

**GREEN END
8 GREEN LANE
ASHWELL
HERTS
SG7 5LW**

4th June 2025

Attn Melissa Tyler

NHDC Planning

By email melissa.tyler@north-herts.gov.uk

Dear Ms Tyler,

Re 24/02214/FP Land to rear of 7 Green Lane, Ashwell Herts SG7 5LW

We are writing in response to your letter 14 May 2025 (which we received on 29 May). We **object** to this proposal. This letter should be read in conjunction with our letters dated 5 January 25 and 18 November 2024- all of our previous comments and objections remain.

Your letter refers to amended information, which was submitted by the applicants February and March 2025 with some updates to drawings and also a document "Overview of Green Lane Planning History" [the "Overview"]. This latest batch of information represents the 3rd 'wave' of material lodged by the applicants seemingly providing the potential to swamp the stakeholders who have become engaged in this planning application process from local residents to the determining Authority itself. We will therefore make our comments below factual and as succinct as possible:

There has never been a suggestion that the 2 previous planning Appeals related to the subject application site- the key issue is that all 3 schemes are based on using Green Lane as the means of access. Page 2 of the Overview provides a useful summary of the Appeals.

In the 2016 Appeal, the Inspector dismissed the scheme citing the following concerns:

- The distance vehicles would need to reverse if they met on the single-track part of Green Lane;
- The absence of pedestrian provision on Green Lane; and
- The single-track section impeding access by emergency vehicles.

In the 2018 Appeal, the Inspector also cited:

- The distance vehicles would need to reverse if they met on the single-track part of Green Lane;
- The single-track section impeding access by emergency vehicles; and

- The width of Green Lane was considered wholly inadequate and whilst the scheme proposed to increase in width of Green Lane to try to overcome many of the concerns, the Inspector felt that, it would not be deliverable to widen the road under a Grampian condition.

It should be noted that both the 2016 and 2018 Appeal schemes also provided a separate means of pedestrian access directly to Station Road (which the application site can't even offer), but even that factor was not considered by either Inspector as sufficient to overcome the significant risks to safety and that both the developments **“would compromise highway safety of users, causing harm. This would conflict with para 32 of the Framework which requires that safe and suitable access to the site can be achieved for all people”**.

Both of the Appeal decisions focussed on the safety issues of the 'bottleneck' of Green Lane, which is the part to the South from No 7, down to the junction with Station Road and outside No 3 Green Lane and the Maltings (extending to some 90m). The numerous statements from the applicants claim to have 'overcome' the highway concerns of HCC Highways and the Planning Inspectorate, this is factually incorrect and highly misleading- All of the design measures in the applicants scheme are located north of No 7, as a result they have **no impact** on the 'bottleneck' – it is impossible for them to do anything to reduce this danger. As we have made clear in our original objection (and acknowledged and noted by 2 planning inspectors) the incidence of parked cars opposite the Maltings and down as far as (and often including) the visibility splays of the Station Rd junction, means that the entirety of Green Lane is regularly effectively single width. Cars parked in this area are beyond anyone's control (least of all the applicants) and as we residents frequently find to our frustration this renders navigation of this junction at times even more perilous.

The applicants also contend that their scheme would provide improvements to Green Lane- this is also wholly incorrect- the use of Green Lane as a means of access has been exhaustively considered during 2 refused planning applications as well as subsequent Appeals. Both these Appeal schemes included provision for large vehicle turning spaces within their red line areas, but failed with both Planning Inspectors finding that the impacts on highway safety presented by the 'bottle neck' of the single track width from No 7 down to the junction with Station Road were too great. The subject application scheme even as amended fails to present any solution to the exact, same problem.

We have commented previously on the history in this application as to the interaction between the applicant and HCCH and that the formal consultation response from HCCH was not what the applicants expected following their pre app meetings. It should be noted that in spite of managing to elicit a supplemental comment from HCCH that the 3rd pedestrian refuge near no 7 “will definitely help”, the concluding statement of HCCH's final consultation is unchanged from its original position **“if the development were accessed by maintainable highway [ie within the authority of HCCH], it would be refused on the grounds of unsustainability and an unsafe access”**.

As has been stated earlier -by today's standards Green Lane is in numerous respects already unfit for its current purpose of just serving the existing houses and flats as well as the agricultural and horse riding use- it would fail on several counts if it were proposed as a new form of access today- as the HCCH consultation clearly evidences. We wrote to NHDC on 23 March 2025 formally notifying you of a further near-miss vehicle incident on Green Lane; this serves as a real time example of the safety issues which we consistently encounter, based on

the current usage! During the early part of this week, as this letter was being written we have had the usual quota of general traffic, cars delivery vans, refuse collection lorries x 2 etc, however we took some photos showing the agricultural usage in just the last 2 days- these are attached and emphasise the size of these vehicles which use Green Lane and how narrow and hazardous the Lane actually is!

**A refusal of this application is absolutely justifiable -the NPPF is absolutely clear ”
development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety”. Para 32 of the NPPF requires that “safe and suitable access to the site can be achieved for all users”**

Safety for all pedestrians, cyclists and drivers currently accessing Green Lane, as well as any in the future has to be the highest priority in consideration of this matter. NHDC has the benefit of an extensive history of expert consideration by the Planning Inspectorate of the unique issues arising in this highly unusual location, HCCH has responded to you that **the access is not sustainable and is unsafe.**

In addition to the above we would also remind NHDC that as described in our original letter of objection (18 Nov 2024) there is no prospect whatsoever of access being provided to facilitate this development and if any planning permission was granted it would therefore never be deliverable. This is recognised as a material planning consideration. As with the 2018 Appeal, there are no alternative means of being able to deliver suitable access and therefore even contemplating a Grampian condition in respect of access would not be applicable as NPPG states that such a condition should not be used where there are no prospects at all of the action in question being performed within the time limit imposed by the permission.

On the basis of all of the above we trust NHDC will refuse this application.

Yours faithfully



W S Rogers MRICS

Cc: Mr & Mrs R Masham, 1, Green Lane, Mr & Mrs A Munns, 3, Green Lane, Mr & Mrs P-J Gates, 5 Green Lane, Mr & Mrs C Powell, 10 Green Lane, Mr & Mrs M Lee, Baldwins Corner, Green Lane, The Directors, The Maltings, Green Lane, Cllr T Tyson, NHDC





