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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: 25/02702/S73
HCC ref: NH/27009/2025
HCC received: 30 October 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Chez Nous, Harveys Hill Lane, Luffenhall, Stevenage, SG2 7PX

Application type

Variation of Condition

Proposal

Section 73 Application : Variation of Condition 2 (plans) and removal of Condition 8 (Access Details) of planning permission 23/01154/FP granted on 22.08.2024 for Erection of one detached 4-bed dwelling following demolition of existing dwelling (amended by plan received 30/11/23).

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 recommends that permission be refused for the following reasons:

Until the above points have been satisfactorily addressed, the HA cannot support or recommend variation of Condition 2 (plans) and removal of Condition 8 (Access Details).

Highway comments:

The applicant is seeking variation of Condition 2 (approved plans) and removal of Condition 8 (access details), of planning permission 23/01154/FP.

Condition 2:

The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission

Condition 8:

No development shall commence until detailed technical plans are submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the vehicle access, driveway gradient and associated highway works concerning the visibility splays in both directions of the vehicle access in accordance with the hereby approved plans (drawing no. 8-23-8 rev A). These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of any part of the development. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and footway is safe, suitable, and sustainable for all highway users 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 2. To comply with Policy T1 of the Local Plan.

The covering letter sets out the applicant's reasoning for seeking a variation of Condition 2 (Approved Plans) and the removal of Condition 8 (Access Details). The Highway Authority (HA) has reviewed these proposals and provides the following comments, structured in the same order as presented in the covering letter:

1. Driveway Gradient

The Highway Authority notes the proposed gradient of 1:15 for the initial section of the access, compared to the standard requirement of 1:20 as set out in Hertfordshire's Highway Design Guide and Local Transport Plan policies.

While the applicant has provided justification regarding site constraints and significant earthworks required to achieve full compliance, the HA maintains that gradients steeper than 1:20 can present safety and accessibility concerns, particularly in adverse weather conditions.

The Authority will accept a 1:15 gradient for the initial section only, provided that:

- The transition to 1:20 occurs within the site as proposed.
- Surfacing is in a bound material to prevent erosion and maintain traction.
- Drainage measures are implemented to prevent surface water discharge onto the highway.
- These measures align with inclusive design principles and mitigate risk for all users.

2. Visibility Splays

The applicant now proposes visibility splays of 68.7 metres to the south and 100.1 metres to the north. These figures represent a significant departure from the applicant's original submission, which stated that the required 215 metres could be achieved. That earlier assertion was therefore inaccurate and potentially misleading, as it formed part of the basis for granting the original approval.

The HA considers this discrepancy to be material and requires clarification. Any revised visibility provision must be supported by robust evidence, including an independent speed survey to establish the 85th percentile speed, ensuring that the splays meet the appropriate standard for actual operating conditions rather than theoretical assumptions.

To ensure that the proposed visibility splays are appropriate and compliant with national guidance (Design Manual for Roads and Bridges), the applicant is required to commission an independent traffic speed survey. This survey should be undertaken by a suitably qualified and accredited company and must record vehicle speeds in both directions over a representative period of 1 week preferably 2 weeks (Automatic Traffic Counters). The results should establish the 85th percentile speed, which is the industry standard for determining sightline requirements. The visibility splays shown on the submitted plans must then be verified against the distances required for the measured

85th percentile speed, rather than relying solely on the posted speed limit or estimated speeds. This approach ensures that the access design reflects actual operating conditions and provides a safe arrangement for all road users.

The splays must be demonstrated on a scaled plan showing measurements from the access point to the highway boundary.

3. Gate Setback

The revised plan showing the gate set back 6m from the carriageway, meets the HA's requirement to allow vehicles to wait clear of the highway.

This arrangement is acceptable, provided the access surface between the highway and gate is constructed in a bound material and maintained accordingly.

4. Conditions and Compliance

All works within the highway require separate approval under the Highways Act 1980 and must be carried out by an approved contractor under a Section 278 agreement.

The development shall be completed in accordance with previously approved details under application ref: 24/01959/S73, except where varied by this application.

Recommendation

Until the above points have been satisfactorily addressed, the HA cannot support or recommend variation of Condition 2 (plans) and removal of Condition 8 (Access Details).

The applicant is reminded of their obligations, pursuant to the Highways Act 1980 & New Roads and Street Works Act 1991, to liaise with the Highway Authority before works are undertaken within the highway. All works within the highway to be subject to separate technical approval and legal agreements.

Signed

Senober Khan

19 November 2025