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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: 24/02455/FP
HCC ref: NH/22879/2024
HCC received: 6 November 2024
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Land Opposite Wymondley Grid Station And To The South Of Sperberry Hill, St Ippolyts, Hertfordshire

Application type

Full Application

Proposal

Full Planning Permission : Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure

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:

The construction of the development shall only be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

The development shall only be carried out in accordance with the approved 'Glint and Glare Report/Plan.

Reason: To ensure the development does not produce any glint and glare impact on the drivers viewing and ability to drive safely on the nearby highway, in the interests of highway safety and amenity in accordance with Policy 5, 7 and 8 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

Before commencement of the development, a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the recommendations, if any, shall only be carried out in accordance with the report.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

It should be stressed at this stage of the application that it is the responsibility of the site operator to manage all vehicle and pedestrian movements within the site.

HIGHWAY INFORMATIVES:

The Highway Authority recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Obstruction of public highway land: 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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on 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. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. 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.

Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. 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.

The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

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:

The Resubmission Scheme relates to the same applicant, description of development and site of a previous application that was refused planning permission by North Hertfordshire District Council (NHDC) on 22 November 2023 (NHDC ref: 22/00709/FP).

This Transport Statement (TS) supports an application for full planning permission for the construction and operation of this photovoltaic solar array and associated infrastructure.

It should be noted that the 2023 Scheme was refused for reasons of amenity and unacceptable impact on Green Belt land. Following a series of pre- and post-application discussions (summarised below), there was ultimately no objection to the 2023 Scheme from either the LPA or LHA on transport and highways matters.

Highways comments:

The HA has reviewed the Transport Statement (TS) dated Sept 2024 submitted by the applicant, the HA is satisfied that given that the proposals are similar in transportation terms, the HA's comments remain the same as for the previous application (ref no. 22/00709/FP) which are repeated below.

However, the applicant has not submitted a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals as requested and subsequently conditioned, nevertheless that condition can be applied again for this application.

A 'Glint and Glare Report' has been submitted and reviewed and found to be satisfactory.

In view of the above commitments HA would raise no objection subject to the following conditions:

Signed

Senober Khan

26 November 2024