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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: 6/2021/2873/HOUSE
HCC ref: WH/9873/2021
HCC received: 22 November 2021
Area manager: Matthew Armstrong
Case officer: Paul Marshall

Location

71 PINE GROVE BROOKMANS PARK HATFIELD AL9 7BL

Application type

Full Application

Proposal

Alterations to front boundary to create new masonry wall and railings with electric gates

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 subject to the following conditions:

CON1) Prior to the first occupation of the development hereby permitted 2.0 x 2.0 metre pedestrian visibility splays shall thereafter be retained at all times to each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 2.0 metres into the site and 2.0 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

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

CON2) Prior to the first occupation of the development hereby permitted any access gates shall be installed to open inwards, set back, and thereafter retained (in perpetuity) at a minimum distance of 5.5 metres from the edge of the highway.

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

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) 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.

AN4) AN) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto 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. Further information is available by telephoning 0300 1234047.

COMMENTS

The proposals are for alterations to front boundary to create new masonry wall and railings with electric gates. Pine Grove is maintainable by the highway authority and is a unclassified and provides a local access function in the road hierarchy. The vehicle speeds past this site are limited to 30 mph. There have been no recorded accidents in a rolling 5-year period.

Policy Review:

The key documents used to assess the application are

- Manual for Streets 2007
- National Planning Policy Framework (July 2021);
- Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May2018]
- Roads in Hertfordshire Design Guide 3rd Edition -2011

PLANNING HISTORY

The application site has no previous planning history

DRAWINGS

The Highway Authority note the submission of materials in support of the planning application, including drawing numbers: P0, P1, E0, and E1

PARKING

The available parking area is approx. 14.0m x 13.0m. This is adequate for vehicles entering and exiting in a forward gear. Any new hard standing / driveway should be of a bound material to reduce the risk of loose surface dressings entering the highway.

ACCESS

No new access is proposed the existing two access forming a 'U' shape carriageway style access. Two new gates are proposed which are set back from the back edge of the carriageway (as shown on drawing P1) by 3.8m This does not comply with Roads in Herts Section 4 – Design Standards and Advice Chapter 1 – Road Design Criteria, 1.9. The recommended distance must be 5.5m to allow vehicles to draw safely off the carriageway without impeding other road users (see condition above)

VISIBILITY

The location and vehicular to vehicular visibility from the existing access is considered to be acceptable and in accordance with 'Manual for Streets (MfS)' and 'Roads in Hertfordshire: A Design Guide'. However, a pedestrian visibility splay must be provided. A triangular vision splay must be provided on each side of the access and measure 2 metres along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2 metres measured into the site at right angles to the same line along the side of the access drive. The vision splays on land under the applicant's control must be maintained free of any obstruction within which, there must be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

The applicant should review Manual for Streets Chapter 7 (A design Guide 2007) to better understand this requirement. However, this may be further explained by email or telephone to the highway officer.

CONCLUSION

Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently have no objections on highway grounds subject to the above recommended planning conditions and highway informatives.

Signed

Paul Marshall

1 December 2021