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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: 26/01683/FP
HCC ref: NH/29773/2026
HCC received: 14 July 2026
Area manager: Manjinder Sehmi
Case officer: Paul Marshall

Location

Land Known As Plot 2A , London Road, Barkway, Hertfordshire, SG8 8EY

Application type

Full Application

Proposal

Full Planning Permission : Creation of vehicular access off London Road. (Development already carried out).

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:

After reviewing the supporting documents and drawings, Hertfordshire County Council, as the Highway Authority, must raise an objection to the proposal. This decision is based on highway safety concerns, as the design does not comply with the standards set out in Hertfordshire County Council's Place & Movement Planning Design Guidance (adopted March 2024).

Context

London Road is a classified 'B' road (B1368) and provides a secondary distributor function in the road hierarchy. London Road is highway maintainable at public expense. A 60mph speed limit applies. On Hertfordshire County Council's Place and Movement network, London Road is classed as P1/M2 (Inter-urban Road). No Public Right of Way (as shown on the Public Rights of Way Map) directly affects the site or would be affected by the proposal. The county council considers London Road to be a traffic sensitive road during periods: 07:00 - 09:30 and 16:00 - 18:30 Monday to Friday.

EXISTING ACCESS

Google Maps Street View imagery indicates that no vehicular access existed at the site between May 2021 and November 2021. The access therefore appears to have been formed subsequently.

In the absence of evidence demonstrating that the access was authorised by the Highway Authority, the works appear to have been undertaken contrary to Section 184 of the Highways Act 1980, which requires the consent of the Highway Authority for the construction of a vehicular crossing over the highway verge or footway.

If the applicant is unable to demonstrate that the access has been lawfully authorised, or if planning permission is not granted for its retention, the Highway Authority requires the access to be removed and the affected highway land reinstated to its former condition to the satisfaction of the Highway Authority and at the applicant's expense.

Highway Authority Reasons for Refusal

The retrospective vehicular access, by reason of its excessive gradient, unsuitable geometric design and inability to safely accommodate vehicle movements likely to be associated with the use of the site, fails to provide a safe and suitable means of access to and from the public highway. The development would result in vehicle manoeuvres prejudicial to road safety on London Road (B1368), a Secondary Distributor Road subject to relatively high vehicle speeds. The proposal is therefore contrary to the principles of Hertfordshire County Council's Place and Movement Planning and Design Guidance (Part 3) chapter 1, which requires access arrangements to operate safely and appropriately for their intended purpose and advises that gradients for motorised vehicle routes should not exceed 5% (1:20), and is contrary to Paragraph 116 of the National Planning Policy Framework.

The submitted Transport Planning Associates report demonstrates visibility splays from the access and records an 85th percentile northbound vehicle speed of 53.6mph. The report concludes that a visibility splay of 2.4m x 157m is required and states that this can be achieved. The accompanying site plan identifies visibility splays of approximately 2.4m x 182m to the south and 2.4m x 215m to the north. On the basis of the submitted information, the Highway Authority accepts that the visibility splays appear capable of being achieved.

However, visibility is only one component of highway safety and does not in itself demonstrate that the access provides a safe and suitable means of access to the local highway network.

The Highway Authority's primary concern relates to the excessive gradient and geometric design of the access as constructed. The access rises steeply from the carriageway edge and would result in vehicles entering and leaving the public highway in a manner prejudicial to road safety.

The Hertfordshire Place and Movement Planning and Design Guidance (Part 3) Chapter 1 requires access arrangements to be designed to operate safely and appropriately for their intended purpose and advises that gradients for motorised vehicle routes should not exceed 5% (1:20). The Highway Authority does not consider that the access accords with these principles.

The Highway Authority also notes that:

No topographical or Ordnance Survey based survey has been provided

No assessment has been provided of the likely traffic generation associated with the use of the paddock

No swept-path analysis has been undertaken to demonstrate that vehicles reasonably expected to use the site can safely enter and leave the access without undertaking manoeuvres prejudicial to road safety.

No Stage 1 Road Safety Audit and Designer's Response has been submitted

The Highway Authority considers that the steep gradient, combined with the absence of any assessment of vehicle movements, access geometry, swept paths or independent road safety review, reinforces concerns that the access does not provide a safe and suitable means of access and is likely to result in vehicle manoeuvres prejudicial to road safety.

CONCLUSION

Based on the information submitted, the Highway Authority is unable to support the retention of the access. However, should further evidence be submitted demonstrating that the access has been lawfully authorised and meets the requirements of the Highway Authority, this position may be reviewed. In the absence of such evidence, the access will be required to be removed and the highway land reinstated at the applicant's expense.

Signed

Paul Marshall

4 August 2026