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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: 25/01766/OP
HCC ref: NH/25803/2025
HCC received: 16 September 2025
Area manager: Manjinder Sehmi
Case officer: Samuel Tearle

Location

Land On The South Side Of, Cowards Lane, Codicote, Hertfordshire,

Application type

Outline

Proposal

AMENDED PROPOSAL
ADDITIONAL INFORMATION

Outline Application : Outline application with means of access for residential development of up to 30 dwellings (including affordable housing); following demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works (all matters reserved except means of access)

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:

Condition 01: Offsite Works & Access

A) Design Approval

Notwithstanding the details indicated on the submitted drawings, prior to the first occupation of the site hereby permitted, a detailed scheme for the offsite highway improvement works to widen Cowards Lane and install a new footway, as indicated on drawing number 8549 CLC-RGP-XX-XX-DR-T-007 Rev 02 dated 11th September 2025, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority via a S278 Agreement. Surface water drainage details must also be provided.

B) Implementation / Construction

Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Condition 02: Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. 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, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

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).

Condition 03: Rights of Way

A) Design Approval

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence on site unless otherwise agreed in writing until a Rights of Way Improvement Plan for the off-site and on-site Rights of Way improvement works has/have been submitted to and approved in writing by the Local Planning Authority.

B) Implementation / Construction

Prior to the first occupation/use of the development hereby permitted the off-site and on-site Rights of Way improvement plan works (including any associated highway works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVES:

It is recommended the 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.

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

AN2) 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.

AN3) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx>

AN4) 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.

AN5) Works within the highway (S278): 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 County Council website at:

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

AN6) 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.

Planning Obligations / Agreements

S106 (Town & Country Planning Act 1990)

Under Strand 2 of the schedule, contributions of £9,861 per dwelling are required, which equates to a total of £295,830 (Subject to indexation SPONS to March 2024).

The Highway Authority will use the contribution to install a new pedestrian crossing on St Albans Road, between Tithe Close and Baker's Lane, in line with HCC Local Transport Plan Policy 1. This is fundamental to make the application acceptable and allow pedestrians to route safely to the primary school.

In addition, contributions will be distributed to schemes identified in the HCC's Local Transport Plan (LTP) and its supporting documents, Hertfordshire Growth and Transport Plan, LCWIP, alongside possible bus stop/service enhancements.

S278 (Highways Act 1980)

A Section 278 agreement will be required between the applicant and HCC. Details of the S278 process is stated above in Informative AN5.

COMMENTS:

The Highway Authority previously issued a response, dated 14th August 2025, following review of the submitted Transport Statement (Document Ref: 2025/8549/TA01, dated July 2025). An additional set of comments were issued by the Highway Authority on 1st September 2025 in response to the Transport Addendum (Document Ref: 2025/8549/TA05, dated August 2025) submitted to address HCC Highways comments from August.

A letter has been produced by RGP (Letter Ref: 2025/PB/8549/L01, dated 15th September 2025) to address the latest HCC comments, which is considered in further detail, below.

Design Considerations

Pedestrian Access

The previous HCC comments requested that the width of the carriageway is reviewed to investigate widening of the carriageway alongside the proposed footway, between St Albans Road and the

proposed site access, in line with Policy 5 of HCC's Local Transport Plan to ensure access arrangements are safe and suitable for all people.

The RGP letter states that the request has been reviewed and a revised drawing has been produced (Drawing No. 8549 CLC-RGP-XX-XX-DR-T-007 Rev 02, dated 11th September 2025) which outlines the requested road widening along Cowards Lane.

The road widening is to extend for 40m north-west of the proposed site access up to where Cowards Lane splits into separate entry and exit lanes to/from St Albans Road. The carriageway along this section will be widened to 4.8m and also include the proposed 2m wide footway.

RGP acknowledges in the letter that the works are to be delivered via a S278 Agreement and the Applicant must ensure that affected residents are consulted during the process.

Internal Highways Access

At this stage, with the submission of the proposed development being an outline application with all matters reserved except for access, HCC Highways note that the onsite layout will be determined at reserved matters layout stage.

Planning Obligations

If the application is granted planning permission it will be subject to HCC S106 transport contributions. Under Strand 2 of the HCC Highways Planning Obligations Schedule, contributions are sought for the delivery of active travel infrastructure to mitigate adverse pressures to the future operation and safety of the local highway, footway, cycleway and public transport networks. The mitigation will focus on enhancing and encouraging active travel and public transport use by improving facilities, walking and cycling environments, and improving the safety of trips.

Under Strand 2 of the schedule, contributions of £9,861 per dwelling are required, which equates to a total of £295,830 (Subject to indexation SPONS to March 2024).

The Highway Authority will use the contribution to install a new pedestrian crossing on St Albans Road, between Tithe Close and Baker's Lane, in line with HCC Local Transport Plan Policy 1. This is fundamental to make the application acceptable and allow pedestrians to route safely to the primary school.

In addition, contributions will be distributed to schemes identified in the HCC's Local Transport Plan (LTP) and its supporting documents, Hertfordshire Growth and Transport Plan, LCWIP, alongside possible bus stop/service enhancements.

Conclusion

Considering the above, the Highway Authority does not wish to raise objection to the proposal subject to the inclusion of the recommended planning conditions and informatives, which ensures that the proposal is in-line with NPPF para 115 and Policy 5 of HCC's Local Transport Plan.

Signed

Samuel Tearle

7 October 2025