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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: 6/2022/0126/HOUSE
HCC ref: WH/11210/2022
HCC received: 28 February 2022
Area manager: Matthew Armstrong
Case officer: Steven Knight

Location

41 THE RIDGEWAY CUFFLEY POTTERS BAR EN6 4BD

Application type

Full Application

Proposal

Dropped kerb to front of the property to create a carriage driveway.

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:

1: New Access

Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on the 'Block Plan' in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

INFORMATIVES:

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.

AN) New or amended vehicle crossover access (section 184): 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.

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.

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 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 application seeks approval for an additional vehicle crossing to create a carriageway drive.

The Ridgeway is a classified (B157) secondary distributor road which is limited to 40mph. There is no recorded accident history in the past five years.

The property frontage is comfortably big enough to accommodate a carriageway drive. This will allow vehicles to enter and leave the property in a forward gear which will potentially be beneficial to highway safety on a main road.

HCC's Dropped Kerb Terms and Conditions document states that each of the two vehicle crossings for a carriageway drive should consist of a maximum of 3 flat kerbs (2.7m). The proposed accesses are shown on the Block Plan at 5m although it is not clear whether these dimensions include the dropper kerbs or not. The applicant should ensure that the proposed vehicle crossings meet these criteria and that the driveway aligns with them. Any deviation could lead to the vehicle crossings being refused under S184 application.

Although the carriageway visibility splays are not shown on the Block Plan, the highway verge and footway provide the required 66m visibility splays. It is also accepted that one of the vehicle crossings is existing.

The Block Plan does show 2m x 2m footway visibility splays, which are acceptable. If these are not entirely achievable within the width of the highway verge then they may need to extend slightly inside the property boundary.

The drawing states that the proposed driveway will be finished with shingle. As per the informative above, some measures must be taken to prevent shingle from spilling onto the highway verge, footway or carriageway.

The highway authority does not wish to restrict access of this application, subject to the inclusion of the informatives listed above.

Signed

Steven Knight

3 March 2022