



Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CHN115
Farnham House
Six Hills Way
Stevenage
SG1 2ST

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: 25/01982/FP
HCC ref: NH/26183/2025
HCC received: 25 September 2025
Area manager: Manjinder Sehmi
Case officer: Paul Marshall

Location

50 Moss Way, Hitchin, Hertfordshire, SG5 2QP

Application type

Full Application

Proposal

AMENDED PROPOSAL

Full Planning Permission : Change of use of the existing dwelling from a residential dwelling (Use Class C3) to use as a children's home for up to two children and three carers (Use Class C2). Single storey side extension following the partdemolition of the existing garage including bin and cycle stores, installation of additional front hardstanding and provision of three parking spaces. (as a variation of planning permission 25/01134/FP granted 10.07.2025)

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:

CON1) Prior to the first use of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Further information is available by telephoning 0300 1234047.

AN5) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

COMMENTS

The proposals are for an Amended Proposal Full Planning Permission: Change of use of the existing dwelling from a residential dwelling (Use Class C3) to use as a children's home for up to two children and three carers (Use Class C2). Single storey side extension following the part demolition of the existing garage including bin and cycle stores, installation of additional front hardstanding and provision of three parking spaces. (as a variation of planning permission 25/01134/FP granted 10.07.2025)

Context:

Moss Way is an unclassified local access road and provides a local access function in the road hierarchy. Moss Way is highway maintainable at public expense. A 30mph speed limit applies. On Hertfordshire County Council's Place and Movement network Moss Way is classed as P2/M1 (Residential Street). No reportable highway accidents recorded within the immediate vicinity of the application site (5-year rolling). 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 Moss Way to be a traffic sensitive road.

Policy Review:

The key documents used to assess the application are

- Manual for Streets 2007
- National Planning Policy Framework (July 2021)
- Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May 2018]
- Cycle Infrastructure Design Guidance (Department for Transport Local Transport Note July 2020)
- HCC's Place & Movement Planning Design Guidance (adopted in March 2024)

PLANNING HISTORY

The application site has a previous planning history under reference 25/01134/FP. Notably, the Highway Authority provided a response to this application on 25th June 2025. The application was refused on the grounds that the proposed development did not meet the design standards set out in the Hertfordshire County Council Residential Dropped Kerbs Policy, and the proposed parking arrangements were deemed unacceptable.

DRAWINGS

The Highway Authority note the submission of materials in support of the planning application, including drawing numbers: Planning Statement, PL04 Rev A, PL002 Rev A, 101, 108, 107 Rev A, 109, and 111 Rev A.

ACCESSIBILITY

The Department for Transport's Local Transport Note 1/20: 'Cycle Infrastructure Design' (July 2020) recommends that cycle parking spaces should measure 2 metres in length (with 1.8 metres being acceptable) and allow for a minimum spacing of 0.3 metres between cycles. Provision should be made for at least one cycle parking space per dwelling. External cycle parking facilities should be both covered and lockable. The availability of well-positioned, safe, and secure cycle parking for residents and visitors plays a vital role in promoting cycling as a viable alternative to private car use. Drawing Ref-(PL109) demonstrates a lockable cycle store that meets the specifications outlined in the above guidance.

PARKING

Section 3.5 of the Planning Statement indicates that 'It is proposed to extend the existing driveway to create a parking area for three cars.' This proposal is considered acceptable. The driveway is intended to be constructed using permeable materials. Please note that this must comply with the

Department for Communities and Local Government (DCLG) Guidance on the permeable surfacing of front gardens

ACCESS

The existing access, which is shared with No. 48, is considered acceptable in its current form. It appears to function adequately for both properties without causing obstruction or safety concerns.

VISIBILITY

No visibility splays have been provided. This is vital considering the Kings Hedges Bus stop is a few meters away to the south of the access and the Oughton Primary and Nursery School opposite. This should be 2.4 x 43 meters and no obstruction between 600mm and 2m above the level of the adjacent highway carriageway. Please see Condition 1.

EMERGENCY ACCESS

The nature of the site ensures that all proposed access points are located within 45 metres of the public highway. This design consideration is in accordance with Manual for Streets (MfS) section 6.7.2, which recommends that the maximum distance between a dwelling and the nearest carriageway should not exceed 45 metres. This requirement is primarily driven by fire safety standards, as it reflects the operational reach of standard fire hoses deployed from fire appliances positioned on the highway.

REFUSE / RECYCLING

The proposals for recycling bin storage have been designed in accordance with Manual for Streets (MfS) section 6.8.9, which states that residents should not be required to carry waste more than 30 metres to a designated collection point. Furthermore, bin storage areas must be located within 25 metres of the kerbside to facilitate efficient collection by waste services. These requirements are met within the proposed layout and are clearly demonstrated on drawing PL108, which illustrates the proximity of bin storage locations to both residential units and the kerbside collection points.

CONCLUSION

Should the LPA be minded to approve the application please note the above condition and informatives. This level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore; the highway authority would not wish to restrict the grant of planning permission.

Signed

Paul Marshall

8 October 2025