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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: 25/00409/FPH
HCC ref: NH/24192/2025
HCC received: 6 March 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Wellside Cottage, Smiths End Lane, Barley, Royston, SG8 8LJ

Application type

Full Application

Proposal

Full Permission Householder : Creation of vehicular access off Smiths End Lane and existing vehicular access permanently made redundant and installation of 1.2m post and rail fence on eastern boundary. Provision of new driveway and 3 car parking spaces

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:

Condition:

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 new vehicle access/driveway gradients and associated highway works concerning the visibility splays, closure of the existing redundant vehicle access, etc. in accordance with the hereby approved plans. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before use of the new vehicle access.

Reason: To ensure the provision of a vehicle access is safe, suitable, and sustainable for all highway users.

ADVISORY NOTE

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) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

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) 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.

Highways comments:

From the plans submitted the proposal involves the closure of the existing vehicle access and the provision of a new vehicular access, with visibility splays measuring 2.4m x 43m.

The proposed car parking provision is the responsibility of the LPA 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 the HCC HA.

Smiths End Lane has a 30mph speed limit and from the information provided in the proposed plans drawing no 20917-P002, the proposed vehicle access, which is on the outside bend of the road, achieves the required sight lines (and more) and is an improvement on the existing, given the site specific conditions the proposed vehicular access is not expected to have any significant impact on the operation and safety of the highway network.

However, there are some aspects that the applicant needs to be provisioned as listed below:

The gradient of the driveway/access road should be level with the public highway for at least 5m back from the back of the footway. Alternatively, a gradient no greater than 1:20 within the first 5m from the highway is required.

The applicant to fully fund the reinstatement of the redundant vehicle access/crossover. This should be shown and annotated and approved on the detailed technical plan to be submitted.

The HA believes that there is sufficient scope for the applicant to satisfactorily address the above requirement and therefore could be conditioned.

Recommendation:

Subject to the following condition there are no objections:

Signed

Senober Khan

26 March 2025