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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: 25/00571/FP
HCC ref: NH/24491/2025
HCC received: 31 March 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Land North Of, Milksey Lane, Graveley, Hertfordshire,

Application type

Full Application

Proposal

Full Planning Permission : Erection of 24 dwellings including creation of vehicular access off High Street, associated parking, drainage, amenity space and landscaping

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:

No development shall commence until detailed technical plans are submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the vehicle access and associated highway works concerning the visibility splays, footways, etc. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of any part of the development.

Reason: To ensure the provision of a vehicle accesses is safe, suitable, and sustainable for all highway users.

Before commencement of the development, a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals including visibility splays and the road safety implications of vulnerable users such

as pedestrians and pedal cyclists in and around the vehicle access and the Graveley Lane/B197 High Street Priority Junction, 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).

Before commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- the phasing of construction and proposed construction programme.
- the methods for accessing the site, including wider construction vehicle routing.
- the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings.
- details of how the safety of existing public highway users and existing public right of way users will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- the details of consultation with local businesses or neighbours.
- the details of any other Construction Sites in the local area.
- waste management proposals.

Reason: To minimise the impact of the construction process on the on local environment and local highway network.

Prior to first occupation of the development hereby permitted, the internal road layout, footways, turning heads, shared surface, on-site parking arrangements, all on site vehicular areas shall be accessible, surfaced and marked in a manner to the Local Planning Authority's approval so as to ensure satisfactory access for all and parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

No part of the development hereby permitted shall be brought into use until the access to the site has been completed and surfaced in a bound material in accordance with approved plan.

Reason: To ensure the provision of a vehicle access which is safe, suitable, and sustainable for all highway users.

No part of the development hereby permitted shall be brought into use until the approved visibility splays are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 1.05 metres in height.

Reason: To ensure the provision of the main vehicle access which is safe, suitable, and sustainable for all highway users.

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

Reason: To avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

The integral garage to the dwelling hereby permitted shall be kept available for the parking of motor vehicle(s) at all times. The garage shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter

Reason: To ensure in accordance with Hertfordshire's Local Transport Plan.

Pedestrian visibility splays of 0.6m x 0.6m shall be provided on each side of the vehicle accesses within the development. These measurements are taken from and along the highway boundary. The areas of land forward of these splays shall be maintained free of all obstruction over 0.6 metres above the carriageway level at all times.

Reason: To ensure the provision of a vehicle access which is safe, suitable, and sustainable for all highway users.

The gradient of the main access/internal roads shall not be steeper than 1 in 20.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 5, of Hertfordshire's Local Transport Plan 4

Informatives:

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

New or amended vehicle crossover access (section 278): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

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.

A Travel Plan for the development consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development', which is subject to an overall sum of £6,000 payable before occupation of the development. This 'evaluation and support contribution' is to cover the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. Indexation of this figure will be based on the Consumer Price Index from the date planning is granted to the date the contribution is paid. The applicant's attention is drawn to Hertfordshire County Council's guidance on residential/commercial Travel Plans:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx#DynamicJumpMenuManager_1_Anchor_5

Our Travel Plan team can provide further advice at travelplan@hertfordshire.gov.uk.

Planning Obligations and Agreements

S106 (Town & Country Planning Act 1990)

CIL Contributions

HCC Highways operate two levels of S106 agreements, with items directly mitigating the impact of a development agreed through Strand 1 S106 agreement and those items mitigating the wider cumulative impact of development on non car networks being addressed in a Strand 2 S106 agreement.

In the first instance (Strand 1) HCC would envisage that the agreed improvements and travel plan support and monitoring fee (£1,200pa for 5 years, indexed from May 2014) are delivered via a Strand 1 S106 agreement.

In the second instance (Strand 2) HCC calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021) which suggests that a Strand 2 contribution of $24 \times £6826 = £163,824$ would be appropriate (index linked by SPONS to January 2019).

Brief Description of Proposed Development by the applicant:

A Transport Statement has been prepared in support of a full planning application for a 24 No. dwelling residential development at Milksey Lane. The existing use of the site is for agricultural use.

The proposed development comprising of 24 dwellings will be served by one point of access from the B197 High Street, in the form of a priority junction.

A 1.5m-width footway that runs along the site's eastern side boundary along the B197 High Street. This is illuminated by street-lighting and widens to approx 2.0m in width further south towards the built-up area of Graveley.

A number of local Public Rights of Way (PRoW) that form part of HCC's maintained network in the area that will provide attractive leisure routes for residents living at the site. This includes:

- Milksey Lane – a designated footpath providing access the Byway 015 and Bridleways 021 west of the site;
- Footpath 007 – which provides a leisure route into north Stevenage from Graveley, to the south-east of the site; and
- Bridleway 005 – which provides a direct link between Graveley and Weston top the north-east of the site.

background

The site currently has approval for a development featuring 10 dwellings (17/04017/FP). Following this approval, a Pre-Application was submitted for an increase to 24 dwellings this site which the LPA officer had shown support for this in the formal Pre-Application response (23/02923/PRE).

The application site is adjacent to another development site which has recently been given a resolution to grant under planning ref. 23/00186/FP.

Local networks

Existing public transport facilities exist by means of 2no. Bus stops which are located on Graveley High Street c.300m South of the application site and 2no. Bus stops which are located on B197 c.500m North of the application site.

In line with the local communities request, a proposed link to connect the high street and bridle way 021 and footpath 018 has been provided opposite plot 8.

The application site for this 24 unit scheme excludes the public footpath 018 and does not encroach upon it therefore it would appear that there would be no concerns in terms of complying with this particular requirement of Policy GR1.

The proposal would exploit the accessible location of the Site and existing public transport services and public rights of way. It is considered that a safe means of access can be provided from High Street, whilst the scale of development would preclude any safety or capacity issues. Policy compliant cycle and car parking is proposed.

Accessibility

High Street (B197) comprises a single carriageway road, with footways to both sides, runs along the eastern boundary of the site, providing a local distributor function for traffic travelling north towards the A507 and level access to the services in the village to the south and towards the A602 / A1(M) Junction 8 Interchange Roundabout. It is subject to a 50mph speed limit which falls to 30mph adjacent to the site.

Milksey Road is a rural lane that runs to the south and west of the site boundary, and currently provides a vehicular access to the site via an internal track. The carriageway measures approximately 3.0m in width, is gravel-surfaced, abutted by hedgerows and forms a Simple Priority Junction with the B197 High Street. No streetlighting is currently provided. It is subject to a 30mph speed limit.

A public footpath abuts the eastern Site boundary, which can be accessed via Milksey Lane and which feeds into the Hertfordshire Way to the north and a range of local routes to the east. This route also forms part of National Cycle Route 12, which runs from North London (Enfield Lock) to Peterborough.

There are bus stops to both sides of High Street, with that to the western side around 225m from the site and that to the eastern side some 275m. These stops are served by the Letchworth to Stevenage No 55 route, which provides 2 services an hour, in both directions Monday-to-Saturday and with a reduced Sunday service. The service calls at Stevenage Railway Station, which provides trains to London Kings Cross Station to the south and Peterborough to the north.

Personal Injury Collision Assessment

Personal Injury Collision (PIC) data has been obtained from the 'CrashMap' database for the most recent 5-year period available, i.e. 2018 – 2022.

- A total of 4 No. collisions occurred on the local highway network near the site (shown by the red 'X').

This included:

- 2 No. fatal collisions at the Graveley Lane / B197 High Street Priority Junction north of the site, and to the north of Church Lane; and
- 2 No. collisions of slight severity which occurred at the B197 High Street junction with Church Lane and on Church Lane itself;
- No collisions occurred directly adjacent to the site boundary; and
- A further 2 No collisions occurred north-west of the site on Graveley Lane of serious and slight severity.

The fatal collision on the B197 High Street to the south of the site occurred on 30/07/19, involving 1 pedal cycle, whilst the fatal collision at the Graveley Lane / B197 High Street Priority Junction involved a car and motorbike. Since causation factors are not provided within the CrashMap data, it has not been possible to derive further explanation for the circumstances of each collision.

The serious collision north-west of the A1(M) occurred on 08/10/19, and involved a minibus and pedal cycle. The cyclist was injured by an overtaking procedure by the minibus and it is considered that this PIC resulted from driver behaviour.

The 3 No. remaining slight PICs were isolated in location and therefore, no pattern or trend from their occurrence can be deduced.

In conclusion, whilst 2 No. fatalities were recorded near the site, over a 5-year period this and the combined total of collisions shown above is not considered to demonstrate a significant highway safety issue with the operation of the local highway network, prior to additional traffic being added by the development proposals.

Vehicular Access

Access for vehicles will be provided via a Simple Priority Junction onto the B197 High Street

The internal access road into the site will be provided at 5.5m carriageway width and to adoptable standards by HCC as a 'P2/M1 Residential Street', in accordance with its 'Place & Movement Planning Design Guidance for Hertfordshire', March 2024.

Junction visibility has been verified using speed data obtained from an Automatic Traffic Count (ATC) undertaken between 19th-25th November 2024. The data confirmed that the 85th percentile speeds at the approximate location of the site access were 43.8mph northbound and 41.4mph southbound.

A visibility splay of 2.4m x 160.0m has therefore been assessed in accordance with the Design Manual for Roads and Bridges (DMRB) CD109, noting that the speeds are only marginally within this threshold. This is demonstrated as being achievable without obstruction and within land maintained by the local highway authority or under the Client's control.

The general arrangement of the junction has been verified to accommodate the most onerous vehicle anticipated to access the site. Swept Path Analysis of a large refuse vehicle (Phoenix 2 Duo Recycler with Elite 6x4 chassis) measuring 11.230m by 2.550m has therefore been undertaken in AutoTRACK to demonstrate that access and egress can be achieved satisfactorily in forward gear.

Active travel

The access arrangements would also accommodate pedestrians to and from the existing footway network along the B197 via 2.0m-width footways on both sides of the junction and into the site via the Primary Street.

This specification has also been proposed to adoptable standards by HCC as a 'P2/M1 Residential Street', with dropped kerbs and tactile paving proposed on desire lines to enable safe crossing of the junction.

Cyclists will access the site on-carriageway from the B197 High Street, with kerb radii designed to 6m (compliant to LTN1/20) to encourage reduced driver speeds on entry and exit from the junction. This provision is considered suitable for the scale of development proposed.

Vehicle parking

A total of 56 No. car parking spaces are proposed across the site. This includes 46 No. spaces for residents and 10 No. visitor spaces.

This has been assessed NHDC's guidance that would require a minimum of 59 No. spaces, including 13 No. for visitors. Whilst there would be a minor shortfall in visitor spaces, this is not considered material and this approach is proposed for discussion with HCC in respect to discouraging car use.

Cycles

This has been assessed NHDC's guidance that would require a minimum of 59 No. spaces, including 13 No. for visitors. Whilst there would be a minor shortfall in visitor spaces, this is not considered material and this approach is proposed for discussion with HCC in respect to discouraging car use.

Trip Generation

The forecast vehicle trip generation of the 24 No. dwellings forming the development proposals has been estimated using trip rates for analogous sites in the TRICS v7.11.3 database. The forecast vehicular trip generation of the proposed development during the typical weekday AM 0800-0900 and PM 1700-1800 peak hour periods.

The resultant trip rates and trip generations the proposed development would:

- Generate an increase of 12 and 11 No. two-way vehicle trips on the external highway network during the typical AM and PM peak hour weekday periods; and
- Is unlikely to result in a severe impact on the highway network given the trip volumes are less than the 30 vehicles per hour typically requiring transport assessments – and given the trips would disperse across the network.

Summary and conclusions

It is therefore concluded that safe and suitable access to the site can be achieved in accordance with the NPPF, with no severe impacts on highway capacity anticipated.

Highways comments:

The proposed development involves the construction of 24 dwellings with a total of 56 on-site car parking spaces, consisting of 46 for residents and 10 visitor spaces.

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.

The applicant has submitted a Transport statement dated 23 February 2025 in support of their application.

The HA has reviewed the Transport Statement and is satisfied that the approach, methodology and assessment carried out by the applicants transport consultant, which also takes into account the stage 1 road safety audit response report complete with revised layouts, demonstrates and supports that the proposed development meets the required policy and design-led approach and consequently that the proposal is not likely to have any significant impact on parking demand, congestion or highway operation.

However, there are issues which the applicant needs addressing:

There have been 2 no. fatal collisions, one involving 1 pedal cycle and second a car and motorbike collision at the Graveley Lane/B197 High Street Priority Junction north of the site, and whilst it is acknowledged the proposed development will not have any significant impact on the operation of the highway network, nevertheless the development will be generating more vehicle/cycle and pedestrian trips relative to the existing (zero), all potentially having an impact in or around the junction. Since causation factors have not been derived for the circumstances of each collision, a Road Safety Audit stage 1 (RSA1) will be required to be undertaken for checking the road safety implications of the development particularly vulnerable users such as pedestrians and pedal cyclists in and around the vehicle access and the Graveley Lane/B197 High Street Priority Junction.

The applicant has stated a 1.5m-width footway runs along the site's eastern side boundary along the B197 High Street, however the footway experiences significant encroachment of foliage reducing the footway width to approx 0.5m in places, the applicant is required to remove foliage along the sites eastern boundary with the footway thereby returning the 1.5m wide footway, also ensuring unobstructed visibility splays for the proposed vehicle access and providing pedestrians with a enhanced safe provision.

The swept path drawings show refuse vehicle turning left into the site's bellmouth will be tight, with the vehicle track being tangent with/straddling over the tactile paving kerb, leaving little allowance/scope for misjudged turning which will require the service vehicle having to reverse and re-manoeuve, and with no safety 0.5m strip allowance along the tracks for side mirrors (pedestrians standing at kerb to cross), this will need to be addressed at the detailed design stage/consultation with the HA.

Also, it is Hertfordshire County Councils policy to seek a planning obligation in respect of Sustainable Transport including for all developments. The revised NPPF -July 2021 promotes accessibility by sustainable means including bus, cycling, and walking, and the provisions of S106 of the Town and Country Planning Act-1990 allows that planning obligations, governed by the guidance within CIL Regulations may be used to mitigate the impact of development. On 22 June 2021, HCC adopted a new toolkit to seek planning obligations towards sustainable transport. Full details on HCC's policy towards planning obligations may be found at the following web address <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx#developercontributions>.

Based on the above, the county council will actively seek planning obligations which will improve sustainable transport facilities and services for passenger transport users who are using the development and generally for those users in the surrounding area. In addition to the strand 1 highway works outlined above, wider necessary / strand 2 highway measures are required. The headline figure as stated in our Toolkit is £6826 per dwelling (i.e., the average amount each new dwelling across the county needs to pay in order for the necessary new infrastructure to be delivered) multiply this by 24 dwellings = £163,824.

Recommendation:

The HA has no objections subject to the following conditions:

Signed

Senober Khan

22 April 2025