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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: 23/00407/FP
HCC ref: NH/16018/2023
HCC received: 2 September 2024
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Node Court, Drivers End, Codicote, Hitchin, SG4 8TR

Application type

Full Application

Proposal

AMENDED PROPOSAL

Conversion of Node Court to 8no. dwellings.

Conversion of Midden building to residential and the erection of 6no. terraced dwelling-houses and 2no. detached dwelling houses as development to facilitate the restoration of Node Court together with associated car parking, landscaping, boundary treatment and ancillary works

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:

The Highway Authority under the current submission cannot support the application which has failed to demonstrate a satisfactory policy and design-led approach to the proposed developments accessibility contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF, therefore the proposals represent a risk to highway safety for all road users.

Brief Description in support of proposed development by the applicant:

A Design and Access statement and planning support dated August 2024 has been submitted in support of the application for Conversion of Node Court to 8no. dwellings. Conversion of Midden building to residential use and construction of 6no. terraced dwelling-houses.

We have also thought carefully about how everyone, including disabled people, older people and young children will be able to use this proposed development.

Access and Transport

A Transport Assessment by Integrated Transport Planning Limited identifies the key issues relating to the Local Highway network. It also identifies sustainable transport in the local area including public transport Bus Route 314, locally maintained public rights of way and footpaths and the National Cycle Route 12 which passes within 900m of the application site. A wider analysis shows railway access via Knebworth to Cambridge and to Moorgate and Kings Cross and St. Pancras within 3.5 kilometres of the application site.

The Transport Statement concludes how 15 new dwellings would have negligible impact in Highways terms. It concludes how the site lies within proximity of sustainable transport options and access by larger vehicles and parking. These elements are considered in line with relevant policy and highways regulations.

The proposals reduce the vehicular activity generated by office use, thus lessening the environmental impact upon air quality and highways infrastructure which in turn lessens harm to the Green Belt. Whilst the site lies slightly outside the village of Codicote, the Transport Statement clearly demonstrates a variety of sustainable transport options in the near vicinity and within 3.2km of the site. With current legislation deterring use of diesel vehicles and with future trends towards private electric vehicles and a de-carbonised nation grid, supplementary use of private vehicles would be both socially and environmentally sustainable. A condition of this application could require the provision of electrical charging points for all new dwellings.

Transport link

Walking - Dense network of surrounding public rights of way - Routes can be followed between the site and Codicote. Approx. 2km from the site to the centre.

Bus - Bus route no.214 between Welwyn Garden City and Hitchin - Bus stop located approx. 450 metres from the site, at the junction of Drivers End Lane and the 656.

Conclusion

The proposals are sustainable in relation to public transport, footpaths and cycle paths making these services and facilities will be more viable in use;

Highway comments:

Whilst the applicant has submitted a Design and Access (D&A) statement, of which the highway related aspects has been listed above in the brief description, however the statement has not addressed any of the comments made in the HA's previous comments dated 24 April 2023 for this application.

The proposed car parking provision is the responsibility of the LPA to determine the level and suitability of the car parking proposals, however, it is essential that it is operated in efficient and safe manner to minimise the impact on the local highway network which is the responsibility of the HCC HA.

In the previously submitted Transport Statement (Jan 2023), it stated “it is not proposed to put forward the internal access roads for adoption by the local highway authority”, on this basis “refuse collection will be arranged privately”, whilst this is acknowledged by the HA, it is not clear why the applicant has re-submitted 10.2m (substandard length) refuse vehicle swept path track drawings, no explanation has been provided to the purpose of the re-submitted refuse vehicle swept path drawings.

Whilst the HA acknowledged that the proposed development is not expected to have any significant/detrimental impact on the operation of the adjacent highway network, the HA did in its formal comments dated 24 April 2023 raise pedestrian accessibility concerns which the applicant has not addressed in the D&A.

For pedestrian safety reasons and robustness, the HA required the applicant to undertake A Stage 1 Road Safety Audit (RSA), this has not been undertaken by the applicant.

In the D&A it states, “We have also thought carefully about how everyone, including disabled people, older people and young children will be able to use this proposed development.”, nothing has been provided in the D&A to demonstrate how occupiers of the development would be able to safely access the bus stops by walking.

The HA's justification for its concerns relating to accessibility of the proposed development by sustainable modes remain relevant and are relisted below as outlined in the HA's comments dated 24 April 2023:

Policies encourage active travel, which is about ‘living locally’ and giving people the ability to access most of their needs within an easy walk or cycle from their home, with safe access to cycling and local public transport options.

In line with HCC Local Transport Plan, mitigation should focus on the enhancing and encouraging active travel and public transport use. To deliver this, mitigation through sustainable transport improvements must be provided by the applicant.

The TS (now including the D&A statement) itself mentions both local and national policies and guidance's relating to sustainable travel by walking, cycling and public transport, however nothing substantive has been proposed which will promote active and sustainable travel.

It is acknowledged by the HA that no footways exist at the site access, furthermore the HA also acknowledges that the development cannot provide the required footways in the interests of highway safety to ensure vulnerable users have access to safe facilities that encourage active travel and ensure the site is accessible for all vulnerable users.

With new builds the planning process seeks/provides the opportunity to improve conditions for both development and highway safety by applying current higher standards of policies, design, accessibility, and safety to new developments, and not to retain and/or continue with past obsolete standards.

Accesses in new builds should adhere to current higher standards of accessibility as outlined in both local and national policies, guidance's, and regulations.

Cycling and walking are a key part of HCC/NPPF plans, the HA expects provision of safe footway to the vehicle access of the proposed site which is one of the key issues identified in HCC/NPPF to encourage active sustainable transport choices.

The none provision of footway and expecting residents to walk along the large number and elongated of leisure routes (public rights of way routes - mostly for leisure use) to access town centres is not acceptable for a new build development. Housing should be delivered in the most sustainable locations where connectivity is maximised, the need to travel by car is minimised, and safe and direct walking and cycling routes are provided.

In the TS it states that the nearest bus stops are located approximately 450 metres west of the site, at the junction of Drivers End Lane and the B656 and the nearest bus stops east of Node Court are approximately 800 metres from the site, however neither of these bus stops can be accessed safely by walking.

Summary

The site is in a relatively isolated location which gives rise to a higher dependency on the ownership and use of private motor transport.

Drivers End Lane features a single lane carriageway, no footways and is unlit, however more worrying whilst speed surveys have been undertaken to demonstrate that the 85th percentile speeds are 26mph the road has a legal speed limit of 60mph and it has not been demonstrated that the sight lines at the vehicle access comply with the required distances.

Consequently, whilst traffic along the lane is likely to be infrequent as it serves few properties and has limited strategic use, the prospect of the future occupiers of the development walking or cycling to the bus stops is likely to be limited mainly to trips in daylight hours and fair weather.

It is reasonable to assume the proposal would result in the residents having complete reliance on the private motor vehicle for even the most basic of daily needs, thereby conflicting with the aims of achieving development in sustainable locations.

Pedestrian route to the development access must also consider the needs of those with small children, pushchairs and those with reduced mobility, including visually impaired people and people using wheelchairs or mobility scooters (Equalities Act).

Residential developments should be delivered in the most sustainable locations, connectivity is maximised, the need to travel is minimised, and safe and direct walking and cycling routes are provided.

Consequently, the site and its access without the provision of safe and lit footway connectivity, as direct as possible, with established settlements and public transport are not considered acceptable for residential development in such an isolated location because it is not viable for access by non-car transport modes contrary to all policies and guidance's, in particular NPPF which seeks new development to provide safe and suitable access for all, and to create safe and secure layouts minimising conflicts between traffic and pedestrians.

Furthermore, permitting the development would set an undesirable precedent for similar schemes elsewhere.

A Stage 1 Road Safety Audit (RSA) for any revised access proposals will need to be submitted as part of application with particular attention to pedestrian routes and safety.

The onus is on the applicant to provide detailed explanation, information, plans that demonstrate how all the aspects of the proposals are compliant with the appropriate guidance's and policies for the HA to fully understand and assess the viability of the proposal to make an informed decision.

Recommendation:

The Highway Authority under the current submission cannot support the application which has failed to demonstrate a satisfactory policy and design-led approach to the proposed developments accessibility contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF, therefore the proposals represent a risk to highway safety for all road users.

Signed

Senober Khan

23 September 2024