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

Director of Planning

North Hertfordshire Council
Council Offices
Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

District ref: 25/01281/FP
HCC ref: NH/25213/2025
HCC received: 30 May 2025
Area manager: Manjinder Sehmi
Case officer: Paul Marshall

Location

THE OLD WATER TOWER MANGROVE ROAD COCKERNHOE LUTON LU2 8QD

Application type

Full Application

Proposal

Erection of two bungalows including cycle store;
landscaping and parking following demolition of existing outbuildings. Alterations to existing vehicular access.

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 does not wish to restrict the grant of permission subject to the following conditions:

COND1) Prior to the first occupation of the development, additional plans, drawn to an appropriate scale which show the detailed design of a delineated pedestrian path along the access road as shown on drawing ref: GAL/24/01B. This 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.

CON2) Prior to first occupation of the development the access road shall be of a bound material for the first 6m into the site to prevent material spilling onto the road

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

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 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.

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) 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>

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.

COMMENTS

The proposals are for Erection of two bungalows including cycle store: landscaping and parking following demolition of existing outbuildings. Alterations to existing vehicular access.

Context:

Mangrove Road is an unclassified local access road and provides a local access function in the road hierarchy. Mangrove Road is highway maintainable at public expense. A 30mph speed limit applies. On Hertfordshire County Council's Place and Movement network Mangrove Road is classed as P2/M1 (e.g. Residential Street). No reportable highway accidents recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the Public Rights of Way Map) directly affects the site or would be affected by the proposal. The county council considers Mangrove Road to be a traffic sensitive road.

Policy Review:

The key documents used to assess the application are

- Manual for Streets 2007
- National Planning Policy Framework (July 2021)
- Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May2018]
- Cycle Infrastructure Design Guidance (Department for Transport Local Transport Note July 2020)
- HCC's Place & Movement Planning Design Guidance (adopted in March 2024)

PLANNING HISTORY

The application site has previous planning history with a Pre Application.

DRAWINGS

The Highway Authority note the submission of materials in support of the planning application, including drawing numbers: Design and access statement, Sustainability statement, Gal/24/01 – 04, Location plan.

SUSTAINABILITY

'Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020) recommends for cycle parking storage should be 2m (1.8m is acceptable) in length by 0.3m space between cycles. There should be parking for 1 cycle per dwelling. Outside cycle parking should be covered and lockable. The provision of well-located, safe and secure cycle parking for residents and visitors is a key factor in encouraging people to cycle as an alternative to using the private car. This is demonstrated on drawing No GAL/24/01B.

PARKING

The proposed car parking provision and layout is the responsibility of the Local Planning Authority to determine the level and suitability of the car parking proposals; however, it is essential that it is operated in efficient and safe manner to minimise the impact on the local highway network which is the responsibility of Hertfordshire County Council. Drawing No GAL/24/01B illustrates the parking spaces to be 2.5 x 5.0 which corresponds to Hertfordshire Council Place & Movement Planning Design Guidance Part 4 Chapter 6 19.1

ACCESS

The access for vehicles and pedestrians is existing and laid to gravel. A hard surface build out narrows the existing access from 9m to 7m allowing for vehicles to pass each other. As mentioned in the Pre App response the surface would need to be bound for the first 6m into the site (see condition 2). A delineated area of the access drive leading to the two dwellings should be clearly marked out for pedestrians. (See Condition 1)

VISIBILITY

Although the visibility to the north is below the guidelines. It is accepted that vehicles that use this part of Mangrove Road are keenly aware of the restricted carriageway ahead width approx. 3.6m and begin to slow down before the access.

EMERGENCY ACCESS

The nature of the site does not allow access for a fire tender with 45m hoses. This will be referred to the Fire Service for their comments which will directly to the Local Planning Authority.

REFUSE / RECYCLING

The proposals for recycling bin storage must be in line with Manual for Streets MfS 6.8.9 residents should not be required to carry waste more than 30m and be within 25m of the kerbside/bin collection point. Drawing No GAL/24/01B illustrates the drag distance to be over a 100m.

I would recommend that Waste Services review the application and determine what action needs to be taken. It would be inappropriate to refuse the application on this basis alone.

CONSTRUCTION MANAGEMENT STATEMENT

It is important that a CMS is provided considering the nature of the restricted access. The statement must have or be shown as a drawing of the construction site and the dedicated areas within. These should include but not limited to, construction parking area, wheel washing, and storage area.

CONCLUSION

Should the LPA be minded to approve the application please note the above conditions and informatives. This level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore; the highway authority would not wish to restrict the grant of planning permission.

Signed
Paul Marshall

20 June 2025