. This references the current minimum standard of carriageway width of 5.5 metres. A 2-metre footway adjacent to the carriageway would be compliant with P&MPDG. Instead, a footpath is provided into the site as discussed below.

On a further technical point, roads are cambered to allow surface water to run off towards the edge of the carriageway. Therefore, any significant widening of an existing carriageway will need the entire width of the carriageway to be reprofiled to ensure that the surface water does not pond in the carriageway surface. This is reflected in the recommended condition.

As noted above, no footway is proposed adjacent to the carriageway. A pedestrian access into the site is though indicated in the applicant’s drawing number 35257 revision P2. This shows a width of about 1.2 metres which is considerably below the minimum width indicated in HCC’s P&MPDG and the Government’s Inclusive Mobility document. Inclusive Mobility states that: “Footways and footpaths should be made as wide as is practicable, but under normal circumstances, a width of 2000mm is the minimum that should be provided...”.

The two proposed vehicular accesses are proposed with 4 metre kerb radii. Visibility requirements are based on speed counts reported in the TS. Visibility splays are recommended to be conditioned.

Conclusion

The application is Outline only with access not being a reserved matter. No comments are provided by HCC on the internal layout of the site. There are concerns with this Outline application as follows:

1. The proposed widening of the road does not meet current HCC standards within its P&MPDG 2024 and would risk blocking the carriageway to larger vehicles seeking to pass, as described above. This is considered contrary to policies 5 and 12 of Hertfordshire’s Local Transport Plan 2018.
2. The proposed pedestrian access is considered sub-standard contrary to the minimum width indicated in both HCC’s P&MPDG and Inclusive Mobility. This is considered contrary to policies 1, 5, 6 and 7 of Hertfordshire’s Local Transport Plan, 2018.

Objections are raised in respect to points 1 and 2 above.

If the Planning Inspectorate considers the application acceptable for approval, recommended conditions and informatives are provided below.

CONDCTIONS

1. No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Parking provision in accordance with adopted standards..
- ii) Internal layout of site including turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Prior to the first occupation of the development hereby permitted the vehicular accesses shall be completed and thereafter retained as shown on drawing number 35257 revision P2 in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Provision of Visibility Splays

Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 metres x 49.6 metres shall be provided to the east and a visibility splay measuring 2.4 metres x 51.7 metres shall be provided to the west where both vehicular accesses meet the highway and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;

- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. 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;

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

5. Highway Improvements – Offsite

Works to widen the carriageway including full reconstruction of the width of the carriageway and adoption of the additional width of carriageway as public highway.

A) Design Approval

No on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works to widen the carriageway to 5.5 metres and reprofile the road has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details and the additional width of highway shall be offered for adoption as public highway..

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Access –Gradient: The gradient of access shall not be steeper than 10% for the first 5 metres from the edge of the carriageway.

Reason. So that a vehicle is approximately level before being driven onto the carriageway and those vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway.

INFORMATIVES

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

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:
www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN2) 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 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) 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.

AN4) 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.

AN5) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Further information is available by telephoning 0300 1234047.

AN6) 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.

AN7) 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.

AN8) Widening of existing highway (Section 38). 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 38 of the Highways Act 1980 to ensure the satisfactory completion of the road widening and adoption of its full width as public highway..

AN9) 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

Graham Burrell

25 April 2025