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Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

Director of Planning

St Albans City & District Council
St Peters Street
St Albans
Hertfordshire
AL1 3JE

District ref: 5/2023/2191
HCC ref: SA/19573/2024
HCC received: 10 January 2024
Area manager: Rosemary Chatindo
Case officer: David Bottoms

Location

30 TIPPENDELL LANE AND LAND REAR OF 26 AND 28 TIPPENDELL LANE CHISWELL GREEN
ST ALBANS HERTFORDSHIRE AL2 3HL

Application type

Full Application

Proposal

Demolition of existing bungalow and construction of a new single storey dwelling with habitable roof space, and three further two storey dwellings on land to the rear with new access road, associated landscaping and off street parking, alterations to existing crossovers

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:

CONDITION

1. Existing Access – Closure

Prior to the first occupation use of the development hereby permitted the vehicular and pedestrian (and cyclist) access to, and egress from, the adjoining public highway shall be limited to the access shown on drawing number S22-016-SP001 Rev 'A' 'Proposed site Plan' only. Any other access or egress shall be permanently closed, and the footway / kerb / highway verge shall be reinstated..

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

INFORMATIVE

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

AN1) Works within the highway (section 278): 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN) Roads to remain private: The applicant is advised that all new roads* / the access routes marked on the submitted plans * / the access routes [describe*] [*delete as appropriate] associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

AN3) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN) 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.

AN) 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.

AN) 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.

AN) 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.

COMMENTS

Accessibility/Sustainability

The site is in a generally accessible/unsustainable area that has bus stop locations that are served in frequently with no access to on street parking and car parks, but in an established residential location.

The site is located where journeys to and from the proposed dwelling are likely to be predominantly car based. Accordingly, the location of the proposed development would fail to meet the objectives of Policies 1 and 5 of the Hertfordshire Local Transport Plan (LTP4) in respect of encouraging movement by sustainable transport modes and reducing travel demand.

Accessibility: Planning for Walking (2015), issued by the Chartered Institution of Highways and Transportation (CIHT) places emphasis on developments being located and designed, where practical, to give priority to pedestrian (and cycle) movements and have access to high quality public transport facilities. (Ref:6.4) In terms of accessibility, 400m walking distance to bus stops in residential areas, 200m to bus stops in town centres and 800m walking distance to a railway station is considered to represent a reasonable catchment.

Note: As of 2018 HCC's Local Transport Plan (LTP4) puts pedestrians and cyclists at the top of the hierarchy of road users. The plan sets out how transport can help deliver a positive future vision of Hertfordshire, focused on people, place and prosperity. A move away from car-based travel, limiting the number of car parking spaces and questions over their value in the long term and because they often perpetuate car dependence, unhealthy lifestyles, and unsustainable travel behaviour. HCC with LTP4 have moved towards being a cleaner, greener, and more sustainable county.

Access

Policy 5 of Hertfordshire's Local Transport Plan seeks to ensure that access arrangements are safe and suitable for all people, built to an adequate standard, adhere to the county council's Highway Design Standards, and reflect the LTP Transport User Hierarchy.

The site is located on a classified C81 local distributor road and a wide highways grass verge and footpath are located to the front of the site. The vehicle speeds past this site are limited to 30mph. There have been no recorded injury accidents in a rolling 5-year period and pedestrian flows are low. This road is traffic sensitive with parking restrictions. No parking bays are evident to the frontage of this site.

The site has two existing vehicle crossovers, one will be closed off (**as recommended condition 1**) with the footpath and verge made good and although a vehicle crossover will suffice for 4 units the applicant proposes that the other will be widened with a bell mouth to allow access to larger vehicles

including fire tender appliance and this is supported by tracking diagrams in the 'Design and Access Statement'. Such works will be carried out under a Minor S278 agreement. (**informative AN1**).

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

Pedestrians are not seen to be disadvantaged severely by the highway works as pedestrian traffic is low as are the expected movements from the development.

Highway Boundary Informative. The applicant must ensure the highway boundary is retained. See informative AN3 for details.

Trees are not observed to be within the highway but within the site only.

Visibility

We always consider the visibility at the point of access to ensure that pedestrians and vehicles can be clearly seen when entering or exiting the property.

Sufficient detail is submitted and acceptable to highways and in accordance with 'Manual for Streets (MfS)' and 'Roads in Hertfordshire: A Design Guide'.

Pedestrian visibility is acceptable.

MfS may be downloaded from the following website:

<http://www.communities.gov.uk/publications/planningandbuilding/manualforstreets>

Other Highways Reference Links:

Highway design (as it currently stands) in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire – Highway Design Guide (2018)".

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

(To be adopted) Hertfordshire's Place & Movement Planning and Design Guidance. (Part 4). See Link:

Place & Movement Planning and Design Guidance | Hertfordshire County Council

and LTP4. See Link:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/transport-planning/local-transport-plan.aspx>

Parking

Off street spaces will be available on hard standing. Any surfacing arrangement should be in accordance with DCLG guidance on the permeable surfacing and shall be surfaced to LPA approved durable bound material.

The proposed driveway parking spaces shall measure a minimum of 2.4 x 4.8 m each and shall be located on land within the ownership of the applicant.

Drivers can turn vehicles on site so that access to the highway will be in a forward gear.

To the applications credit cycle storage is included.

Electric Vehicle charging points are required for new dwellings by recommend Informative.

Should garages be considered, both 'Roads in Herts' and 'Manual for Streets (MfS)' recommend garages to be min. 6m x 3m in order to be an effective storage space for cars and cycles. (MfS. 8.3.41).

Any nearby highway parking restrictions will apply to all. Parking levels to LPA requirements. Traffic generation is not considered to be significant.

The applicant is also advised that if any of the works associated with the alteration, removal or construction of the vehicular 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 Highways for permission for such changes.

Surface Water

Surface Water Flood Risk to the highway: The transport network needs to be resilient to the risks from the impacts of climate change, including changing weather patterns and extreme events. Policy 5 and of the Hertfordshire Local Transport Plan (LTP4) seek to secure developer mitigation measures to limit the impacts of development on the network. Roads in Hertfordshire: Highway Design Guide (section 4, sub-section 4.1.1), states that water from areas that are not adoptable highway must not be allowed to run onto areas of adopted highway.

The Government's flood risk maps for planning indicate the level of risk from surface water flooding: <https://flood-map-for-planning.service.gov.uk/>

Emergency Access

The nature of the site puts the proposals further than 45 meters from the public highway (As required in accordance with MfS 6.7.2) and the width road between Plot 1 and the fence is not stated but appears less than 3.7m.

According to Manual for Streets, 6.7.2, there should be a vehicle access for a pump appliance within 45m of residential/commercial units and fire service vehicles should not have to reverse more than 20 metres. None the less the fire tender vehicle can operate 20m into the site.

If a developer wishes to reduce the running carriageway width to below 3.7m the local Fire Safety Officer should be contacted *.

* As part of the highway authority's assessment of this planning application we have identified emergency access issues which may benefit from input from Herts Fire and Rescue. Therefore, details of the proposal have been passed to them for attention and to report back to Highways and the LPA. Depending on the guidance recommended by F&R then detail changes on the layout may be required and proposals amended.

Water Supplies

For guidance and requirements water for supplies for firefighting (Fire hydrants) at this location, please contact Hertfordshire Fire & Rescue Services water officer on 01992 507507 or water@hertfordshire.gov.uk

Refuse / Recycling

Refuse Collection. (Manual for Streets 6.8.9.). The max. recommended carry distance for the residents is 30m. The collection area is also required to be within 25m of the highway and not obstructing the driveway, access, or the highway. LPA to consult and agree with the refuse collection service.

Collection is stated within the Transport Statement to be from Tippendell Road:

**'4.33 Residential and recycling waste will both be collected from Tippendell Lane, in line with the existing arrangements'.

** The HA note that there is a refuse storage area within the site that is greater than 25m from the highway and does not comply with the required 'Manual for Streets' collection distance from the highway. Should a standard length 'Elite' refuse vehicle of 10.875m be required to go on site then Vehicle tracking and turning on site is not supported.

A second collection point is demonstrated to be 10m on plan from the highway, and acceptable to highways.

ROW

There are not any ROW footpaths in the area that the proposals will directly affect.

Conclusion

This application for development and alteration of the existing access to a bell mouth is acceptable in a highway's context.

There are no highways issues associated with this proposal that are of significant concern and no objection is raised by the highway authority subject to the fire officers' recommendations, and recommended highways recommended Condition & Informative above that the applicant is required to carry out.

Signed

David Bottoms

19 January 2024