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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: 24/01444/FP
HCC ref: NH/21600/2024
HCC received: 10 July 2024
Area manager: Manjinder Sehmi
Case officer: Chris Carr

Location

Land Between Huntsridge And Ashwell House 5, High Street, Ashwell, Hertfordshire

Application type

Full Application

Proposal

Full Planning Permission : Erection of 14 dwellings (including affordable housing) including creation of access from Ashwell Street, footpath link to Lucas Lane, public open space and soft and hard landscaping, biodiversity enhancement and, associated infrastructure on land north of Ashwell Street, Ashwell

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:

- A 10mph speed limit is recommended on the shared surface proposed on the Ashwell Street.
- Traffic Signage Plan is required to convey shared surface on Ashwell Street and also for traffic turning to/from Station Road.
- Stage 1 Road Safety Audit and a designer's response
- Review of policies including, The National Planning Policy Guidance (NPPG), Cycle Infrastructure Design – Local Transport Note 1/20 (2020) and Inclusive Mobility (2021) and Gear Change.
- It is required to submit swept path analysis of refuse vehicle at the site access junction.
- It is required to conduct and submit a swept path analysis demonstrating that a fire appliance can safely access the site, reach each dwelling unit within the proposed development, turn and exit the site safely.
- A review of recent 5 years Personal Injury Collision (PIC) s to be submitted as a part of this application.

- Demonstrate car parking is in alignment with HCC's recommended level of on-site car parking is limited to a maximum of one space per 1 or 2-bed dwellings and two spaces for 3+ bedrooms.

History

This planning application follows two previous applications for residential development on the site. The first application (ref: 20/00126/FP) was for 24 dwellings on the site and was determined prior to the adoption of the current Local Plan.

The application was presented to the Council's Planning Control Committee on 19 November 2020 with an officer recommendation for refusal, and the committee resolved to unanimously refuse the application. The refusal notice was dated 19 November 2020, and contained three main grounds for refusal; harm to the character and appearance of the Ashwell Conservation Area; poor design and harm to the character of the countryside; and lack of S106 agreement

A subsequent planning application (22/03094/FP) proposed a revised plan for 14 dwellings, addressing previous concerns by increasing open space, reducing dwellings adjacent to Ashwell Street, and preserving key views from the field gate towards Lucas Lane. Despite these improvements, the Planning Control Committee narrowly refused the application, primarily due to the Conservation Officer's objections.

This application follows on from the previous planning application (22/03094/FP) for 14 dwellings, which was refused on 30 January 2024. The application was presented to Planning Control Committee on 15 December 2023 with a recommendation for refusal.

The proposed scheme has been updated to take on board the advice from officers including the possibility of accessing the site from Lucas Lane.

ANALYSIS

In response to the LHA's previous response, the following document has been submitted in support of the application.

- Design and Access Statement rev B – June 2024
- Planning Statement – June 2024
- Transport Note – 190 TN-01-C
- Technical Note Lucas Lane – 190 TN-05-A
- Travel Plan 190 – TP- 01-0
- Location Plan EX100
- Proposed Access 190-TA10 Rev G
- Proposed Site Plan A2133_PL100 June 2024
- Proposed Parking Plan – A2133 PL110

Policy Review

A review of the following policy documents has been undertaken as part of the Planning Statement in support of this outline planning application:

- North Hertfordshire Local Plan (2011-2031)
- Ashwell Neighbourhood Plan
- National Planning Policy Framework
- Vehicle Parking at New Developments SPD (2011);
- Design Guide SPD (2011); and
- Planning Obligations SPD (2023)
- Ashwell Conservation Area Character Appraisal and Management Plan (CACAMP, 2022);
- Ashwell Conservation Area Character Statement (CACS, 2019).

The TN refers to Hertfordshire County Council Local Transport Plan 4 (LTP4) (2018) and HCC's Place and Movement Design Guide.

It is required to review the following policies including but not limited to:

- The National Planning Policy Guidance (NPPG)

The LHA requested that further assessment and evidence would be required as part of the site selection process for the emerging Local Plan. The applicant has responded that recently published local development timetable assumes Reg 18 in July 2023 and submission for examination by December 2024 and therefore, given the timescales involved, it is clear that the application would need to be determined outside the local plan process.

Review of Cycle Infrastructure Design – Local Transport Note 1/20 (2020) and Inclusive Mobility (2021) is required, to ensure adequate inclusive accessibility to local facilities including public transport, shops and schools by active travel modes, in accordance with the Government's Gear Change policy agenda and the requirements of the Disability Discrimination Act (2005).

Accessibility and Inclusive Mobility

The TN informs that the proposed development has a vehicular access off Ashwell Street to the south and pedestrian access off Lucas Lane to the north. The characteristics of both adopted roads are set out in Table 3.3 of the Technical Note (TN).

The proposed development will be primarily accessed off Ashwell Street which also provides pedestrian and cyclist access. The principal access provides a simple priority junction off Ashwell Street, the B.O.A.T. From a point to the west of the development site past Woodforde Close, Ashwell Street will become a shared surface. The transition from the traditional carriageway to the new shared surface will be made via a raised table. Where required between Woodforde Close and the site access the road will be provided as a shared surface with a minimum width of 5m. Beyond the site access the road will narrow back down to the tie into Ashwell's Street existing width.

The TN highlights that the proposed development site will benefit from a pedestrian access to the north, located off Lucas Lane; as well as a shared cyclist/ pedestrian access to the south.

The internal highway arrangement will typically comprise of a 5m wide shared surface road. In addition to this, there will be a 2m footway provision to the north, connecting to Lucas Lane; as well as a 2m footway provision to the south, connecting to Ashwell Street. Along the development site's southern boundary, approximately 20m southwest of the principal site access, there will be a designated 3m wide shared cycleway/footway provision connecting to Ashwell Street.

Previously, for the now-refused application (22/03094/FP), the Local Highway Authority (LHA) had imposed several requirements for the development.

As the access arrangement remains the same, the previous comments remain valid. Firstly, a speed limit of 10 mph must be implemented on the shared surface stretch of Ashwell Street. To ensure this speed reduction is effectively communicated to drivers, a comprehensive traffic signage plan is required, which should include signage at the site access and manage potential turning movements to and from Station Road. Additionally, a large car swept path analysis must be provided, demonstrating how vehicles will access parking spaces within the development. Finally, the plan must annotate the distance between the two proposed speed tables on Ashwell Street, adhering to the maximum distance of 80 meters as specified in the recently adopted 'Place & Movement, Planning and Design Guide for Hertfordshire' (November 2023).

The applicant has highlighted that the proposals for Ashwell Street, comply with the guidance i.e. 'Places & Movement, Planning and Design Guide for Hertfordshire' using the highway character P3/M1.

The submitted TN states that proposal will provide two vertical features and a road narrowing to ensure that vehicle speeds are kept low. The features comprise a vertical deflection as you transition from a traditional carriageway to the shared surface and a further raised table combined with road narrowing where the segregated footway joins Ashwell Street.

The TN highlights that these provisions will provide both speed control and a buffer for pedestrians and cyclists as they rejoin the shared surface and improve visibility splays for pedestrians. The LHA in its September and in December 2023 responses to the previous application, highlighted that as a shared surface environment, seeking to achieve a traffic speed of 10mph would be appropriate and recommended to identify how this may be delivered. The TN does not address the deliverability of a 10mph speed limit along the shared surface. This is required.

Additionally, along with the shared surface speed limit, it is highlighted that the reduced speed required along Ashwell Street and through the site access needs to be conveyed to drivers as they enter the scheme. It is recommended to update the plan with a traffic signage strategy to ensure the speed reduction is effectively communicated to drivers.

The TN has submitted an annotated plan highlighting the distance between two speed tables proposed on the Ashwell Road as 34.17m. This is considered acceptable.

In addition, the applicant has submitted swept path analysis for a large car, 5.079m in length accessing the proposed parking spaces. The drawings (190-TA41 to 190-TA46) demonstrate that the large car can access the parking spaces safely. This is considered acceptable.

The TN highlights that Ashwell Street is classified as a B.O.A.T and is not currently surfaced to modern standards to the east of the proposed site access. However, it is accepted that the turn towards the station road at the site access junction is a legitimate manoeuvre for vehicles exiting the site. To aid this turning manoeuvre, a turning radius of 4m is provided. This is considered acceptable. However, the traffic signages are required to notify and manage the possible turning movements from/ towards Station Road.

In the previous response, LHA highlighted that the design details are provided on drawing MAC 190 TA-10 Revision I for the junction between Ashwell Street and the site access. This layout will result in vehicles exiting the widened section of Ashwell Street into a single-track highway, potentially resulting in the need for vehicles to reverse prior to being able to pass at some point on the single-track highway. Measures must be in place to prevent the need for vehicles to reverse back out of the single-track section onto the wider section of Ashwell Street.

No provision is made for vehicles to turn right into the single-track section of Ashwell Street from the site access. As a legal manoeuvre, this must be able to be achieved safely, and with the same requirement to ensure that people do not need to reverse back into the widened section of Ashwell Street.

In the submitted drawing 190-TA10 Revision J, the applicant has provided a 4m turning radius safely achieving the left turn onto the Ashwell Street from the development. 4m turning is in accordance with the the recently adopted 'Place & Movement, Planning and Design Guide for Hertfordshire (November 2023). This is found acceptable.

Access of Lucas Lane

The applicant has submitted a Technical Note assessing the deliverability of the access off Lucas Lane via a 5m wide shared surface.

The Technical Note highlights that the development site features a narrow strip of land, approximately 8 meters wide, situated between Nos. 4 and 8 Lucas Lane. This land slopes from south to north with an average gradient of about 1 in 11.

The applicant mentions that, while it is possible, pending Local Highway Authority (LHA) approval, to construct a shared surface access within this gap, the 5-meter-wide surface would barely fit, leaving minimal space for landscaping on either side. Given the natural gradient, vertical design parameters must be considered, as the LHA typically requires a gradient of 1 in 40 for the first 10 meters of the access road, which can then increase to 1 in 12.5. However, this proposed gradient is flatter than the existing ground, necessitating significant alterations.

It further details that an access road would need to be lowered by approximately 0.82m to 1.16m (ref. drawing 190-TA32), making it impossible to recover the level difference with an embankment due to the lack of landscaping space. Therefore, retaining structures up to 1.6m high would be required, resulting in a highly engineered and unpleasant environment. Additionally, the proximity of No. 4 Lucas Lane's garage and the impact on neighbouring vegetation complicate the feasibility of this plan.

The TN concludes that due to these technical constraints, it is deemed not technically viable to provide access via Lucas Lane, and an access off Ashwell Street is recommended as the most suitable solution for the proposed development. This is considered acceptable.

Public Transport

The nearest bus stops are located on High Street some 120m to the west of the proposed development access off Lucas Lane. The bus stops provide a flag and timetable. The bus stop is located within a 2 minute walk from the development site. The bus stops serve the bus routes described in Table 3.2 below.

The proposed development has adequate access to Royston and Letchworth with good commuting links to Ashwell Morden Railway Station and is therefore located in a sustainable location.

The nearest railway station is located at Ashwell Morden some 3.2 km (2 miles) from the development site. The railway station offers regular rail services to London and Cambridge along with more local destinations of Royston and Baldock. A copy of the train route map for services that use Ashwell Morden is enclosed in Appendix F. 3.2.4 The railway station can be reached by bike or using the 90/91 bus services described above.

Highway Safety

No Personal Injury Collision (PIC) has been undertaken and submitted as a part of this application. PIC analysis is required for the proposed development. The applicant will need to obtain the most recent 5 years of collision data from Hertfordshire County Council and provide a summary of the data within the TA.

A Stage 1 Road Safety Audit (RSA) of the proposed access arrangement and Designer's Response is required to be submitted.

Trip Generation

No likely trip generation or modal split analysis is presented in support of this application. The TN states that, a development of 14 dwellings will not generate a significant number of vehicle trips on the highway network. The number of vehicles generated could easily be accommodated without causing significant harm.

Trip Distribution & Modal Split

No trip distribution is presented in support of this application.

Impact on the Highway - Junction Assessment

No junction assessment is undertaken and presented in support of this application.

Car Parking

The TN states are Car and cycle parking policies are set out in North Hertfordshire's 'Vehicle Parking at New Development Supplementary Planning Document' published September 2011.

- 1 bedroom - 1 car park space per dwelling minimum
- 2 + bedroom - 2 car spaces per dwelling minimum

The Proposed Parking Plan (drawing A_2133 PL110) indicates that parking for 4 beds dwellings and for few 3 bed dwellings are more than 3 car park spaces. This will be a matter for the Local Planning Authority to review.

Hertfordshire County Council (HCC), as a highway authority, recommend that the level of on-site car parking is limited to a maximum of one space per 1 or 2-bed dwellings and two spaces for 3+ bedrooms. This is to encourage active travel / public transport trips.

HCC declared a climate emergency in 2019 and the HCC Local Transport Plan Policy 5 requires all new developments to provide EV infrastructure. The DfT's Decarbonising Transport (2021) states that in 2030 the sale of new petrol and diesel cars will cease. The NPPF paragraph 112 (e) also requires sites to enable charging. Therefore, each dwelling must be served by at least one active EV charging unit.

The Proposed Parking Plan (drawing A_2133 PL110) shows that each dwelling is proposed to be equipped with at least 1 EV charging unit. This is acceptable.

Cycle Parking

Car and cycle parking policies are set out in North Hertfordshire's 'Vehicle Parking at New Development Supplementary Planning Document' published September 2011. The cycle parking standards allows for 1 secure covered space per dwelling. None if garage or secure area provided within curtilage of dwelling.

The TN states that to comply with Hertfordshire County Council's LTP4 Policy 8 (Active Travel-cycling) cycle parking above these standards will be required. It mentions that the exact arrangement and delivery of this cycle parking will be considered with any future planning application when the layout is to be fixed. However, the TN outlines principles for the cycle provisions as follows.

- Minimum two cycle parking spaces per dwelling;
- Garage parking will provide, a floorspace requirement of 1.25m x 2m for each bicycle;
- Long stay cycle parking should be in the form of lit, lockable and weather resistant store(s) and be easily accessible;
- 5% of the total bicycle provision for each type of cycle parking (residents, visitors, etc.) should be designed for non-standard bicycles like cargo bikes, inclusive mobility bicycles, tricycles, etc. (more information can be found here: <https://wheelsforwellbeing.org.uk/>).
- Cycle parking provided should be of high quality - conveniently located, secure (especially long term spaces) and with natural surveillance for short term spaces to increase security, lit, covered (long term spaces definitely), visible (especially short term/visitor spaces), easy to access (if not at ground level, no steps and ramps only of appropriate gradients), etc.

Servicing, Refuse and Emergency Access

Drawing 190-TA40 confirms that a 12.1m long refuse vehicle can access all dwellings within the development. However, it is necessary to conduct a swept path analysis to ensure the refuse vehicle can safely navigate from the Ashwell Street site access junction, turn within the development, and exit the site safely.

The Waste Collection Plan (Drawing A_2133 PL190) shows the refuse drag distances. The residential drag distances are within 30m, and operator drag distance is within 25m. However, BS 5906:2005 requires a two-wheel bin to be collected and taken to a refuse vehicle a maximum of 15 metres distance.

No swept path analysis for a fire appliance has been provided with this application. It is required to conduct and submit a swept path analysis demonstrating that a fire appliance can safely access the site, reach each dwelling unit within the proposed development, turn and exit the site safely.

Travel Plan

The Travel Plan outlines the responsibilities and measures to promote sustainable travel. A Travel Plan Coordinator (TPC) will be appointed six months before the first occupation and will remain in position for a minimum of five years. The TPC will oversee various duties, including travel plan training for sales and marketing staff, organizing induction sessions for new residents, and providing personalized travel advice. Residents will receive welcome packs with incentives for sustainable travel, information about local services, and access to a community travel website and events. Additionally, secondary contacts will be established to support the TPC's efforts.

The plan also includes specific measures to encourage walking, cycling, and the use of public transport. Footway provisions, cycle parking, and shower/changing facilities will be provided on-site, along with free or discounted cycles and equipment. Residents will have access to cycling and walking maps, cycle training, and a Bicycle User Group (BUG). Public transport incentives include free or discounted use and customized information for residents. To reduce car use, the plan promotes car sharing, provides residential travel packs, and includes parking management strategies. Broadband access and home-office space are also planned to minimize the need for travel.

HCC has reviewed the Travel Plan submitted June 2024. It is highlighted that the Travel Plan type should be Travel Plan Statement. It is mentioned that the Travel Plan Co-ordinator (TPC) will be appointed 6 months prior to first occupation and will be in position for minimum of 5 years. It is required to provide the secondary contact for the TPC.

Reference to Hertfordshire County Council's Travel Plan Guidance (www.hertfordshire.gov.uk/travelplans).

Offsite Improvement Works

The requirement as part of the offsite s278 works is to include a shared access road which includes pedestrian and cycle access to connect with the existing western end of the Byway of Ashwell Street.

Planning Obligation / Community Infrastructure Levy

North Hertfordshire does not currently have a CIL. The Council continues to use legal agreements to secure contributions from new development.

Prior to any approval by the LHA, there will need to be a discussion on contributions in line with Hertfordshire's Developer Contribution Tool Kit.

CONCLUSION

Hertfordshire County Council as Highway Authority has considered the submission of further informant from the applicant and is recommending refusal on the grounds detailed in this response and subject to conditions contained here within being met

Signed

Chris Carr

23 August 2024