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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: 24/01496/FP
HCC ref: NH/21719/2024
HCC received: 5 December 2024
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

3 - 5 Newells, Letchworth Garden City, Hertfordshire, SG6 2PH

Application type

Full Application

Proposal

AMENDED PROPOSAL

Full Planning Permission : Erection of one 3 storey building comprising of 15 dwellings with associated access, landscaping and parking following demolition of the existing dwellings and garages

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:

Before the occupation of the proposed development, cycle parking facility easily accessible by all users shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times

Before commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- the phasing of construction and proposed construction programme.
- the methods for accessing the site, including wider construction vehicle routing.
- the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings and how visibility splays will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- waste management proposals.
- Provision of sufficient on-site parking prior to commencement of construction activities;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding and remaining road width for vehicle movements.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVES:

The Highway Authority recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Obstruction of public highway land: 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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on 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. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the

highway. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

A Travel Plan for the development consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development', which is subject to an overall sum of £6,000 payable before occupation of the development. This 'evaluation and support contribution' is to cover the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. Indexation of this figure will be based on the Consumer Price Index from the date planning is granted to the date the contribution is paid. The applicant's attention is drawn to Hertfordshire County Council's guidance on residential/commercial Travel Plans:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx#DynamicJumpMenuManager_1_Anchor_5

Our Travel Plan team can provide further advice at travelplan@hertfordshire.gov.uk.

Planning Obligations and Agreements

S106 (Town & Country Planning Act 1990)

CIL Contributions

HCC Highways operate two levels of S106 agreements, with items directly mitigating the impact of a development agreed through Strand 1 S106 agreement and those items mitigating the wider cumulative impact of development on non car networks being addressed in a Strand 2 S106 agreement.

In the first instance (Strand 1) HCC would envisage that the agreed improvements and travel plan support and monitoring fee (£1,200pa for 5 years, indexed from May 2014) are delivered via a Strand 1 S106 agreement.

In the second instance (Strand 2) HCC calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021) which suggests that a Strand 2 contribution of $(15-3) \times £6826 = £81,912$ would be appropriate (index linked by SPONS to January 2019).

Brief description in support of proposed development by the applicant:

This letter has been submitted in connection with the planning application at 3-5 Newells, Letchworth Garden City, Hertfordshire, SG6 2PH (ref: 24/01496/FP) for the following development:

'Erection of one 3 storey building comprising of 15 dwellings with associated access, landscaping and parking following demolition of existing dwellings and garage.'

This letter is written in response to the latest comments from Hertfordshire County Council Highways Team dated 2nd December 2024. Despite the request for a discussion regarding the financial contributions towards sustainable transport, no discussion has taken place, and there has been no change to the requested sum. It is acknowledged that some further justification has been provided from the Highways team as part of the latest response however in the absence of any guidance that refers specifically to affordable housing, it is disappointing that there has been no relief applied to this windfall, fully affordable scheme.

Another affordable housing scheme in North Herts which is currently pending consideration and in this case the highways team have taken into account the existing dwellings on site when making their calculation.

We therefore request that the same approach be applied to this proposal and the requested contribution be amended to be $(15-3) \times £6826 = £81,912$. Please can the position regarding indexation of the contributions also be confirmed as the latest response only refers to indexation of the travel plan support and monitoring fee.

Highway comments:

The HA in its comments dated 2 December 2024, provided its justification for the requirement of the s106 contributions based on the development of 15 dwellings, that no exemption could be made for affordable housing.

Notwithstanding, it has been brought to the attention of the HA by the LPA officer that the site contains 3 existing dwellings (now vacant units - not long term vacant), therefore the proposed developments net trip generation impact would be anything above the existing 3 dwellings trip generation, therefore the HA would acknowledge for the contribution to be accordingly amended to take account of the existing dwellings thereby resulting in $(15-3) \text{ units} \times £6826 = £81,912$.

Recommendation:

No objection subject to the following conditions:

Signed

Senober Khan

17 December 2024