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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: 25/00926/FP
HCC ref: NH/24784/2025
HCC received: 24 April 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Friends Green Farm, Friends Green, Damask Green Road, Weston, Hitchin, Hertfordshire, SG4 7BU

Application type

Full Application

Proposal

Use of buildings as (Sui Generis) car sales and (Use Class B2 general industrial) car servicing. Alterations to fenestration to building 2 and retention of southern vehicular 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 recommends that permission be refused for the following reasons:

Recommendation:

Refuse

Reasons for Refusal:

The application with a second vehicle access has failed to demonstrate a satisfactory policy and design-led approach for the above reasons, thereby the proposals would exacerbate existing highway conditions, which are prejudicial to the highway safety of all road users.

Brief Description in support of Proposed Development by the applicant:

This Transport Technical Note has been prepared to support a planning application for the alteration of access arrangements at the above site.

The Proposed Scheme

The proposals seek to alter the vehicular access arrangements at the site, with the car dealership employing a new one-way access route. It is therefore proposed that all vehicular traffic will enter the site via a newly constructed southern access, while vehicles will egress solely using the approved existing access in the north.

No material amendment is proposed to existing buildings or other arrangements on site.

Planning History of the Site

A retrospective planning application (REF: 23/01259/FP) was sought and approved in March 2024 which proposed to change the use of the site from its lawful equestrian use (as approved under 17/04137/S73) to Sui Generis Use for car sales and B2 land use for car servicing. Access to the site from Damask Green Road via the northern access point, was retained, along with an internal driveway and parking area to the north.

The previously consented scheme above also included a personalised planning condition, as agreed with the reviewing case officer, which only permits the applicants existing use (Specialised Porsche Restoration Garage and Showroom) on site. This will prevent other applicants from purchasing the site assuming a Sui Generis/B2 use, without the need to complete a full planning application.

The consented application also included a condition related to closure of the southern access and its removal to prevent use.

The applicant also made another planning application in July 2024 which sought to remove the condition related to access located in the southwestern corner of the site and open it for use (REF: 24/01434/S73). It was proposed that access to the site via the existing northern access would remain, but that the opening and utilisation of the additional access in the south would improve site operation efficiency and security.

The Highway Authority did not support the above proposals, citing highway safety and visibility concerns at the southern access for egressing vehicles. Therefore, the application was refused.

The Development Proposals

The proposals seek to alter the vehicular access arrangements at the site, with the car dealership implementing a new one-way access route. It is, therefore, proposed that all vehicular traffic will enter the site via a newly constructed southern access, while vehicles will egress solely using the approved existing access in the north.

The applicant has outlined the importance of having two access points to the site which will help with internal traffic flow and operational efficiency of their car dealership business. By directing vehicles to enter and exit through designated points, congestion within the site is minimised, and the risk of internal vehicular conflicts/collisions is also reduced, which is very important for the applicant, especially considering that they deal exclusively in high-valued, often one-of-a-kind, Porsche sports cars.

Additionally, a revised access arrangement on site allows for optimal internal space utilisation, ensuring that parking, loading, and operational areas are used effectively. This arrangement will also benefit customers and staff, with the use of a clear and intuitive traffic pattern, making navigation easier for patrons.

In addition to the above improvements, the existing access is reasonably narrow, and on occasions where there is a vehicle entering and exiting the site at the same time, the existing width of the access is insufficient for those vehicles to pass safely. Such a situation can lead to one of the

vehicles needing to reverse into the site or onto the public highway. While reversing onto a public highway has clear safety implications, reversing from the northern site access into the site exposes parked vehicles to potential damage from the reversing vehicle.

The use of a new southern access point as an 'in' access only also alleviates the Highway Authorities' concerns regarding safety and visibility as vehicles are no longer proposed to egress from the access point. Thus, the visibility splays from the site are not required.

Vehicle Access

Access (entry to the site) for vehicles will be from Damask Green Road, solely utilising the southern access point. The southern access measures circa 11m in width where it meets the Damask Green Road, tapering down to circa 4.8m after 4m. The access road will offer a one way vehicular flow route to the existing car parking area within the site, with the driveway routing between the existing buildings on site.

Vehicular egress from the site will be solely made utilising the existing northern access, as previously consented by the Highway Authority as part of REF: 23/01259/FP. As part of this application the reviewing highway officer deemed that the achievable visibility was suitable at this access point, especially considering that the proposals were to engender a reduction in trips when compared to the previous lawful horse stabling use at the site. No changes apart from the improved gates are proposed to this access.

The one-way traffic flow at both accesses will be enforced by automated gates set back from the edge of the carriageway, as well as appropriate IN/OUT signage (Diag. 833 and 834). It is proposed to introduce no-entry signs (diag. 616) at the northern access and one-way traffic signs (Diag. 652) at the southern access. The proposed gates will be fitted with sensors triggering opening only for vehicles travelling in the correct direction. The applicant will also make customers aware of the arrangement before they visit the site.

An Automated Traffic Count (ATC) survey was undertaken approximately 56 metres north of the bend Warrensgreen Lane and Damask Green Road junction between 3rd June – 9th June 2024, recording vehicle speeds. In accordance with DMRB CA 185, the calculated 85th percentile of recorded traffic speeds showed a northbound speed for vehicles travelling along Damask Green Road of 30.4 mph. This, when applied to the DMRB Stopping Sight Distance calculation method, equates to a requirement of 65 metres for forward visibility. Therefore, the proposal exceeds the required standard.

When considering the proposals, it is reasonable to conclude that the proposed scheme will not only benefit the local business by providing improvements to internal circulation but will also improve highway safety at the site access, as with a one-way vehicular access arrangement there will be no need for vehicles pass each-other at the access. Therefore, it would be reasonable to conclude that the proposal will not have a detrimental impact on the site access safety, and in fact are more likely to improve it.

The proposals will not result in any material change to any existing building on site, but instead only seek to introduce a new access strategy and one-way vehicular flow. As such, the proposals will not engender any change in trip generation from the previously consented trip figures associated with REF: 23/01259/FP application. Instead, the proposals will serve to increase onsite operational efficiency while also aiding with the movement of vehicles accessing and egressing.

Highways comments:

The HA has reviewed the Transport Technical Note, and whilst the justification for a second vehicle access remains as previously submitted (which was not supported by the HA), the current proposal involves altering the vehicle access arrangement with the implementation of a one-way routing of traffic within the site.

The one-way system proposes entry of vehicles from the unauthorised southern vehicle access, whose bellmouth connection with the public highway it would appear has been illegally built, with egress from the existing northern vehicle access, enforced by introducing automated gates, with sensors triggering opening only for vehicles travelling in the correct direction, set back from the edge of the carriageway, as well as appropriate IN/OUT signage.

It would appear in the current application, the applicant's approach is that providing an in/out arrangement, the second vehicle access becomes acceptable.

The HA in response has listed below comments already made in the previous application (ref no.24/01434/S73) highlighting the complete about change of the applicant current approach relative (parts in bold to highlight the point) to the reasons provided for the application which obtained approval:

The granting of the permission was conditioned (ref no. 23/01259/FP):

Within 3 months of the date that planning permission is granted, a plan showing

how the existing southern access will be closed and landscaped will be submitted to the Local Planning Authority for approval. The southern access shall be closed and landscaped in accordance with the agreed details within 3 months of written approval.

The applicant agreed to close the southern vehicle access (**illegally connected to the public highway**) and **acknowledged the reasons for its closure and thereby obtained a no objection from the HA**, the circumstances in that period of time should not have changed given the proposal was demonstrated to generate less vehicle trips than existing use.

Due to substandard sight lines achievable at the existing (and only) northern vehicle access, the HA would not support any development that would result in any intensification of trips at the vehicle access. The applicant justified that their specific class of use which served a "niche market (Specialised Porsche Restoration Garage and Showroom)" by demonstrating "the expected vehicle trips generated by the proposed site are considerably lower than the existing use".

Furthermore, **a personalised planning condition** was suggested, supported by the applicant and agreed with the LPA, which was then conditioned to ensure the site cannot be passed to another operator under the same class of use, which could generate significantly more trips.

Local Highway Authorities (LHA's) **do not support a second vehicle access** serving a single development on highway safety grounds. This is to limit any adverse impact of additional conflict points, only one vehicle access is permitted per property and requests for additional vehicle accesses will be rejected. This is on the basis that a vehicle access already exists and the common law right of access has been met.

The applicant is now stating the following:

"help with internal traffic flow and operational efficiency of their car dealership business. By directing vehicles to enter and exit through designated points, congestion within the site is minimised, and the risk of internal vehicular conflicts/collisions is also reduced, which is very important for the applicant, especially considering that they deal exclusively in high-valued, often one-of-a-kind, Porsche sports cars."

Additionally, a revised access arrangement on site allows for optimal internal space utilisation, ensuring that parking, loading, and operational areas are used effectively. This arrangement will also benefit customers and staff, with the use of a clear and intuitive traffic pattern, making navigation easier for patrons.

In addition to the above improvements, the existing access is reasonably narrow, and on occasions where there is a vehicle entering and exiting the site at the same time, the existing width of the access is insufficient for those vehicles to pass safely. Such a situation can lead to one of the vehicles needing to reverse into the site or onto the public highway. While reversing onto a public highway has clear safety implications, reversing from the northern site access into the site exposes parked vehicles to potential damage from the reversing vehicle.

As mentioned above the applicant justified that the proposals would generate low vehicle trips, the figures provided; “*car showroom and garage could be expected to generate 11 and 6 vehicle movements in the AM and PM peak hours respectively*”, the applicant is now suggesting there is “safety implications” ... “on occasions” of vehicles entering and exiting at the northern vehicle access, and internally within the site consequently there is risk of internal vehicular conflicts/collisions, however with a second vehicle access this would result in the use of a clear and intuitive traffic pattern, making navigation easier for patrons.

Given that the initial application was approved based on the very low number of vehicle movements predicted by the applicant at the existing vehicle access, due to its niche market, now in contrast the applicant is suggesting that these significantly low number of vehicle movements are a cause of safety concern both internally and externally.

The HA is not convinced that the generation of vehicle movements of between 11 and 6 over peak hour periods is going to cause any problems, the concern that the HA had with the previously consented scheme was related to the substandard sight lines however the applicant prepared a report for the niche use which showed the proposal will generate significantly less vehicle movements than the existing use.

The HA would suggest the applicant have in place a Parking and Servicing Management Plan so that vehicles can move at the vehicle access and within the site in a safe and controlled manner without encountering vehicles in the opposite direction.

Notwithstanding the above, the ATC results were questioned by the HA and were never addressed by the applicant. The northern ATC was placed approx 250m north of the proposed southern vehicle access just past the bend in the road, which would influence the speed of traffic, whereas at the northern vehicle access the traffic speed would have picked up given it is a fairly straight road. The same was undertaken at the southern vehicle access with the ATC located near the junction with Warrengreen Lane thereby traffic speeds would be lower on approach to the junction, and lower heading north after turning into Damask Green Road. ATC's should have been placed in front of the accesses. Therefore, the 85th percentile is questionable, therefore in addition to the HA not supporting a second vehicle access, no new vehicle access would be supported with substandard visibility sight lines/splays, which were incorrectly measured initially.

Signed
Senober Khan

15 May 2025