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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: 24/02547/PNW
HCC ref: NH/23661/2025
HCC received: 22 January 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Land At, Radwell Bury Farm, Radwell Lane, Radwell, Hertfordshire, SG7 5ES

Application type

Prior Approval

Proposal

Prior Notification: Private Ways : Installation of farm track

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 visibility splays can be provided. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before commencement of work of the development.

Reason: To ensure the provision of a vehicle access which 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 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.

ADVISORY NOTE

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.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

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

AN2) Obstruction of highway: 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 County Council website at:

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

AN3) 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.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN5) 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.

Brief description of in support of proposed development by the applicant:

Up until the 1960's Radwell Bury Farm had it's own access from the A507/North Road, 100m south of 'Radwell Lane'.

When the A1(M) was constructed in the 1960's this farm entrance was closed off and Highways funded the widening of an access to the farm via Radwell Lane but in the middle of the village. This has served the farm well for the most part, but as farm machinery and goods vehicles have grown in size, this has presented increasing challenges as vehicles have to pass through the narrow Radwell Lane in order to reach the farm.

A new entrance is proposed leaving Radwell Lane just west of the motorway bridge on the south side of the lane.

A Topographical survey has been carried out and the correct vision splays incorporated into the design of the bell mouth. The farm drive would then run parallel to the A1(M) before turning west to enter the farm buildings at the SE corner of the Bury Farm Buildings site. The Proposed drive is to be constructed of concrete on a rolled, dense chalk base, the underlying subsoil being dense chalk or Melbourne Rock.

After discussions with the Radwell Parish Council, it has been suggested that the new entrance could be used as a turning point for the local bus and a potential bus stop. We have no objection to this proposal.

The Proposed Entrance would also include a security gate which could be set back from Radwell Lane to accommodate the above proposal.

The proposed entrance would necessitate the removal of one medium size lime tree adjacent to Radwell Lane. There is also a medium size beech tree which may need to be removed. It is proposed to compensate for these by planting several new trees adjacent to the proposed drive.

Highways comments:

The proposal involves the creation of a new formalised vehicle access off Radwell Lane to accommodate larger farm machinery and goods vehicles.

The applicant has submitted a supporting statement along with vehicle access, swept path and visibility splay plans to demonstrate that the design and build of the vehicle access meets the relevant policy and design specification and guidance's of the Highway Authority

Given that Radwell Lane is designated as a two-way unclassified local access road subject to a speed limit subject to 30mph, it would appear the proposed vehicle access can provide visibility splays measuring 2.4m x 43m which is compliant with MfS guidance, and the swept path tracks whilst tight but given site specific conditions acceptable.

The proximity of the motorway bridge supporting walls to the proposed vehicle access under which parking on the footway takes place (google map) and access is also opposite an existing developments vehicle access thereby creating potential conflict points, raises safety concerns for all highway users. A Stage 1 Road Safety Audit (RSA) will need to be submitted with particular attention to visibility splays at the proposed vehicle access and potential to mitigate conflict points.

The HA believes that there is sufficient scope for the applicant to satisfactorily address the above requirements and therefore could be conditioned.

Recommendation:

No objection subject to the following conditions:

Signed

Senober Khan

4 February 2025