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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: 25/02092/FP
HCC ref: NH/26398/2025
HCC received: 13 November 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

45 Bury Mead Road, Hitchin, Hertfordshire, SG5 1RX

Application type

Full Application

Proposal

AMENDED PROPOSAL

Full Planning Permission : Change of use from Class E (g)(office and light industrial) to Class F.1(Mosque) including enlargement (Alterations to roof and the addition of domes) and alterations to the building form of both buildings (including external cladding) and fenestration. Provision of 16 parking spaces, cycle store and bin storage following demolition of existing two outbuildings

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:

The HA cannot support the application as submitted because the development presents an unacceptable risk to highway safety, fails to demonstrate a policy-led approach to safe and sustainable access for all users, and does not meet the required standards for approval. The proposal is contrary to NPPF and LTP4 and presents an unacceptable risk to highway safety. Objection maintained.

The proposal systematically fails to meet policy expectations to:

- Facilitate and prioritise sustainable and active travel
- Provide a safe, accessible, and inclusive environment for all users
- Avoid undue reliance on private vehicles, especially on a site lacking proper transport controls and connectivity

These policy breaches support refusal on strategic transport and highway safety grounds.

Highways comments:

In response to the Highway Authority's (HA) comments dated 1 October 2025, the applicant has submitted a Highways Response Note (HRN). The HA has reviewed this submission and provides the following comments, structured in accordance with the order presented in the HRN:

Cycle Parking Design

The proposed cycle storage access remains impractical, and no dimensions have been shown. The clearance area in front of the stands does not appear to meet the minimum requirements set out in LTN 1/20 (Cycle Infrastructure Design) and Manual for Streets for clear space in front of cycle stands for manoeuvring and unobstructed access to allow users to enter and exit safely.

In any submission, the applicant should provide detailed plans cross-referenced against the dimensional requirements set out in LTN 1/20 to clearly demonstrate compliance with cycle parking guidance.

Car Parking Layout

Bays 9 and 10: Insufficient aisle depth for vehicles to enter and leave in forward gear without multiple turns, contrary to Manual for Streets and DM standards.

Bay 8: Protrudes in front of a door, creating a risk of obstruction. No physical measures are proposed to prevent inconsiderate parking that could block pedestrian access.

Pedestrian Visibility: No visibility splays at entrance doors. Vehicles reversing or moving forward could conflict with pedestrians exiting the building. Guidance requires pedestrian visibility zones to reduce collision risk.

Aisle Depth: End bays (e.g., Bay 3) require at least 1m additional depth for safe manoeuvring to access end bays.

For highway safety reasons, vehicles should egress perpendicular to the public highway. Due to forecourt constraints, vehicles parked in bays 1, 2, and 3 would exit at an acute angle, which is unacceptable given the nature of the use and the expected high pedestrian movements, particularly during peak times.

Overall, the proposed layout is overly constrained and relies on vehicles being parked with absolute precision. In practice, vehicles are rarely positioned exactly within bay markings, and the design provides no margin for error, something particularly important and relevant given the site-specific constraints. As a result, the layout fails to demonstrate compliance with Design Manual (DM) standards, Manual for Streets, or Inclusive Mobility principles. A comprehensive redesign is required to ensure adequate manoeuvring space, safe pedestrian visibility, and full adherence to national guidance.

The HA will not review continue to review the layout especially bay-by-bay. The onus is on the applicant and their consultant to ensure the design meets all relevant standards for:

- Practicality (vehicles can enter/exit in forward gear).
- Safety (pedestrian visibility, unobstructed access).
- Compliance with national and local guidance.

HA Position: The current layout fails to demonstrate compliance with these standards and poses risks to both pedestrians and drivers. A full redesign is required to ensure safe, practical, and policy-compliant access.

Unreliable and Misleading Travel Survey Evidence

The applicant's updated travel survey assumes similar travel behaviour to the existing residential site and ignores key contextual differences, greater distance from residential areas, poor pedestrian infrastructure, absence of CPZ controls, and industrial traffic hazards, likely increasing car use and unmanaged parking. The question "How will you travel to the new mosque?" is leading and does not reflect real-world conditions.

Travel Survey and Trip Generation: Methodological and Applicability Concerns

The HA acknowledges the applicant's effort to expand the survey; however, its design, sampling frame, and inference are not fit for the decision-critical purpose.

The survey was conducted among congregants of the existing mosque which is embedded within residential areas and benefits from established controls and a familiar walking catchment.

Asking "How would you travel to new mosque in Bury Mead Road?" to respondents who are currently closer to the existing site inevitably weights responses toward optimistic non-car modes and understates the friction of traveling to an industrial estate.

The residential proximity statistics (e.g. 70% within 1 mile and 90.8% within Hitchin and immediate area) reflect the current site's context, not the proposed site's context. Proximity to the existing site cannot be assumed transferable when the proposed site is further from residential streets, further from bus stops, and in a less walkable environment.

Travel behaviour changes with context. An industrial estate with no on-street controls and high HGV activity tends to deter walking and encourage short-notice kerbside stopping, leading to more car trips and more informal parking, especially at peak prayer times.

The proposition that future patterns can be "accurately determined" from a single question posed to a residentially biased sample overstates certainty and does not account for route quality, personal safety perceptions, kerbside pressures, and enforcement absence.

Two survey snapshots on two Fridays (13:00–14:00) with 87 respondents do not capture wider peaks (e.g., evening prayers, Ramadan, Eid), seasonal variation, women's/children's attendance patterns, or special events, all of which can significantly elevate pedestrian activity and car trips.

The stated weighted average approach does not resolve the core external validity problem: the new site's industrial conditions are materially different, so inference from the current, residential context is not robust.

HA position: The updated survey is not reliable evidence for predicting actual future mode share at Bury Mead Road. It underestimates car use, overstates walk/cycle/public transport viability, and does not reflect industrial estate risk dynamics.

Car Parking Restrictions

The existing Florence Street site benefits from a Controlled Parking Zone (CPZ), which regulates kerbside activity and limits congestion. Bury Mead Road has no parking controls, meaning unmanaged kerbside parking will occur, creating safety hazards and obstructing HGV movements. The absence of restrictions will encourage car use, not replicate CPZ behaviour.

Increased visitor traffic would exacerbate congestion, obstruct visibility splays, and compromise access for emergency and service vehicles.

While bus stops are located approximately 450- 500m away, the route to them is not pedestrian-friendly and does not provide a safe or attractive alternative to car travel.

The proposal fails to demonstrate measures to reduce car dependency or encourage sustainable travel modes, contrary to local and national policy objectives.

Travel Behaviour Will Change: The assumption that travel patterns will remain unchanged ignores key differences:

- The new site is further from residential areas and bus stops.
- Walking routes are through an industrial environment, lacking safe footways and crossings.
- Industrial traffic and poor pedestrian infrastructure will deter walking and cycling, increasing car dependency.

Survey Evidence Flawed: Asking “How will you travel to the new mosque?” to respondents near the current site overstates non-car modes and fails to account for real-world deterrents such as lack of CPZ, longer walking distances, and industrial hazards.

The application does not align with Hertfordshire’s Local Transport Plan 4 (LTP4), which emphasizes safety, accessibility, and sustainable transport. It also conflicts with the National Planning Policy Framework (NPPF) principles of sustainable development, which require developments to be safe and inclusive for all users.

Policy Conflict: NPPF and LTP4 require major trip generators to be located where sustainable modes are viable and safe. An industrial estate does not meet these criteria and cannot provide inclusive access for all users.

Parking Management Strategy Insufficient: Operational measures cannot overcome structural issues, uncontrolled parking, peak demand during Friday prayers, and conflicts with HGV operations remain unresolved.

HA Position: Objection maintained. The site’s industrial context, lack of parking controls, and inability to support safe, sustainable travel make it fundamentally unsuitable for a place of worship, contrary to LTP4 and NPPF. The cumulative effect of high pedestrian activity, unmanaged parking, and industrial traffic movements presents an unacceptable risk to highway safety. The development fails to meet the required standards for approval and cannot be supported in its current form.

Extant Use Trip Generation

The applicant notes that the extant office use has been long-vacant, implying a net increase in trips for any new development. The HA agrees.

Extant Use Carries No Weight: The site currently generates zero trips. While the lawful office/industrial use could theoretically resume, the HA would have no concerns given that would be an appropriate use in an industrial estate, consistent with its design and safety context. This is fundamentally different from introducing a high-pedestrian congregation-based use, which creates concentrated arrival/departure peaks and pedestrian clustering—conditions the estate was never designed to accommodate.

Historic office use would have produced dispersed trips throughout the day, primarily by employee’s familiar with the industrial environment.

A place of worship generates intense peaks (e.g., Friday prayers, religious events) with large numbers of pedestrians and vehicles arriving and leaving in short windows, creating conflict with HGVs and loading operations.

NPPF and LTP4 require developments to be located where safe and sustainable access is achievable. Comparing the proposal to an extant industrial use does not justify its suitability. The HA assesses current and future safety impacts, not hypothetical historic trip rates.

HA Position: The extant use argument is irrelevant to determining highway safety for the proposed change of use. The site's industrial context cannot safely accommodate the congregation-based activity, and the proposal remains contrary to LTP4 and NPPF objectives.

Proposed Trip Generation

A place of worship is a peak generator of concentrated arrivals/departures, with short, intense windows of activity and significant pedestrian congregation near the entrance and surrounding area.

While the applicant emphasises low weekday attendance, the analysis underplays the intense peaks during Friday prayers and religious events, when up to 210 or more attendees and 87 two-way vehicle trips (under estimated given no on-street controls/distance and environment) are expected. These concentrated movements create and compound significant conflict with HGV traffic and loading operations in an industrial estate environment, regardless of whether they occur outside traditional AM/PM peaks.

The assumed 20.6% car mode share is derived from a biased survey of congregants near the existing residential site. It fails to account for:

- Longer walking distances to the new site.
- Poor pedestrian infrastructure and unattractive industrial routes.
- Absence of CPZ controls, which will encourage car use and kerbside parking.
- Actual car dependency is likely to be much higher, increasing unmanaged parking and safety risks.

The site provides 12 spaces, yet peak demand is estimated at 44 spaces (potentially more), leaving 32 vehicles to park off-site in an uncontrolled industrial street. This will lead to:

- Obstruction of visibility splays.
- Increased risk of collisions with pedestrians exiting the building.
- Blockage of HGV access and emergency routes.

NPPF and LTP4 require developments to minimize car dependency, prioritize sustainable modes, and ensure safe access for all users. The proposed layout and location fail to meet these objectives and cannot be made safe through operational measures.

HA Position: Objection maintained. The trip generation and parking analysis underestimates real-world impacts and does not address the fundamental safety and accessibility issues inherent to the site. In an industrial street with HGVs and kerbside loading, these peaks increase conflict and compound safety hazards, especially with no parking controls and limited pedestrian facilities.

Suitability of Site Location

The site is located within an active industrial estate designed for HGV movements, loading operations, and commercial traffic, not congregation-based activity. Introducing a pedestrian-oriented use here creates unavoidable conflict between vulnerable road users and large vehicles, especially during peak worship times.

While footways exist, they are basic and not designed for high-footfall congregation use. There are no formal crossings, limited lighting, and no measures to segregate pedestrians from industrial traffic. Dropped kerbs and tactile paving do not compensate for the lack of safe, continuous routes suitable for families, children, and mobility-impaired users.

NPPF and LTP4 require developments to be located where safe and convenient walking and cycling routes already exist and where sustainable modes are realistic.

Industrial estates are inherently hazardous environments and fail to provide inclusive access for all users. The presence of other small-scale uses (nursery, gym, shops) does not justify introducing a major trip generator like a mosque, which will attract significantly higher concentrated pedestrian and vehicle movements.

The absence of recorded collisions does not indicate suitability. Risk is assessed based on future conditions, and the proposed use will substantially increase pedestrian activity in an environment not designed for it.

Bringing a vacant building back into use cannot outweigh the requirement for safe and sustainable access. Policy prioritizes safety and sustainable travel over site reuse.

HA Position: The site cannot provide a safe, inclusive environment for a place of worship. It fails to meet NPPF and LTP4 objectives for sustainable transport and highway safety. Objection maintained.

Off-Site Parking Availability

While the applicant has revised the parking beat survey to exclude double parking and impractical spaces, the assessment still assumes that all identified spaces are available and usable during peak mosque activity, which is unrealistic. Parking availability is dynamic and influenced by existing demand from local businesses, residents, and visitors. A one-day snapshot cannot guarantee future capacity.

The claim that 111 spaces exist within a 500m radius does not reflect real-world user behavior. Worshippers are likely to seek parking as close as possible to the site, concentrating demand on Bury Mead Road and adjacent streets. This will lead to kerbside congestion, obstruction of visibility plays, and increased risk of conflict with HGVs and industrial traffic.

Even if theoretical capacity exists, unmanaged on-street parking during Friday prayers will:

- Reduce carriageway width, compromising HGV movements and emergency access.
- Increase pedestrian-vehicle conflict, especially with people crossing informally between parked cars.
- Create visibility hazards at junctions and site access points.

NPPF and LTP4 require developments to minimize car dependency and ensure safe, inclusive access. Reliance on uncontrolled on-street parking in an industrial estate fails to meet these objectives and introduces unacceptable highway safety risks.

Operational measures do not change the fact that 32 vehicles (contested level) will need to park off-site during peak periods, in an environment not designed for congregation-based activity.

HA Position: The revised parking survey does not alter the Highway Authority's objection. The site remains fundamentally unsuitable for a place of worship due to unmanaged parking, industrial traffic conflicts, and failure to provide safe and sustainable access.

Off-Site Parking Availability

The Lambeth methodology was developed to appraise spare parking capacity in controlled urban residential zones, where kerbside space is regulated, turnover is predictable, and enforcement largely is in place. It is not intended/suitable for industrial or commercial areas, where daytime parking demand is high and dynamic due to business operations, deliveries, staff and visitor parking.

Industrial estates experience peak daytime demand from multiple sources such as employees, visitors, and goods vehicles. These conditions differ significantly from residential streets, where demand is more stable and predictable. Applying Lambeth methodology here overstates available capacity and ignores operational conflicts.

The methodology focuses on capacity counting, not on whether parking is safe or practical in context. In an industrial estate:

- Whether parking reduces carriageway width and obstructs HGV movements.
- Informal parking near junctions and site entrances creates visibility hazards.
- Pedestrian safety is compromised by vehicles reversing and when crossing between parked vehicles in an industrial setting.

A single-day survey cannot capture:

- Variability in industrial traffic and loading schedules.
- Overlapping demand from nearby businesses.
- Seasonal or event-based peaks (e.g., Ramadan, Eid).

NPPF and LTP4 require developments to minimize car dependency and ensure safe, inclusive access. Demonstrating theoretical kerbside capacity does not meet these objectives or mitigate structural safety risks.

HA Position: Lambeth methodology is not suitable for assessing parking impacts in industrial estates with uncontrolled kerbside activity and high HGV movements. Reliance on this approach does not address the fundamental safety, operational, and policy concerns.

Parking Management Strategy - Limitations

The strategy depends on congregants following instructions and marshals enforcing informal rules. In practice, compliance cannot be guaranteed, especially during peak periods when demand is high and arrivals are concentrated. Without formal enforcement powers or legal restrictions, inconsiderate parking and congestion will still occur.

The industrial estate layout is designed for HGV movements and loading operations, not congregation-based activity. Even with marshals:

- Kerbside parking will reduce carriageway width, obstructing HGV and emergency access.
- Pedestrians will still cross informally between parked vehicles, increasing collision risk.
- Visibility splays at site access and junctions will remain compromised.

Deploying marshals for every Friday prayer and major event is resource-intensive and unreliable. If marshals are absent or ineffective, unmanaged parking will immediately return, creating safety hazards.

NPPF and LTP4 require developments to minimize car dependency and provide safe, inclusive access. Reliance on informal management does not meet these objectives and does not change the fact that 32 vehicles will need to park off-site during peak periods in an uncontrolled industrial environment.

While encouraging walking and cycling is positive, the site's industrial context, with poor pedestrian infrastructure and HGV traffic, makes active travel unattractive and unsafe. Cycle parking provision does not mitigate the fundamental location problem.

HA Position: The proposed Parking Management Strategy is not a substitute for formal, enforceable controls or safe infrastructure. It cannot overcome the structural safety and operational issues inherent to the site. The Highway Authority therefore maintains its objection.

Conclusion:

The HA does not agree that the proposals accord with national and local policy or that highway concerns have been addressed. The HRN fails to overcome the following fundamental issues:

Unsuitable Location

The site is within an active industrial estate designed for HGV movements and loading operations, not congregation-based activity. This environment cannot provide safe, inclusive access for vulnerable road users, contrary to NPPF (paras 110, 112) and LTP4 objectives.

Pedestrian Safety Risks Remain

While footways exist, they are basic and lack formal crossings, lighting, and segregation. The industrial context creates unavoidable conflict between pedestrians and large vehicles, especially during peak worship times.

Survey and Mode Share Assumptions Are Flawed

The travel survey is based on the existing residential site and assumes similar behaviour at the new industrial location. It ignores longer walking distances, poor pedestrian infrastructure, and absence of parking controls—all factors likely to increase car dependency.

Parking and Trip Generation Risks Underestimated

Reliance on theoretical kerbside capacity and informal management measures does not address unmanaged parking, obstruction of HGV routes, and visibility hazards. The Lambeth methodology is designed for residential CPZ areas and is not suitable for assessing parking impacts in industrial estates with high daytime commercial demand.

Parking Management Strategy Ineffective

Measures such as marshals and communication rely on voluntary compliance and cannot mitigate structural safety risks or guarantee enforcement. Operational fixes do not substitute for formal controls or safe infrastructure.

Policy Non-Compliance

The proposal fails to:

- Minimize car dependency or prioritize sustainable modes (LTP4).
- Locate major trip generators where safe and convenient access by walking, cycling, and public transport is achievable (NPPF para 111-113).
- Ensure safe and suitable access for all users (NPPF para 110).

Recommendation:

The HA cannot support the application as submitted because the development presents an unacceptable risk to highway safety, fails to demonstrate a policy-led approach to safe and sustainable access for all users, and does not meet the required standards for approval. The proposal is contrary to NPPF and LTP4 and presents an unacceptable risk to highway safety. Objection maintained.

The proposal systematically fails to meet policy expectations to:

- Facilitate and prioritise sustainable and active travel
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- Avoid undue reliance on private vehicles, especially on a site lacking proper transport controls and connectivity

These policy breaches support refusal on strategic transport and highway safety grounds.

Signed

Senober Khan

15 December 2025