

**GREEN END
8 GREEN LANE
ASHWELL
HERTS
SG7 5LW**

7th January 2025

Attn Melissa Tyler

NHDC Planning

By email melissa.tyler@north-herts.gov.uk

Dear Sirs,

Re 24/02214/FP Land to rear of 7 Green Lane, Ashwell Herts SG7 5LW

We are writing in response to your letter 23 December 2024, (all of our previous comments and objections remain).

The amended information dated 9 December 2024 ("Transport Addendum") sets out the importance which the applicants attach to the pre app discussions they conducted with HCC Highways. This was a meeting for which they paid and set the agenda. Having reviewed the meeting notes again, it is quite apparent that the entire matter of the status of Green Lane and its ownership was never once mentioned by the applicants or referred to as an agenda item.

There can be no question that the applicants were not aware of these issues as a representative of the property owner was also at the meeting. Had the applicants flagged the status beforehand, the HCC representative would have been likely to have first consulted the HCC Highways Boundaries and Land Charges records and with the benefit of that information, would have known that Green Lane is private, with no rights of access- the advice given at the pre app would therefore have been provided in a similar manner to the formal consultation response 20 November 2024. Perhaps a great deal of time and confusion could have been saved for all concerned.

To reiterate there is absolutely nothing in the application scheme nor the amended information which alters the physical characteristics and constraints of Green Lane to the south of No 7- where (as stated by Planning Inspectors in the 2 previous Appeals) it narrows to widths of between 3m-3.7m . The findings of 2 Planning Inspectors determined that those characteristics and constraints rendered Green Lane incapable of providing a safe means of access for schemes of respectively 14 houses and 9 houses-it should also be noted that this was despite both of those schemes including separate access provision for pedestrians and cyclists directly via a track to Station Road.

As has been stated earlier -by today's standards Green Lane is in several respects already unfit for its current purpose of just serving the existing houses and flats as well as the agricultural and horse riding use- it would fail on several counts if it were proposed as a new form of access today.

There is absolutely no mention in the application or amended information as to the hazard presented by a number of cars parked every day in the wider section of Green Lane which effectively renders the entire length around 3m/3.5m wide. This further compounds the safety issues- this despite it clearly being noted by both Planning Inspectors and stated as contributing to the significant safety risk.

The HCC Highways consultation response clearly contains statements which the applicants were hoping to avoid. However HCCH's response simply raises the same concerns as to unsafe access as have been previously considered in great detail and determined by the Planning Inspectorate on 2 Appeals. The issue of Green Lane being a shared surface was also identified and considered in great detail in the 2 previous Appeals and the statement within the HCCH response is almost verbatim to the 2 Planning Inspectors: "Shared Surfaces are only suitable and acceptable for short lengths of roads and not for significantly long lengths as being proposed. This then would be refused on an unsafe unsustainable access".

The concluding HCCH statement on Green Lane as the means of access is unequivocal- "if the development were accessed by maintainable highway [ie within the authority of HCCH], it would be refused on the grounds of unsustainability and an unsafe access".

The applicants continue to suggest the impacts on Green Lane would be "modest" - an impact involving safety should never be considered in such a dismissive way and we vehemently object to that. A refusal of this application is absolutely justifiable -the NPPF is absolutely clear " *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety*". Para 32 of the NPPF requires that "safe and suitable access to the site can be achieved for all users"

To conclude, the use of Green Lane as a means of access has been exhaustively considered during 2 refused planning applications as well as subsequent Appeals. Both these earlier schemes included provision for large vehicle turning spaces within their red line areas, but failed with both Planning Inspectors finding that the impacts on highway safety presented by the 'bottle neck' of the single track width from No 7 down to the junction with Station Road were too great. The subject application scheme even as amended fails to present any solution to the exact, same problem.

Safety for all pedestrians, cyclists and drivers currently accessing Green Lane, as well as any in the future has to be the highest priority in consideration of this matter. NHDC has the benefit of an extensive history of expert consideration of the unique issues arising in this highly unusual location, HCCH has responded to you that the access is not sustainable and unsafe. On the basis of all of the above we trust NHDC will refuse this application.

Yours faithfully



W S Rogers MRICS

Cc: Mr & Mrs R Masham, 1, Green Lane, Mr & Mrs A Munns, 3, Green Lane, Mr & Mrs P-J Gates, 5 Green Lane, Mr & Mrs C Powell, 10 Green Lane, Mr & Mrs M Lee, Baldwins Corner, Green Lane, The Directors, The Maltings, Green Lane