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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: 25/00686/FP
HCC ref: NH/24720/2025
HCC received: 17 April 2025
Area manager: Manjinder Sehmi
Case officer: Shamsul Huda

Location

Langley Bottom Farm, London Road, Langley, Hitchin, SG4 7PJ

Application type

Full Application

Proposal

Full Planning Permission : Erection of a detached agricultural barn following demolition of two existing detached agricultural barns. Realignment of existing Public Right of Way (Bridleway 005).

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:

CONDITION1: Diversion of Langley Bridleway-005

Prior to commencement of the development permitted hereby, additional plans must be submitted to and approved in written by the Local Planning Authority in consultation the HCC's Public Rights of Way Team which show details engineering design and construction of bridleway 005 diversion works (As indicated on the proposes block plan, Ref-LB-2024-004) and all these works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before first occupation.

Reason: To ensure that the highway network is adequate to cater for the development proposed and in accordance with Policy 5 and 21 of Hertfordshire's Local Transport Plan (adopted 2018)

Highway Informative:

AN: Diversion, creation, extinguishment and modification applications:

Diversion orders change the line of a right of way. Depending on the reason, diversions are made under different legislation. Diversion in the interest of the landowner or public (Highways Act 1980) : Any diversion in the interest of the landowner must not be substantially less convenient to the public. These diversions are paid for by the applicant.

The application can be made to the district council, but it is more usual to apply to the county council. The applicant may hire their own agent to process the non-statutory part of the work. There is no guarantee that a diversion application will be successful, but it is more likely to succeed if the outcome is beneficial to the public. Proposals to divert paths can be made by members of the public, parish councils, and other organisations. Contact the Rights of Way Service for more information: 0300 123 4047 row@hertfordshire.gov.uk

Diversion to enable development (Town and Country Planning Act 1990): Developers must apply where their proposed development would affect the line of a public right of way. These diversions are paid for by the applicant. The application to move a right of way needs to be sent to the planning authority prior to development. This is usually the district or borough council. The planning authority is also responsible for granting planning permission. You'll need to ensure that if an order is made it is confirmed before development is completed. If it isn't confirmed the order will be invalid and the right of way will not have been moved.

COMMENTS:

Key policy documents used to assess the applications are.

The key documents used to assess the application are.

- National Planning Policy Framework (Dec 2024).
- Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May 2018]
- HCC's Place & Movement Planning Design Guidance adopted in March 2024
- Manual For Street (MfS1 2007)
- North Herts Local Planning policy [2011-2031]

The application comprises of erection of a detached agriculture barn as a replacement for two existing barns and realignment of existing public right of way (Bridleway -005)

Vehicle Access:

The property benefits from an existing access off London Road which is numbered classified road and provides secondary distribution services to highway road hierarchy. The speed limit is restricted to 60mph along this section of London Road.

The submitted application form has confirmed that no new or alterations to existing access are proposed.

Diversion of RoW (Langley Bridleway 005):

The applicant has proposed to realign the existing right of way (Langley Bridleway-005). Drawings (ref LB-2024-001 and LB-2024-004) show the existing and proposed locations of Bridleway-005. The Highway Authority is content with proposal of realignment of bridleway -005 shown the drawing (Ref LB-2024-004) but subject to submission of a successful application and agreed by the RoW team. It should be noted that whilst receipt of a planning permission application allows for a landowner/developer to apply for a diversion under Section 257 of the Town and Country Planning Act 1990, there is no guarantee of an application's success. Whilst an application to divert a Right of Way is being processed, the existing route must remain unobstructed and open for the public to use. No work may take place which would obstruct the existing Right of Way until an application has been confirmed and an order made to change the route of the Right of Way.

Traffic Generation:

Given the consideration to the scale of the development (construction of replacement barn), this has been considered not to significantly alter the traffic generation of vehicles to the development.

Conclusion:

Hertfordshire County Council as Highway Authority has considered that the proposal is of small-scale development therefore the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway consequently has no objections on highway grounds and subject to the above-mentioned condition.

Signed

Shamsul Huda

8 May 2025