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Dear Ms Sanders

Response to Local Highway Authority Comments

Planning Application Reference: 25/02092/FP

Change of use from Class E (g) (office and light industrial) to Class F.1(Mosque) including enlargement (Alterations to roof and the addition of domes) and alterations to the building form of both buildings (including external cladding) and fenestration. Provision of 16 parking spaces, cycle store and bin storage following demolition of existing two outbuildings.

45 Bury Mead Road Hitchin Hertfordshire SG5 1RX

I write further to the receipt of further comments from the Local Highway Authority dated 15 December 2025 and a subsequent meeting held virtually on the 15 January 2026 with HCC Officers and the then case officer Mr Alex Howard.

This letter should be read in association with all previous transport information submitted and the additional Transport Note accompanying this submission.

It was clear from that meeting that the Highway Officers were being inconsistent in their decision making and were concerned about unauthorised car parking which they have control over. In light of their unwillingness to discuss the overall proposals and how we can resolve matters, Alex kindly obtained some comments from the Council's in-house Highways Officer which have assisted us in shaping a response to the points raised.

In the first instance, it is important to understand the challenges faced by the community at their current Mosque on Florence Street, Hitchin. Aside from the challenges of being in a residential location, access is challenging with narrow pavements and little scope for cycling to the mosque without being on the roadway, which is in itself narrow and challenging.

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It is acknowledged that there are some parking restrictions in this area and that parking is at a premium, which may well dissuade some of the community from travelling by car, but it is a well-established site, and the community do travel to the Mosque on foot or by other non-car modes of transport.

There are no on-site parking spaces at this existing site.

Given the challenges at this site, the community have been looking for an alternative location to establish a new Mosque for some years.

In 2013 planning permission was obtained for the change of use of No 27 Bury Mead Road into a Mosque as a replacement for the Florence Street Mosque (application reference: 13/02916/1). Whilst additional parking was proposed as part of that application, it was in an era whereby sustainable travel and a shift to non-car modes of transport was not as prominent as it is today.

The application had the same level of impact with the same congregation as is proposed today, with up to 200 visitors over a 2hr period on a Friday being the biggest impact overall.

At that time, the Highway Officer raised no objection and advised:

"The access road to the development is considered to have the capacity to serve the parking spaces on the development without alteration.

The main concern for Hertfordshire County Council would be if vehicles are left indiscriminately on the local access road of Bury Mead Road by visitors parking in association with the development's proposed change of use, this parking if caused an obstruction would result in enforcement being taken by the Police.

It could be considered that the effect of the proposed change of use is similar as the present use and that any required parking will be accommodated by the provision of the additional and existing parking spaces that should comply with the supplementary planning document on parking at new developments.

Nevertheless the community centre aspect of the change of use may generate more trips with visitors parking for a shorter duration than that of the present use and this short term parking is more likely to occur as close to proposal as possible and may occur on-street along the Bury Mead Road which has [un]restricted parking.

Visitors that arrive by car would be able to use the car parking spaces provided if the spaces are often available. But there may be occasions when customers would chose to park indiscriminately along the adjacent road.

The occurrence of any additional on-street parking if in large numbers would be detrimental to the safety and efficiency of the adjacent highway network.

Nevertheless the proposed change of use is of a small scale development and there is no evidence to show that the community centre at this location would result in short term on-street parking that would cause congestion close to the site.

Under these circumstances, unless details can be substantiated that the use of the new community centre is likely to result in short term parking along Bury Mead Road that would lead to the proposal being detrimental to the safety and efficiency of the public highway, this cannot be considered that the amount of additional parking generated would be significant consequently it is unlikely a highway reason for refusal could be substantiated.

As a consequence Hertfordshire County Council as highway authority had no issues with the proposal and did [not] restrict the grant of planning permission on highway grounds."

Bury Mead Road remains un-restricted, and the nature of large scale uses, such as the recycling facility, remain unchanged from 2013. Changes have occurred in use of some of the units along Bury Mead Road with the introduction of a gym, children's nursery and other non-employment uses. Further, the Jehovah's Witness Kingdom Hall is now situated at the end of Bury Mead Road, along Grove Road.

In addition, planning permission was granted in 2019 (18/02433/FP) for the residential development of No 65 Bury Mead Road. In consideration of this application the County Council secured a monetary contribution towards the upgrade of bus stops on Grove Road, with pedestrian connectivity to these bus stops being via Bury Mead Road.

In considering this proposal it must be borne in mind that existing lawful use of the site is as an office and light industrial unit with some 593m² of floor area. Having regard to the Council's adopted Parking Standards, this would ordinarily generate a parking requirement of between 20 – 17 parking spaces. The use has never had the level of parking required for its lawful use and has always therefore been reliant on on-street parking. These are, however, maximum parking standards not minimum standards.

Regardless of this context, the proposal is faced with an objection from the Local Highway Authority on the basis of the following points:

- Failure to facilitate and prioritise sustainable and active travel.
- Failure to provide a safe, accessible and inclusive environment.
- Failure to avoid undue reliance on private vehicles, especially on a site lacking proper transport controls and connectivity.

We respond to the points raised in turn.

Cycle Parking

The cycle parking is drawn to scale and has been designed to meet the relevant LTN1/20 standards. The plans submitted are drawn to scale and do not need to be dimensioned.

The Applicant is willing to accept a condition requiring further details to be submitted if considered necessary.

Car Parking Layout

The layout has been amended and car parking provision reduced to ensure safe access and egress from all spaces. A single space is located across the entrance to the morgue as this is required for the mortuary van only.

This is a constrained site, but significantly less constrained than the existing site at Florence Street, which benefits from no on-site parking.

The location is considered to be sustainable with ready access to bus stops and within walking distance of a large part of Hitchin, without the need for visitors to use the private car.

Lastly, it is noteworthy that the parking standards for a use of this nature are maximum standards and not minimum standards. Accordingly, a lower provision of parking in the area should not prejudice the proposal. Especially when the parking survey shows there is capacity within Bury Mead Road.

We note the Highway Authority has objected to the use of the Lambeth Parking Survey methodology but have provided no alternative methodology. The Lambeth principles are widely used for all types and scales of development and are regularly accepted by Inspectors.

It should also be borne in mind that parking demand from the proposed Mosque is limited to a 2hr period on a Friday and not every day.

It is also noted that one of the key concerns the Highway Authority expressed at our meeting was with the risk of unauthorised/illegal parking. As both the Highway Authority and/or the Police have powers to enforce and as such this should never be a constraint to development.

In addition to the general provisions on site, the Applicant is content for a Travel Plan to be secured by way of an appropriately worded planning condition, to require the Mosque community to actively promote and use non-car modes of transport.

The Highway Authority consider the location of the site would not lend itself to a shift in travel patterns due to its location in an Industrial Area, further away from residential areas and bus stops than the Florence Street location and as a result of the pedestrian infrastructure on Bury Mead Road.

Bury Mead Road has a segregated footpath along its entire length towards Grove Road and the nearest bus stops with a pedestrian crossing to assist with pedestrians crossing Grove Road. This is an approximately 470m walk. This has to be compared with the current arrangement at Florence Street. The pavements are narrow in width in a number of areas and to get to the nearest bus stops on Nightingale Road, some 390m from the

existing Mosque a pedestrian would need to cross the roundabout at Nightingale Road/Grove Road which is heavily trafficked throughout the week and does not benefit from any dedicated pedestrian crossing point, only dropped kerbs and an island.

The trip to bus stops can only therefore be considered to be safer and more appropriate from the proposed site over the existing Florence Street location.

In terms of the proximity to residential areas, there is residential development to the north, south and east of Bury Mead Road. One of the reasons for needing to relocate is as a consequence of the direct conflict between the Mosque use and the residential area, so connectivity is always going to be reduced, however, there are positive pedestrian and bus connections that have been relied upon for adjacent residential development.

Trip Generation

I leave the response to the technical matters to the Transport Note accompanying this response, however the Highway Authority have advised that extant lawful use of the site is of no relevance to the consideration of this proposal.

This is a point in case law that is factually flawed. The extant lawful use of a site is a key material planning consideration and cannot be ignored. To do so and to persist with such a stance should this matter progress to an appeal would render the Highway Authority at risk of a cost award based on unreasonable behaviour.

In terms of the proposed trip generation, the Highway Authority suggest that consideration needs to be given to a "real world impact", however, it must be borne in mind that any impact needs to be quantified and assessed. Again, if this were to proceed to an appeal, regard needs to be given as to how the Highway Authority will justify their position.

General Planning Considerations

There has been a demonstrable need for an alternative location for the Hitchin Mosque for in excess of 20 years. Bury Mead Road has previously been considered to be an acceptable location for this same Mosque with the same usage and planning permission granted. The operation of the Mosque remains the same today as it was then. The operation of Bury Mead Road in respect of employment and industrial uses remains the same today as it was then, with some loss of units to other employment/retail uses that increase pedestrian movements.

Following the meeting with the Highway Authority, it is considered that their position is unlikely to be changed as they simply consider Bury Mead Road to be an unacceptable location for this proposed use. But it has come to the position of asking the question, if this is not the right location and Florence Street isn't, where does this community fit in?

We are more than happy to assist the Local Planning Authority with exploring any of the issues raised either in this letter or the supporting Technical Note.

Yours sincerely,



Liz Fitzgerald
Managing Director

