



Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CHN115
Farnham House
Six Hills Way
Stevenage
SG1 2ST

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: 24/01604/FP
HCC ref: NH/21816/2024
HCC received: 16 January 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Temple Dinsley, (formerly The Princess Helena College), School Lane, Preston, SG4 7RT

Application type

Full Application

Proposal

AMENDED PROPOSAL

Full Planning Permission : Change of use of the Former Princess Helena College and associated land from a former all-girls boarding school to 69no. private residential dwellings (Use Class C3), including the conversion of the main Grade II* Listed House to 35no. new apartments, the conversion of the retained Teaching Block to provide 8 new apartments, the demolition of the existing sports hall building and science block and replacement with 20no. new houses and 2no. new apartments, the conversion of the Tank House and the Pump House buildings to provide 2no. detached dwellings and the erection of 2no. new dwellings located within the summerhouse plantation. The provision of a new car-park together with domestic storage units and covered parking bays to include solar PV Panels, and waste storage units and the provision of new driveways and associated works. Erection of new sub-station building and plant room. In addition, the associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II* Listed Parks and Gardens and the provision of a new Cricket Pitch and associated Cricket Pavilion

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 footways (environmentally friendly), dropped kerbs and associated highway works concerning the bus stops, 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.

No development shall commence until detailed plans of the bus shelter on the green are submitted to and approved in writing by the Local Planning Authority, in consultation with the Parish Council and the Highway Authority, which show the type and style of the bus shelter that is environmentally friendly. 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.

The cycle parking shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

Prior to the occupation/use of the development hereby permitted, the details of the siting, type and specification of EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

Prior to the first occupation/use of the development hereby permitted the car parking layouts within the development site shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position shown. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

No part of the public right of way adjacent to the site, shall be obstructed at any stage of the development. No person shall erect or maintain any building or structure (including fences) which encroaches upon any part of the public right of way.

Reason: To ensure easy and unobstructed access for users of the public right of way network.

Protect and enhancing existing rights of way (and extending public rights of way through the site), including cycling and equestrian routes and, should diversion be unavoidable as part of the works require replacement routes to the satisfaction of the Council.

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 / Statement 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.

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).

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.

All Public Rights of Way (RoW) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

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.

Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

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.

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.

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.

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 69 dwellings = £470,994, this would be appropriate and it is index linked by SPONS to January 2019.

Highways Comments:

The Highway Authority (HA) is being consulted by the Local Planning Authority (LPA) following a submission by the Preston Parish Council (PC) commenting on the response to the application by the Highways Authority, dated 31.10.24.

To clarify the HA was aware of the PC's position which had been conveyed to the HA by the LPA, the PC comments on footways were subjective relating to the aesthetics of the village appearance.

Whilst the HA appreciates and understands the views of the PC, however the HA's paramount consideration in any application is to assess applications objectively to ensure the design, build and provisions are safe for all road users, which the HA is duty bound to apply.

Nevertheless, the HA response to the PC comments (in ***bold/italic***) are listed below:

“Should additional footways be essential for health and safety reasons, the Parish Council would like serious consideration to be given to using alternative, environmental friendly materials which will be more appropriate in this rural community rather than tarmac.”

The HA in principle would acknowledge the PC suggestion and will request the applicant to submit detailed plans of the type, material and specification of footway build to demonstrate which best integrates within the existing public realm, and for the plans to be submitted and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

The Parish Council notes that the Highways Authority recommends enhancing the current bus stops with Kassel kerbs and bus stop poles but would like to point out that these were agreed and funded by the Castlefield development, although this work has not yet been undertaken.

The Parish Council also supports an improved bus service for the wider community as well as new residents.

The HA welcomes the PC support, the above measures will be addressed and coordinated by HCC Bus Service Development team.

The Parish Council does not support the suggestion of a bus shelter on The Green, it will detract from this most prominent feature of the village, its most attractive green space, a central focus for the community.

In line with HCC Local Transport Plan, mitigation should focus on the enhancing and encouraging active travel and public transport use. To deliver this, mitigation through sustainable transport improvements must be provided by the applicant. If it's possible for a bus shelter that can be designed in a manner that would still enhance use and blend in with the local environment, it will be for the applicant to consult with HCC Bus Service Development team.

The Parish Council understands that the Highways Authority would like to include pedestrian crossing points on School Lane, Hitchin Road, and Church Lane but questions if these are viable propositions as they will reduce the road width on already narrow lanes.

The applicant is required to provide dropped kerbs either side of a crossing (the proposals do not involve any reduction in carriageway width) and could be of a type that is environmentally friendly, it will be for the applicant to address, if possible.

Both local and national policies as previously stated now place greater emphasis on Designing for Pedestrians and Cyclists, consequently developments should be 'permeable' linked to the surrounding network, allowing safe, direct routes for pedestrians and cyclists. Walking and cycling on safe routes is a requirement. Recent update to the Highway Code and NPPF now give greater priority to vulnerable road users such as cyclists and pedestrians over vehicles.

The Parish Council strongly supports the Highways Authority's recommendation to enhance road safety by improving speed signage and warnings on the approaching roads, particularly Hitchin Road.

The Parish Council has previously requested that the 30mph sign on Hitchin Road should be moved back nearer the Preston sign so that traffic approaches the village at a lower speed but this has been repeatedly rejected by the Parish Council's contacts at Hertfordshire Highways.

Improved signage and warnings would also be beneficial on entry to the village from the Luton direction and via School Lane.

The Parish Council would like to suggest that improved signage could be a condition of planning consent for the benefit of those living at the development but also for the wider community.

The Parish Council would be willing to participate in any initiative to reduce the speed limit within the village to 20mph, as this is something it has been enquiring about for some considerable time with no positive response.

The HA welcomes the PC support for the HA measures proposed to mitigate traffic speeds, thereby improve public safety, the suggestions proposed by the PC will be forwarded to the applicant to take on board in consultation with HCC highways implementation team, and if the above measures are feasible then these can form part of the applicant's obligations to implement.

The Highways implementation team have advised of the following:

It would be difficult to commit to at this stage as there are certain requirements that would need to be met that would require further investigation by the 20mph team (and these conditions have not been met by certain roads in the past), but we could commit more broadly to considering traffic calming measures (which could include a 20mph programme down the line).

The Preston Neighbourhood Plan highlights that new developments should take the plan's policies into account.

Transport and Communication

- *Objective T1: To support and encourage safe and sustainable transport, including walking and cycling.*
- *Objective T2: To support and encourage safe use of roads, paths and bridleways for all users: walkers, joggers, cyclists and horse riders, as well as being safe for motorised vehicles.*

Please see attached word document for the updated RAG assessment for the Travel Plan.(separate email attachment)

The Highway Authority reserves the right to assess a future application/extend the assessment scope on its own qualities and request further information. These comments are given on a without prejudice basis, that do not commit the HA to any position, action, recommendation, or decision. If required opinions may change depending on the access strategy, outcome of interim appraisals and the results of the iterative transport statement process.

Recommendation:

Whilst the application had a refusal recommendation (comments dated 29 October 2024), however given the above positive comments from the PC, the HA's accommodating response to the PC and the applicants acceptance to the previous HA's comments tempered with concerns about the PC position, the HA feels that given the major concerns of the HA relating to footway provision, bus stop accessibility and crossings with potential to relocate the bus shelter on the green to another location if a suitable design cannot be found, the HA has no objection subject to the following conditions:

Please note: other matters relating to the Travel Plan and Construction Management Plan, which have been submitted by the applicant and as commented above have matters that still need addressing, nevertheless they have been included as conditions to be dealt with.

Signed

Senober Khan

29 January 2025