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

**Director of Planning**

Welwyn Hatfield Borough Council  
The Campus  
Welwyn Garden City  
Hertfordshire  
AL8 6AW

District ref: 6/2021/1973/FULL  
HCC ref: WH/8411/2021  
HCC received: 6 August 2021  
Area manager: Matthew Armstrong  
Case officer: Paul Marshall

**Location**

MANOR COTTAGE VINEYARDS ROAD NORTHAW POTTERS BAR EN6 4PQ

**Application type**

Full Application

**Proposal**

Erection of replacement residential dwelling following the demolition of existing

**Decision**

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

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) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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.

## COMMENTS

The Highway Authority has commented twice previously on this application. Section 3.3 in the Planning Statement states: 'Furthermore, access to the site retains the existing vehicular and pedestrian accesses and a second vehicular access is also proposed. It is submitted that there is no impact on highway safety as the second access will be located on the private lane that serves Nyn Manor and not Vineyards Road. This is accepted by the Highway Authority as the second access is on private land which is not maintainable by the Highway Authority. It is still noted that no plans for the second access have been provided.

These proposals are for the erection of replacement residential dwelling following the demolition of existing. Vineyards Road is maintainable by the highway authority and is unclassified and provides a local access function in the road hierarchy. The vehicle speeds past this site are limited to 40 mph. There has been one recorded accident in a rolling 5-year period however, this is not near the proposed access.

## PLANNING HISTORY

The application site has previous planning history

## DRAWINGS

The Highway Authority note the submission of materials in support of the planning application, including drawing number TDC065/PL/041, 050-051, LOC, TDC065/EX/011, Planning Statement, and Design and Access Statement.

## ACCESS

No access is proposed from Vineyards Road however, a second access is proposed off the private access road, again no plans are provided.

## PARKING

No plans are provided to demonstrate the parking area.

Drawing 065/PL/050 demonstrates a garage of approx. 23.9m x 12.75m which would comfortably take 3 vehicles with room for a cycle storage hook

## EMMERGENCY ACCESS

The nature of the site puts the proposals / access within 45 meters from the public highway (As required in accordance to MfS 6.7.2)

## REFUSE / RECYCLING

The proposals for recycling bin storage are not provided. Section 3.37 of the PS states: 'Refuse and recycling storage can easily be accommodated on the site without having to be brought through the dwelling for collection and it is not, therefore necessary, for a planning condition requiring details of a bin storage area to be approved by the Local Planning Authority'.

## SUSTAINABILITY

Hertfordshire County Councils Local Transport Plan (LTP) 4 policy 5, is to "ensure the location and design of proposals reflect the LTP Transport User Hierarchy and encourage movement by sustainable transport modes", and policy 19, which aims to "address any barriers to supporting the uptake of ultra-low emission vehicle (ULEVs) in the county". The proposals should reflect this by provision of infrastructure for charging an electric vehicle.

## CONCLUSION

The site is accessed off a private drive and the Highway Authority are limited in what it can reasonably require. The application should provide more information on refuse collection and provide EV charging infrastructure. However, the site is accessed from a Highways Maintainable road therefore the above informatives are applicable.

**Signed**  
Paul Marshall

24 August 2021