



Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CHN115
Farnham House
Six Hills Way
Stevenage
SG1 2ST

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: 24/02606/FP
HCC ref: NH/23170/2024
HCC received: 23 January 2025
Area manager: Manjinder Sehmi
Case officer: Shamsul Huda

Location

Land West Of Tuthill House, Kelshall Tops, Therfield, Hertfordshire,

Application type

Full Application

Proposal

AMENDED PROPOSAL

Full Planning Permission : Erection of three detached dwellings (1 x 3-bed, 1 x 4-bed and 1 x 5-bed) and with associated infrastructure and landscaping

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:

CONDITIONS:

1). Before commencement of the development hereby permitted, additional plans must be submitted and approved in written by the Local Planning Authority in consultation with the Highway Authority for modification to the existing vehicular access as indicated on the drawing number (Ref-THSYD-SCN-XX-XX-DR-A01. 002.A3, Rev PO3) and these works including footpath link to PROW-34 shall be completed prior to first occupation of the development hereby permitted. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. These works shall be secured and undertaken as part of the s278 works.

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).

2). Prior to occupation the development hereby permitted vehicle to vehicle inter-visibility splays of 2.4 metres by x 57 metres to the eastern direction and 2.4 metres by x 59 metres to the western direction shall be provided and permanently maintained as shown on the drawing (Ref-196661-001), Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

3). The gradient of the main access from the adjacent Kelshall Road shall not exceed 1 in 20 for the first 12 metres from the edge of the carriageway into the site as measured from the near channel edge of the adjacent carriageway.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

4) Before first use of the development, all onsite parking areas as shown on the drawing (Ref-196660-005, Rev C) shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits.

Reason: In order to minimize danger, obstruction, and inconvenience to users of the highway and of the premises.

5). No development shall commence until a Construction Traffic 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 Traffic Management Plan shall include details of:

- Construction vehicle numbers, type, routing.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities to avoid school pick up/drop off times.
- Provision of sufficient on-site parking prior to commencement of construction activities.
- Post construction cleanness.

HIGHWAY INFORMATIVES:

AN) 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 authorized 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.

AN) 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.

AN) 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>

AN) 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.

COMMENTS:

The Highway Authority has commented in past on this application site with similar proposal. However, please see the revised highway comments below based on my recent site visit and highway boundary plan.

Policy Review: The key documents used to assess the application are.

- National Planning Policy Framework (Dec 2024).
- Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May2018]
- HCC's Place & Movement Planning Design Guidance adopted in March 2024
- Manual For Street (MfS1 2007)
- North Herts Local Planning policy [2011-2031]

Planning History: This application site has previous planning history:

- LPA Ref- 21/01349/FP HCC Ref- NH/6884/2021

Access:

The application site has an existing means of vehicular access off Kelshall Tops which is an unnumbered classified road type-C and speed limit is 60mph. The access point is well established and located immediate to 30mph speed ends and 60mph speed limit starts. Para 3.5 of the submitted Transport Statement (TS) confirms that this access point will be used for the proposed development and minor changes are proposed to the existing access, but no details are provided. The Highway Authority is content with the proposed access arrangement however, condition 1 is recommended to the technical details and successful implementation under s278 agreement.

Visibility:

The Highway Authority accepts that the existing visibilities to the eastern side are slightly limited due to grownup hedges but can be achieved by trimming the exiting hedge. It does not require full removal of hedges. However, based on the recent speed survey data, the applicant has proposed to provide enhanced visibility splays in both direction of the access point and are shown on the drawing (Ref- 196661-001). The most updated Highway Boundary Plan shows that the proposed visibility splays will fall onto highway lands. Therefore, considering the existing & surrounding situation and scale of the development (only three dwellings), the highway considers that proposed level of visibility would be acceptable in the highway grounds and condition 2 is recommended accordingly.

Accessibility:

Kelshall Tops is classified as a Rural Lane in the HCC's Place & Movement Planning Design Guidance(P&MDPG). There is no existing footway along Kelshall Tops and therefore opportunity is limited to improve pedestrian's safety. However, para 3.11 of the TS proposed to provide a 2m wide pedestrian 's link to provide a direct access to PROW (Footway no 34). The highway authority welcomes this provision of providing of private footway link which eases future pedestrians movement.

Refuse Collection and Emergency Vehicles:

Para 3.17 of the TS proposed that a refuse bin collection point will be provided within 10m distance of the position of the site front access and refuse bins will be collected from Kelshall Tops. The highway authority considers that the proposed refuse collection method is very much like the existing methods for rest of the village and will be actable in the highway grounds. In terms of emergency vehicles (Fire Tender) access, a swept path analysis is shown on the drawing (Ref-196660-005, Rev-C) which seems satisfactory and will be acceptable.

Conclusion:

In summary, the Highway Authority considers that the proposed development will not generate significant number of vehicular trips in the vicinity which would have severe impacts and would be contrary to the local and national policies (such as LTP4, para 116 of the NPPF-2024). The Highway Authority therefore do not want to raise any objection to the application. Therefore, the highway comments will remain unchanged which is no objection and subject to the aforesaid conditions and informative.

Signed

Shamsul Huda

18 March 2025

