

The Hurlstone Partnership

Seven Oaks Farm, Crew Green, Shrewsbury SY5 9AS

Tel: 01743 884849

e-mail: office@hurlstones.com

Fax: 01743 884947

Mr. C. Begeman
Macdonald Begeman Limited
1 Beacon Road
Crowborough
East Sussex
TN6 1AF

Our Ref: JPH/jph/160101

20 July 2026

Dear Mr. Begeman

26/00705/FP - CONNOR GARDENS, DANESBURY PARK ROAD, WELWYN, HERTFORDSHIRE AL6 9SN

As discussed with the undersigned, we have been sent a link to North Hertfordshire Council's planning website regarding the above application, for which we prepared a Transport Statement (TS). We were asked to review the Statutory Consultee Response from Hertfordshire County Council, as Local Highway Authority (LHA) dated 29 June 2026.

Senober Khan, the responding officer, objects to the proposed development on several grounds:

Site Accessibility and footway provision

Whilst welcoming the provision of a new footway within the site and along its frontage, the LHA alleges: *"...the proposed provision and the submitted TS fail to demonstrate any meaningful or functional connectivity to the wider pedestrian network or to key local destinations. In particular, the proposed footpath does not connect to the existing footway to the south along Pottersheath Road, due to the absence of any safe or suitable crossing facilities across the carriageway, which is subject to the national speed limit (60mph). The lack of any formal crossing provision in this high-speed environment represents a significant barrier to pedestrian movement and renders this connection unsafe and impractical in practice."*

The proposed footway ends on Danesbury Park Road directly opposite the dropped kerb at the northern end of the existing footway on Pottersheath Road, which is lit by an existing street-lamp. At that point, existing users of the pedestrian footway must continue their journey either northwest along Pottersheath Road or southwest along Danesbury Park road within the live carriageways, sharing space with traffic. Both routes serve extensive residential development at present, and a review of Crashmap data for the 26 year period 1999 – 2024 inclusive indicates there have been no recorded personal injury accidents involving pedestrians in the vicinity of the crossing point at the junction of Danesbury Park Road / Pottersheath Road or along those two routes in their entirety.

It may be the case that Pottersheath Road is subject to the national speed limit, but that does not mean the location of the crossing is a high-speed environment. As the TS confirmed at paragraph 2.6: *"Immediately to the north of the Danesbury Park Road junction, the speed limit on Pottersheath Road reduces to 30 mph and the road narrows"*. The reduction in the speed limit is within approximately 15m of the crossing point, which sits at a road junction between two relatively narrow roads. There have been no recorded personal injury accidents at the junction, which demonstrates visibility is clearly adequate to allow drivers approaching from all directions to see potential hazards with sufficient time to slow down and stop safely.

A speed survey undertaken on Danesbury Park Road to the southwest of the junction revealed average and 85th percentile speeds of 18.5 mph and 24.1 mph respectively towards the junction. The speeds away from the junction were 17.7 mph and

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22.8 mph respectively. Speeds at the junction would obviously be lower as drivers joining Pottersheath Road will need to stop to check the road is clear, and those turning from Pottersheath Road will need to slow to negotiate the junction.

Due to the horizontal alignment of Pottersheath Road and its limited width to the north of Danesbury Park Road, notwithstanding the limited distance of around 100m from the Pottersheath Road / Canonsfield Road junction to the southeast, from which Pottersheath Road climbs on an uphill gradient towards Danesbury Park Road, thereby naturally limiting the opportunity for high speeds to be achieved, speeds on the approach to the crossing point would be limited because drivers heading northwest would (a) be reducing speed to enter the 30 mph limit and (b) have no idea whether or not they would be faced head-on with another vehicle heading southwest out of the 30 mph limit on a route which is of insufficient width for two opposing vehicles to pass each other freely.

It is clear, based upon any reasonable consideration of the local context and the practical constraints of the road geometry, that speeds in the vicinity of the crossing point at the Danesbury Park Road junction would not be high.

The LHA response continues: *“Furthermore, at the northern extent of Pottersheath Road, pedestrian routes are constrained by overgrown vegetation, limited carriageway width and the absence of any defined or safe continuation of footway provision. This forces pedestrians into the carriageway or informal verges in close proximity to vehicular traffic, thereby significantly increasing the level of risk. As such, the proposed footpath would remain isolated and would not function as part of a safe, continuous or usable pedestrian network.*

These deficiencies extend beyond the immediate site frontage and persist along the wider route to key destinations, including the nearest bus stops located along Great North Road. The route as a whole is characterised by the absence of footways, lack of street lighting, exposure to high-speed traffic and no safe crossing opportunities. Consequently, the TS fails to demonstrate that safe and suitable pedestrian access can be achieved to these destination”

It is unclear why the responding Officer considers pedestrians would be continuing north along Pottersheath Road from the Danesbury Park Road junction, if that is what is meant by reference to *“the northern extent of Pottersheath Road”*. The LHA has recognised that pedestrian routes exist, which fall within the highway. If unchecked vegetation within the highway is considered to represent a safety concern for pedestrians, that is a pre-existing issue for the Highway Authority to address irrespective of the proposed development, as if the existing provision is considered unsafe for residents of the proposed development, it must follow that it is equally unsafe for existing residents and visitors to the area who may freely walk the existing routes to access the services and facilities to the southeast within the Oaklands area, including the bus stops on Great North Road, to which the LHA refers.

The assertion that *“The route as a whole is characterised by the absence of footways, lack of street lighting, exposure to high-speed traffic and no safe crossing opportunities”* is incorrect. The existing footway along the east side of Pottersheath Road from its northern end at the Danesbury Park Road junction, which is lit as previously mentioned, extends southeast for the circa 100m length to the Heath Road junction. The footway turns left at the junction bellmouth and follows its radius, terminating at the tangent point. Directly opposite that point, the narrow grass verge between Heath Road and its footway along the south side of the carriageway has been surfaced in asphalt, to provide a pedestrian crossing point. Visibility at the crossing point is good in both directions, as the Heath Road / Canonsfield Road corridor is relatively straight with grass verges on either side.

There is no indication of any recorded personal injury accidents at this crossing point.

The existing pedestrian footway continues in both directions along the south side of Heath Road to the northeast and Canonsfield Road to the southwest. Continuing southwest towards Oaklands, approximately 80m from the crossing point the speed limit reduces to 30 mph immediately beyond which there is a street light. Shortly after, the grass strip between the carriageway and footway is omitted, and the footway sits directly adjacent to the kerb as the route follows a left-hand bend before a wider grass verge is introduced, placing pedestrians further from the live carriageway and street lighting continues to the junction with Great North Road. Approximately 40m before the Great North Road junction, the speed limit increases to 40 mph, at Canons field Court.

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Having considered the foregoing, it is apparent that the LHA review of pedestrian routes and its safety is fundamentally flawed. We have experienced a similar approach by the same Highway Authority at a different site recently, which was subject to Appeal Proceedings. In that case (Lead Case Reference APP/J1915/W/25/3375433), the LHA initially raised concerns regarding the suitability of existing infrastructure and its safety for users of the proposed development, which included pedestrian use of a lane subject to the national speed 60 mph limit and the crossing of a dual carriageway with a speed limit of 70 mph. The Highway Authority took the view that the existing infrastructure was acceptably safe for a perceived low level of use by existing users but was unsafe for additional users associated with the site.

In response, the Inspector's Decision dated 15th June 2026 states: *"I disagree with the Council's view that the crossing is suitable and safe for particular users, such as agricultural workers or occasional leisure users, but not for occupiers of the appeal site. While some site occupiers may be unable to use the crossing, for example due to reduced mobility, the same could be said for any other potential users. While there may have always been a low level of use of the crossing I note that there have been no recorded injury accidents involving pedestrians or cyclists at the crossing. Additionally, the HA have not closed the footpath due to any safety concerns and have not indicated any intention to do so in the event that the appeal were to be allowed."*

Hopefully, a more accurate and realistic appraisal of the existing and proposed infrastructure will allow the LHA to agree that the footway provision and pedestrian routes to the local services and facilities in Oaklands are in fact suitable and safe for use, given they are clearly deemed acceptable for existing users of the network.

Local highway character and safety environment

The LHA states: *"The site is located within a rural area characterised by narrow, predominantly single-lane carriageways with no continuous footway provision along Danesbury Park Road or Pottersheath Road. Both roads are subject to the national speed limit (60mph), with limited forward visibility and an absence of street lighting, creating an environment that is unsuitable for pedestrian movement."*

Much of this has been addressed above. However, in terms of the lack of a continuous footway along Danesbury Park Road, insofar as the proposed development is concerned, the proposal is to provide a continuous footway to connect to the existing infrastructure, which provides the most direct route to services and facilities.

The LHA states: *"Danesbury Park Road is also a highway not maintainable at public expense, which limits the ability of the HA to secure or ensure the long-term delivery and maintenance of safe and policy-compliant infrastructure improvements. The existing highway environment is therefore hostile to non-motorised users and fails to provide a safe or inclusive setting, particularly for vulnerable users."*

As a private road, its owners are responsible for its maintenance. The same owners would be liable for damage or injury arising as a result of its used by those authorised to use it. Given the low traffic flows and speeds recorded on Danesbury Park Road, as set out in the TS, it is unclear on what basis the LHA considers the route to be a hostile environment, as the traffic flows and speeds are commensurate with conditions on shared surface routes.

Accessibility to public transport, sustainability and policy conflict

The LHA states: *"A key and overriding concern for the HA is the site's poor accessibility to public transport. The nearest bus stops are located approximately 1.4km from the site, which is significantly in excess of the widely accepted 400m walking threshold for residential development, and even exceeds more flexible rural benchmarks. This distance alone renders the site poorly related to public transport; however, the situation is materially worsened by the absence of any safe or suitable walking route."* This is followed by a couple of paragraphs highlighting the LHA's perception of the existing infrastructure / road conditions, which we have responded to above.

Insofar as the walking distances are concerned, the 400m distance is a preferred walking distance to bus stops. It is not an absolute threshold beyond which anything else becomes unacceptable. Reference is often made to an 800m walkable

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neighbourhood in support of a misguided belief that it is also an absolute threshold. However, this is sourced from text referenced within the 2008 DfT guidance *“Building Sustainable Transport into New Developments: A Menu of Options for Growth Points and Eco-towns”*. The Preface of the document advises: *“This document, which forms part of the Government’s advice on transport within Eco towns and New Growth Points, is aimed at all those involved in the planning, design and construction of new housing developments. It sets out advice on how to build an effective sustainable transport system in new developments, from the planning to the implementation stage. It recommends a variety of transport options to integrate and adopt according to the location and needs of the individual development.”*

The purpose of the document aims to build an effective sustainable transport system in new developments such as Eco Towns and New Growth Points, i.e. larger scale planned, strategic developments.

The only reference within the document to ‘800m’ or ‘walking neighbourhoods’ appears within that specific quotation, and the document does not mention “rural” at all. As such, its use is inappropriate when considered in the context of other types of residential development, including that in more rural locations.

The recognition that even 800m is not an absolute threshold is recognised in Manual for Streets. Section “4.4 Walkable neighbourhood” states at paragraph 4.4.1: *“Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes’ (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13⁴ states that walking offers the greatest potential to replace short car trips, particularly those under 2 km. MfS encourages a reduction in the need to travel by car through the creation of mixed-use neighbourhoods with interconnected street patterns, where daily needs are within walking distance of most residents.”* (emphasis added)

This 2km distance is cited in “Table 3.2 Suggested Acceptable Walking Distance” of the Institution of Highways and Transportation *“Guidelines for Providing for Journeys on Foot”* as the preferred maximum for commuting / school / sight-seeing. However, in terms of school, the HCC *“Home to School Transport Policy 2025 – 26”* references statutory walking distances of more than 2 miles (3.2 km) for children under 8 years old and more than 3 miles (4.8km) for children aged 8 years and above as the thresholds for transport provision.

It is unclear what information the LHA has relied upon to support its assertion that the 1.4 km distance is fundamentally unacceptable or *“...even exceeds more flexible rural benchmarks”*. By way of a comparison with what may be considered realistically walkable, in a recent Appeal Decision of 6th May 2026 (Ref: APP/M3645/W/25/3374913) for a development of 166 Class C3 dwellings, 70 Class C2 care beds and 41 extra care facility units, Inspector Fagan reports:

“...Holborn’s, the nearest grocery store in South Nutfield, and South Nutfield Primary School opposite it on the other side of the road, are approximately 1.5km away down the hill.

I accept that probably most residents would not be likely to walk to such facilities, although some would, given there is a footway linking Nutfield and South Nutfield, which is lit for most of the way, as well as the two villages themselves both having good footways. I acknowledge that the need to cross Mid Street and Sandy Lane to access the footway running down to South Nutfield is not ideal, but these roads are not intensively trafficked and would not in my opinion deter an average healthy person from walking this route.”

It is also unclear upon what basis, beyond the apparently flawed pedestrian assessment it has undertaken, that the LHA concludes *“In these circumstances, future occupiers would realistically have no viable alternative to private car use, and the proposal must therefore be regarded as an unsustainable form of development in transport terms.”*

The LHA has given no consideration to cycling, which remains a viable option, or the fact that private car use can be considered sustainable transport. This is clear from the Glossary forming Appendix 2 of the NPPF, which confirms:

“Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.”

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There is clearly the opportunity for ultra-low and zero emission vehicles to be used and also for car-sharing to take place. It is therefore apparent that the site does have significant opportunity for access by a choice of sustainable travel modes, as defined within the vey guidance the LHA has claimed the site is in overriding conflict with.

It is clear throughout NPPF 2024 that it does not advocate a one-size fits all approach. This is clearly explained at paragraph 2 *"Achieving sustainable development"*:

"These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."

Paragraph 110 of NPPF states: *"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."*

This flexibility of the application of policy related to the development type and its location is also embedded within paragraph 115:

"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;"

It is clear throughout NPPF 2024 that it does not advocate a one-size fits all approach, as the LHA appears to have done, despite it recognising that the site is in a rural location within its consultation response.

This is particularly relevant when considering the LTP in context, as is confirms, for example: *"This plan accelerates the transition from a previous transport strategy that was largely car based to a more balanced approach which caters for all forms of transport and seeks to encourage a switch from the private car to sustainable transport (e.g. walking, cycling and passenger transport) wherever possible"*¹; *"Clearly where the needs of certain groups in the hierarchy are low, or the opportunities to reduce travel demand are limited, the design would be primarily driven by the needs of motor vehicles. This could be the case in non-urban areas, not served by passenger transport and with potential for vulnerable user demand"*²; *"This policy pays regard to the NPPF and its presumption in favour of sustainable development"*³; and *"The transport impact from any new development should be mitigated as far as possible, so as not to severely impact upon the existing transport network"*⁴.

The LTP4 also reflects the flexibility of approach, taking into account the site's location and constraints. This is unsurprising as Local Policy is supposed to reflect and support the Government objectives set out in national policy.

This flexibility is proposed to be carried into the new NPPF, which has been recently subject to consultation. For example, the draft text from point d within *"TR3 Locating Development in Sustainable Locations"* states: *"In rural areas, opportunities to improve wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed."* This draft text clearly recognises that it is not possible or necessary to meet the gold standard for sustainable transport options in all cases in rural areas, as doing so may be either impractical or unviable.

¹ LTP4 Page 5

² LTP4 Page 45

³ LTP4 Page 52

⁴ LTP4 Page 54

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Highway safety and access constraints

The LHA states: *"The application proposes the provision of two separate vehicular access points onto Danesbury Park Road. The HA does not support this approach. The provision of multiple access points in this rural, constrained and high-speed environment increases potential conflict points, introduces unnecessary vehicle turning movements, and is detrimental to overall highway safety. A single point of access is considered more appropriate in principle, reducing conflict and allowing for a more controlled and safer access arrangement."*

As the speed survey data provided in the TS, which has previously been reviewed and accepted by the LHA, demonstrates, the local environment of Danesbury Park Road is not that of a high speed environment, with 85th percentiles of less than 25 mph recorded in the immediate vicinity of the site.

Whilst there are two connection points to Danesbury Park Road, which as the LHA recognises is a Private Road and therefore not within its jurisdiction, as the site is to operate on a one-way basis, there is one entrance to the site at its eastern end and one exit point to Danesbury Park Road towards the western end of the site frontage. In that context it could be argued that there is less potential for conflict because the inbound movements are segregated from the outbound movements. As a result, there is less chance of an emerging driver misinterpreting a potentially errant signal from a vehicle travelling along Danesbury Park Road in the belief it was intending to turn into the site, thereby allowing the emerging driver to pull out. With the separate egress point, the potential for collisions of this type to occur is significantly reduced.

Given the low apparent speeds on Danesbury Park Road and the low level of traffic in absolute terms associated with the proposed development, there is no technical or logical reason to believe that unacceptable levels of conflict would occur as a result of the proposed scheme.

The LHA continues: *"Furthermore, the proposed access(es) have not been demonstrated to be designed in accordance with best practice guidance. Access points should be designed to achieve a near perpendicular alignment (i.e. 90 degrees) to the carriageway, and not angled as shown on the plans, in order to maximise intervisibility between drivers and to allow vehicles to enter and exit the site in a safe and controlled manner. The submitted layout does not clearly demonstrate that this can be achieved, particularly given the constraints of the site frontage and the alignment of Danesbury Park Road."*

The entry into the site at its eastern end is perpendicular to Danesbury Park Road. Whilst the separate egress point to the west approaches at an angle, the radii of the bellmouth and its width provide sufficient space for a driver to apply left lock before reaching the Give Way / Stop line, such that they meet the priority route at right angles, to ensure clear visibility in both directions.

It is unclear what the LHA concerns are regarding "...the alignment of Danesbury Park Road", given it confirms two paragraphs later within its response: *"Danesbury Park Road comprises a relatively straight section of carriageway in the vicinity of the site..."*.

The LHA response adds: *"The submitted information fails to demonstrate that appropriate visibility splays can be delivered or maintained in perpetuity. Given that Danesbury Park Road is subject to the national speed limit (60mph), the appropriate design standard in this instance is the Design Manual for Roads and Bridges (DMRB), rather than Manual for Streets (MfS), which applies to lower-speed environments."*

The TS provides speed data with 85th percentile speeds of 24.1 mph northeast-bound and 22.8 mph southwest-bound within its Appendix A, as described in paragraphs 3.7 to 3.11. Given Danesbury Park Road is not a trunk road, MfS is the starting point as paragraph 1.3.2 of MfS2 confirms.

MfS2 paragraph 1.3.9 of MfS2 confirms the application of MfS principles is not limited to low speed or lightly trafficked routes (although Danesbury Park Road is considered to be both low speed and lightly trafficked based on the empirical data), and paragraph 10.1.4 confirms *"For existing streets, the 85th percentile wet-weather speed is used"* for assessing the stopping sight distance which dictates the length of visibility splays. Table 10.1 of MfS2 *"Summary of Recommended SSD Criteria"*

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indicates MfS parameters are recommended at speeds of 60 kph (37.28 mph) and below, which are significantly higher than the speeds recorded on Danesbury Park Road in the vicinity of the site.

As the Masterplan within the Figures section of the TS indicates, visibility splays at the site egress extend 65.88m to the west and 52.97m to the east from the preferred 2.4m set-back distance. These visibility splays correspond with speeds of approximately 40.1 mph from the southwest and 34.7 mph from the northeast; both of which are significantly above the recorded 85th percentile speeds in the vicinity.

We trust this clarification allays the LHAs concerns regarding the adequacy of the proposed visibility splays and irrelevance of DMRB design standards to Danesbury Park Road.

The LHA states: *"In addition, the constrained width, informal alignment, and rural character of the surrounding road network raise concerns regarding the ability of larger vehicles, including emergency and service vehicles, to safely and reliably access and manoeuvre to and from the site. The geometry of the carriageway and junctions is likely to result in vehicles overrunning verges or opposing carriageway space, increasing the risk of conflict and potential damage to the highway and surrounding environment."*

The vehicles attracted to the proposed development site will be no different to those already accommodated on the same road network. There is an existing residential caravan site to the southwest on Danesbury Park Road and a residential gypsy/traveller site immediately to the northeast, both of which have had their respective mobile homes transported to them safely and successfully. Service vehicles, such as refuse collections, deliveries etc. would be the same vehicles that serve the existing residents. It is therefore unclear why the LHA has concerns regarding the impact of such vehicles travelling to and from the site on the existing road network, as there would be no difference by comparison.

In terms of the site access and egress, the Masterplan provided in the Figures section of the TS illustrates the swept paths of a large service vehicle entering and leaving the site, from and to each direction to allow for whichever route the vehicle travels.

Summary

As is apparent from the foregoing, it is apparent that the LHA review of the site and information submitted is flawed. The concerns raised by the LHA have been addressed above with reference to relevant guidance and policy and finds there is no overriding conflict arising as a result of the proposed development, which the LHA recognises results in only a *"relatively low level of traffic generation"*. In such circumstances, given the accepted rural location of the site and the associated flexibility such a location triggers within the NPPF (existing and consultation draft replacement), it is difficult to reach a conclusion that the tests imposed by policy would be breached by this scheme.

We trust the foregoing is of assistance in your consideration of how to respond to the LHA's comments in your ongoing dialogue with the planning officer. However, should you have any queries or require any further assistance, such as support at appeal in the event the application is refused on highways and transport grounds, please do not hesitate to contact the undersigned.

Yours sincerely



Jeremy Hurlstone
for THE HURLSTONE PARTNERSHIP