DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00385/FPH	Creation of vehicular crossover	101 Melbourn Road Royston Hertfordshire SG8 7DG

Submitted Plan Nos

Location plan Site plan

1.0 Policies

SECN9	Promoting sustainable transport

2.0 **Site History**

2.1 No relevant history

3.0 **Representations**

3.1 **Hertfordshire Highways –** objection received

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 101 Melbourn Road is located on the eastern side of the road and is designated as a principal 'A' road / primary distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense.

4.2 **Proposal**

4.2.1 Permission is sought for the creation of a vehicular crossover.and dropped kerb onto Melbourn Road. An existing grasscrete parking space would be lost as part of the proposed crossover.

4.3 **Key Issues**

4.3.1 The only issue for consideration is whether the proposed access is safe in highway terms. The Highway Authority consider that the proposals are not acceptable in highway terms for the following reasons:

"The property is currently accessed via a VXO / dropped kerb providing access to shared driveway for 99 and 101 Melbourn Road. The proposals include an additional VXO / dropped kerb, the layout of which is shown on the submitted proposed plan. New vehicular accesses directly onto primary distributor roads will not normally be permitted to be in accordance with HCC's 'LTP3' (Section 3.8) and HCC's 'Roads in Hertfordshire: Highway Design Guide' (Section 2, Chapter 9). "To consider new access to primary routes special circumstances will need to be shown in favour of the proposals. This will include consideration of why alternative proposals are not viable".

HCC as Highway Authority has considered that a second VXO would not be acceptable. However the existing VXO would be able to accommodate access for an additional parking space / driveway directly in front of the property (either similar to the arrangements for 101 or at more of an angle) without the need to widen the existing, or create a new, dropped kerb. This would enable the existing grasscrete parking area fronting 101 and 103 to be retained and not detrimentally impact the pedestrian footway through an over-extended VXO, which would affect the free and safe flow of pedestrians".

4.3.2 Following a site visit from the Highways Officer with the applicant, the application was referred to the Network Management - Strategy and Compliance Team. They concluded the following:

"Having looked at the location, our positon would be that this application would be rejected on the basis there is an existing parking area both to the rear and the front of

this property. Both of which can be safely accessed from the public highway under the current setup.

Widening the existing dropped kerb would result in a loss of general amenity parking where the grasscrete has been laid. Given this area is used on a regular basis and provides a useful parking option along Melbourn Road I would not deem it acceptable to lose this area for the benefit solely of property 101."

4.3.3 HCC as Highway Authority is recommending that the application be refused in its current form.

4.4 **Conclusion**

4.4.1 The Highway Authority has put forward comprehensive reasons why planning permission should be refused on highway grounds based on advice both in the NPPF and national and local technical documents (i.e. 'Roads in Hertfordshire' and 'Manual for Streets'). In these circumstances I can see no option but to recommend refusal based on this technical advice.

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reasons:

1. The vehicle cross over shown on the submitted drawing is unacceptable as it does not comply with the Hertfordshire County Council's guidance notes for vehicle access or 'Roads in Hertfordshire: Highway Design Guide'. The proposed widening of the existing dropped kerb would result in a loss of general amenity parking where the grasscrete has been laid. Given this area is used on a regular basis and provides a useful parking option along Melbourn Road it would not be deemed acceptable to lose this area for the benefit solely of property 101.This proposal would therefore be contrary to general provisions of highway safety and convenience, the National Planning Policy Framework, Hertfordshire County Council's Roads in Hertfordshire, Highway Design Guide and Vehicle Access across Footways and Verges.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 6 August 2018	