



S 78 Planning Appeal by Written Representations

Formation of Car Park with 28 spaces on Land adjacent to Breachwood Green Industrial Park,
Pasture Lane, Breachwood Green, Hitchin
SG4 8NY

North Herts ref: 25/00975/FP

Agent's Ref: 38300/1

Date: 24th June 202

Introduction

This Appeal Statement has been prepared Vimal Patel a Director of RKS Associates an independent, experienced road safety engineering consultancy with over 30 years' experience in Road Safety Engineering and Road Safety Audit. I graduated from Queen Mary University, University of London with B Eng (Hons) in Civil Engineering and have been practicing in the field of Road Safety Engineering for over 30 years, I am a fellow of the Institute of Highway Engineers (IHE) and hold a Certificate of Competency in Road Safety as well as various approved training courses related to the field of Road Safety.

The appeal has been made against North Hertfordshire District Council for the planning application to provide a car park to accommodate 28 spaces on land adjacent to Breachwood Green Industrial Park, Pasture Lane, Breachwood Green in Hitchin.

This statement provides covers the refusal reason 2 of the North Hertfordshire District Council Decision Notice dated 25th April 2025. This statement covers the following reason:

By reason of the amount of vehicular trips generated together with the inadequate means of access to the site via a narrow rural Lane which has poor visibility for pedestrians and motorists with no footpaths or street lighting, the development is considered unsustainable and likely to lead to conditions detrimental to highway safety. The development is contrary to the provisions of Policy T1 of the North Herts Local Plan, Policies 1, 2 and 5 of the Hertfordshire Local Transport Plan (LTP4) and Section 9 of the National Planning Policy Framework (2024).

Development Site Details

The site is approximately 0.01ha, it is located on the southern side of Pasture Lane with the access to the site via an established farm gate that has been replaced with a robust gate to prevent unauthorised access. The internal arrangement of the site provides sufficient space for vehicles to enter and exit in a forward gear with a path way self-contained within the site that provides access to Breachwood Green Industrial Park. Pasture Lane is an unnumbered classified road type-

C, it is a single lane two-way rural carriageway with grass/hedgerows either side of the carriageway and wide passing sections along its length. Pasture Lane is unlit and subject to a national speed limit, although the vertical and horizontal alignment along its length results in vehicles travelling at much reduce speed when negotiating sharp bends. Consequently, it is estimated that vehicles travel at a speed of 20mph or less along Pasture Lane.

Existing use of the site provides car parking for 28 vehicles which reflects the number of people working at the site, the site benefits from an internal footway link to Breachwood Green Industrial Park and as a result users of the car park have a safe route to and from the car park without the need to walk along Pasture Lane.

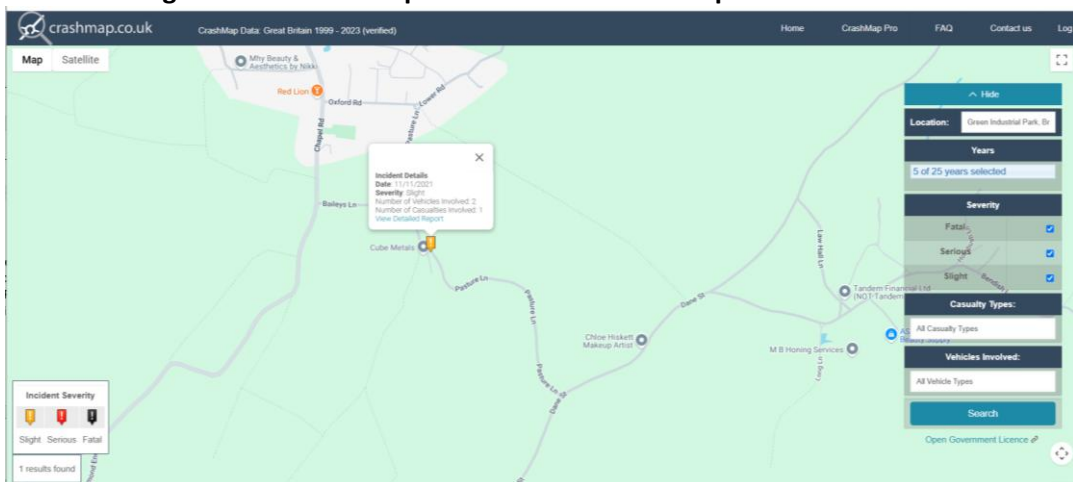
A survey undertaken by Breachwood Green Industrial Park confirms that there are 25 employees with working hours from 7am till 5pm five days a week, as a result it should be noted that the traffic flows are predominantly tidal to and from the north with staff arriving in the morning and leaving in the late afternoon. The survey also established that the poor public transport connectivity results in staff arriving by car albeit measures to promote sustainable modes of travel by car sharing has been explored by the applicant, however this has been difficult due to the location of employees in relation to the site. Furthermore it is noted that Red Eagle Buses route 88 serves Breachwood Green with the service commencing at 07:52 (in term time) from Luton and 09:27 from Hitchin with a two hourly frequency service. The bus stops are located on Oxford Road and Chapel Road approximately 650m form the industrial estate. Given the poor bus service it is recognised that travel to and from the site will be undertaken by private vehicles.

Collision Data

Publicly available Personal Injury Collision (PIC) information contained in the Crashmap UK website (www.crashmap.co.uk) has been obtained. The collision data indicates that one collision has occurred along Pasture Lane during the 5-year period up to December 2023. The collision occurred in November 2021 it occurred in the vicinity of the access serving Breachwood Green Industrial Park and involved two vehicles and resulted in 1 slight injury. **Figure 1** provides a map of the recorded collision along Pasture Lane.

More importantly the collision data extending back to 25 years up to December 2023 indicates that no further collisions have been recorded along Pasture Lane demonstrating that there is no inherent road safety issue associated with the local highway network.

Figure 1: Collision Map obtained from Crashmap



Source: Crashmap UK

Statement of Case for Grounds for Refusal

Hertfordshire County Council as the Local Highway Authority have stated in their consultation response that insufficient information has been provided to reach a recommendation. In the absence of the necessary information, the Highway Authority recommended refusal due to doubt over possible implications for highway safety, sustainability, and convenience. The highway authority consider that the proposed car park will generate significant numbers of vehicular trips in the vicinity and will have unacceptable impact on the local highway network in terms of traffic congestion and highway safety.

Highway Safety

The collision data obtained from the Crashmap site indicates that there has only been one collision recorded in the 25-year period up to December 2023. Given the nature of the local highway network it is considered that there is no inherent road safety issues along Pasture Lane. In addition it is noted that whilst the speed limit is 60mph, the vertical and horizontal alignment enforces a reduced vehicle speed at which vehicles can travelling of up to 20mph.

The access to the car park is located on the outside of a bend and as a result affords improved visibility to and from the access when compared to an access located on the inside of a bend. Based on a representative speed of 20mph at which vehicles can safely negotiate the bend on Pasture Lane southbound approach to the proposed access a standard visibility splay of 2.4m x 25m is typically required for junctions and accesses. Whilst it is acknowledged that vegetation adjacent to the car park access may restrict visibility, the visibility splays to and from the access have been provided in **Figure 2** confirm that visibility splays can be achieved.

Figure 2: Visibility Splays



Pedestrian access to and from the car park can be achieved via an internal footway link and as a result the proposals will not increase pedestrian volumes along Pasture Lane, thereby mitigating the risk of collisions between pedestrian users of the car park and vehicles along Pasture Lane.

Furthermore, it is recognised that the car park is utilised should the refusal of the planning application be upheld, there is concern that vehicles will park on the local highway causing a



hazard to other road users. This will be detrimental to highway safety for users of the local highway network.

Vehicle Trip Assignment & Generation.

It is acknowledged that based on the surveys conducted at the site there are a total of 25 staff, whilst measures to promote sustainable travel it is evident that the bus service is inadequate to mitigate the need to travel by car. The existing operations at Breachwood Green Industrial estate has successfully grown and as a result the number of staff employed by the company has increased, attempts to employ local staff have been sought, however the nature of the work has meant the at employees reside further afield. A staff survey conducted by the operators at Breachwood Green Industrial estate staff undertook a travel survey to establish the origin and of employees and the method of travel to and from the work place. Based on the surveys it has been identified that all traffic arrives and depart from the north via the local highway network and Pasture Lane.

In addition it is anticipated that based on the travel survey and the number of employees that the worst case trip generation would equate to 25 vehicles based on the assumption of single occupancy vehicle trips during the AM and PM peak hour, this equates to approximately 1 car every 2 minutes during the off-peak period (before 7 am and after 5pm) given a combination of the location of the site, local highway network and existing low traffic flows along Pasture Lane it is anticipated that trips generated by the proposals will be negligible and would not lead to traffic congestion.

Reference to Policy

The following policies have been cited by North Hertfordshire District Council for the planning application to provide a car park to accommodate 28 spaces on land adjacent to Breachwood Green Industrial Park, Pasture Lane, Breachwood Green in Hitchin.

North Herts Local Plan: Policy T1

Planning permission will be granted provided that:

- a) *Development would not lead to highway safety problems or cause unacceptable impacts upon the highway network;*
- b) *Mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7;*
- c) *Suitable Transport Statements, Transport Assessments and / or Travel Plans along with supporting documents are provided where required; and*
- d) *For major developments, applicants demonstrate (as far as is practicable) how:*
 - i. *the proposed scheme would be served by public transport;*
 - ii. *Safe, direct and convenient routes for pedestrians and cyclists will be provided; and*
 - iii. *Comprehensive integration into the existing pedestrian and cycle, public transport and road networks will be secured.*

It is noted that Herts Local Transport Plan policies are not part of the Development Plan. They may be material considerations but do not carry the weight of the Development Plan. Notwithstanding the above, it has been demonstrated that visibility to and from the proposed site access can be achieved based on the practical speeds at which vehicles can attain travelling along Pasture Lane. Furthermore it is demonstrated that the site is not readily accessible to public



transport given its location, whilst measures have been explored to promote sustainable travel measures by the user of the site it is difficult based on the nature of the work and location of employees.

Hertfordshire Local Transport Plan (LTP4): Policy 1: Transport User Hierarchy

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)*
- *Passenger transport user needs*
- *Powered two wheeler (mopeds and motorbikes) user needs*
- *Other motor vehicle user needs*

As noted above, measures to improve safety for vulnerable users has been provided where possible with the provision of a pathway from the car park to the industrial estate thus reducing the need for pedestrians to walk along the carriageway. Furthermore, the refusal of the planning application will result in vehicles parking on the local highway where the risk of safety to other road users is compromised.

Policy 2: Influencing land use planning

The county council will encourage the location of new development in areas served by, or with the potential to be served by, high quality passenger transport facilities so they can form a real alternative to the car, and where key services can be accessed by walking and cycling.

The proposed car parking serves an existing industrial estate, it is recognised that the location of the industrial estate in its local context is not readily accessible to public transport with bus services running twice hourly outside the times that employees start work. In addition the closest bus stops are located 650m away, furthermore the absence of designated footways results in pedestrians walking along unlit carriageways where the risk of collisions with vehicular traffic will be greater.

Policy 5: Development: Management

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. This should include other routes which are important for sustainable transport or leisure*

The development management policy set out above have been addressed above, however it should be noted that the location of the car park which is set back from the carriageway within a gated farm access does not severely affect the rural character. In addition the provision of the car park would improve the residential character of a road by removing vehicles parking along the carriageway where they will cause a hazard and be detrimental to safety of other road users.

Policy 12: Network Management

As part of its Network Management Duty the county council will seek to manage, and where feasible reduce traffic congestion, prioritising strategic routes. Activity will focus on making more efficient use of highway network capacity via:

- a) Use of Intelligent Transport Systems and small scale traffic management interventions.*
- b) Maintaining a Network Management Strategy which will include the county council's road network hierarchy and associated policies.*
- c) Reducing levels of single occupancy car use and encouraging travel by walking, cycling and passenger transport.*
- d) Sharing data (open data) and supporting the use of technology to provide up to date and accessible information for all network users.*
- e) Control of on-street vehicle parking in line with the Network Management Strategy.*
- f) Managing street works and minimising network disruption.*

The car park serves Breachwood Green Industrial Park where it has been successful in expanding the business and as a result the number of employees has increased. Consequently, the proposed car park provides a safe facility for staff to park their vehicles, if this facility is not available then it is likely that employees will park their vehicles along the local highway which will cause a hazard for other road users.

National Planning Policy Framework (2024).

The NPPF states specifically at paragraph 115 that '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 would be severe.'

Notwithstanding the above it has been demonstrated that the proposed car park serving Breachwood Green Industrial Park is acceptable, safe and does not result in cumulative impacts on the road network.



Conclusion

The appeal has been made against North Hertfordshire District Council for the planning application to provide a car park to accommodate 28 spaces on land adjacent to Breachwood Green Industrial Park, Pasture Lane, Breachwood Green in Hitchin. It has been demonstrated that there is no inherent road safety issue along Pasture Lane with only one collision recorded during the 20-year periods up to December 2023.

The access to the car park is located off Pasture Lane which is an unlit rural road subject to a national speed limit, however the horizontal alignment of the road restricts vehicle speeds to 20mph. Based on the visibility assessment it is confirmed that the required visibility splays to and from the car park access can be achieved.

The site is located in a location where there is poor public transport, the applicant has tried in their best endeavours to promote sustainable transport initiatives, however due to the location of the employees in relation to the site it has been difficult.

The travel survey conducted indicates that vehicle movements will be tidal arriving before 7am and departing after 5pm, with access to and from the north via Pasture Lane. This would result in one vehicle every 2 minutes and would not be detrimental to the management and operation of the local highway network.

The proposed car park serves the need of Breachwood Green Industrial Park which has expanded and as a result the number of parking spaces required has increased. The Inspector is minded that the refusal to grant planning consent for the car park will result in vehicles parking on the local highway network causing a hazard to other road users as well as traffic congestion, both of which will be detrimental to the local environment.

The development should not be refused on transport grounds as the traffic generated by the proposal would have no material impact on the local road network, it provides a safe and accessible facility.

On the basis of my review and conclusions in this statement I ask that this Appeal should be allowed