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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: 24/01371/FP
HCC ref: NH/21505/2024
HCC received: 19 November 2024
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Hillcrest, The Causeway, Therfield, Royston, SG8 9PP

Application type

Full Application

Proposal

AMENDED PROPOSAL

Full Planning Permission : Erection of seven dwellings (4 x 3-bed and 3 x 4-bed) including creation of vehicular access off The Causeway, carport, parking, landscaping, and associated works following demolition of existing dwelling and 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 does not wish to restrict the grant of permission subject to the following conditions:

Conditions:

No development shall commence until detailed technical plans are submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the vehicle access and associated highway works concerning the implementation of the footways, dropped kerbs, tactile paving, returning redundant crossover back to footway, traffic calming measure, etc. in accordance with the hereby approved drawing no.SK01 rev A plan. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of any part of the development.

Reason: To ensure the provision of a vehicle accesses and footway is safe, suitable, and sustainable for all highway users.

A s38 agreement will be required for land to be dedicated to the LHA for adoption, that amount of the site's frontage needed to achieve the footway widths as shown on the approved plan Highway boundary overlay plan drawing no. SK02. The applicant will be liable for the total cost of the adoption process that will need to be undertaken by the Council, the making good of the wider footway (s278) and its commuted maintenance payments.

Reason: To ensure the provision of footways are safe, suitable, and sustainable for all highway users.

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:

- Access arrangements to the site.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- Provision of sufficient on-site parking prior to commencement of construction activities.
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

ADVISORY NOTE

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) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN4) 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.

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.

AN6) Highway to remain private: The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Brief description in support of the proposed development by the applicant:

Further to submission of planning application 24/01371/FP comments have been received from Highways Development Management (HDM), dated 13 November 24, requesting scheme amendments and additional information.

HDM request that the proposed new public footway fronting the site is extended to the northern boundary of the site. This is now reflected in TPA drawing 2212-005/SK01A.

HDM also suggested that the footway build out proposed to the south of the site, across the front of the schoolhouse could potentially be moved further toward that building. This is agreed to be

sensible and that the back of footway should correspond with the highway boundary, therefore a note has been added to the drawing to that effect.

HDM request a copy of the site plan with the highway boundary overlaid and that has been produced and identifies a small strip of land has that is anticipated to be required for adoption, in order to ensure that the new footway is part of the public highway.

Highways comments:

The section of the proposed footway shown between the applicant's site and the school, to clarify the footway width should extend from the eastern boundary of the public highway land and then on to the carriageway. Based on the highway boundary records and what is on site, it would appear there has been some encroachment onto public highway land, this will need to be addressed by the applicant in their design and technical drawings as part of the proposals of works to be submitted to the Local Planning Authority, in consultation with the Highway Authority.

In view of the agreed amendments and additional information provided in the Technical Note dated November 2024 and the submitted plans by the applicant, the HA is satisfied that the concerns raised in the HA's comments dated 13 November 2024, have now been satisfactorily addressed and the HA is now in a position to recommend no objection.

Recommendation:

The HA has no objection subject to the following conditions:

Signed

Senober Khan

10 December 2024