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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: 6/2023/1124/FULL
HCC ref: WH/17057/2023
HCC received: 22 August 2023
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

2 Hill Rise Cuffley Potters Bar EN6 4EE

Application type

Full Application

Proposal

AMENDED PROPOSAL

Erection of 5 bedroom dwelling following the demolition of existing dwelling

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 recommends that permission be refused for the following reasons:

The application has failed to demonstrate and substantiate a satisfactory design-led approach to the development's vehicle access design and layout.

The proposed use of the existing northern vehicle access sited opposite The Driveway junction with Hill Rise for the new build continues with past obsolete standards which are prejudicial to the highway safety of all road users, contrary to current higher standards of design and safety.

Brief Description in support of Proposed Development by the applicant:

A technical note has been prepared by the applicant in response to comments received from HCC highways.

Prior to responding to each issue raised by the HA, in this instance it is felt necessary to reflect on NPPF para 111. "development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

It is incomprehensible to envisage how a highway response which is based upon a planning application for a single house amendment to include one additional bedroom utilising existing safe access arrangements could reach a conclusion that it is a 'severe' impact.

The proposals seek to retain use of the existing access arrangement, which retains the use of the northern access as the main point for both access and egress. The clients are also seeking to retain the option to make use of the southern access for emergency access and any potential future needs of the site occupants. This may be needed in case of a temporary blocking of the northern access for example, say through work near the northern access or someone else parking outside the northern access.

It is ultimately considered that nothing is really achieved by removing this southern conflict point. As the same number of trips would be generated, to and from the site. the same number of actual conflicts would therefore still occur with one or two access points.

The clients are therefore not willing to fund the removal of this crossover, since there is no benefit to anyone whatsoever.

No intensification of trips to and from the site ... as such we can safely state that the proposed scheme will generate no net impact, apart from construction phase.

The site access arrangement has worked safely ... for over 20years indicates that no accidents have occurred nearby.

Unless there are clear and evidenced reasons as to why such an access should be redesigned at all. The scope to amend the existing access arrangement should be very limited from the off. In other words, 'if it ain't broke, don't fix it'.

Therefore, being a simple replacement dwelling, as long as the access following adopted guidance there should be no scope to amend an access arrangement in the first place other than changes for which the client is willing to pay for themselves.

It is not clear as to which such obsolete standards they are referring to, as there is no adopted or emerging policy which states that vehicular crossovers should not be set across the road from each other.

.... The opposing crossovers generate a "crossroad" is taking the street layout out of all normal context ... shows a lack of understanding of how a highway operates.

It is not clear as to where this visibility splay is required ... worth adding the emerging guidance Recommends Pedestrian visibility splays of 0.65m x 0.65m ... the officer is mixing up policy requirements with those stated in other highway authorities ... 2m x 2m splays ... is therefore incorrect.

Officer also comments the visibility splay drawn along the back of the paved area ... only logical place to sketch this ... a lighting column sits within the narrow verge between the back of the footway and the site.

The 0.65m x 0.65m splays is shown for closure of this point.

Gate is not placed 5.5m away from the edge of the highway ... it is accepted that this is an HCC policy.

The proposed placement of the gate is a significant improvement of the existing situation ... other gated dwellings do not include the 5.5m set back ... if the officer is insistent that the full 5.5m should be provided, there remains space within the site to provide this.

The risk whereby pedestrians walking along Hill Rise are blocked by a vehicle waiting ... a low risk scenario ... client seeks case officers input in this regard.

A cycle security locker (type 'Broxap or similar) installed Providing covered and secure parking for one cycle., it is not clear as to why a refusal is being generated for this reason.

Reasons for refusal been reviewed None valid within the local context.

Highway comments:

In response to the HA's comments, the applicant's consultant has submitted a highways technical note dated August 2023, covering the issues of the vehicle access, gate siting, pedestrian visibility splays and cycle storage.

The consultant is reminded, as outlined in the HA's previous comments, that whilst the proposal is for a replacement dwelling (nothing to do with one extra bedroom) it is nevertheless for a new build development, and with new builds the planning process seeks/provides the opportunity to improve conditions for both development and highway safety by applying current higher standards of design, build and safety to new developments, and not to retain and/or continue with past obsolete standards.

Vehicle access form part of that process, and it is not unusual for HA in new developments to seek a vehicle access that is sited at the optimum location to minimise conflict points with other vehicle accesses/junctions/etc and where the required sight lines can be provided to ensure safety for all road users.

The site has 2 existing vehicle accesses and a long frontage, there is scope for a better positioned vehicle access to be provided, located as far away as possible from the driveway opposite the north part of the site. The sites southern vehicle access should be considered provided it can achieve the required forward visibility splays and pedestrian visibility splays.

The TN states that no intensification of trips or increase in car parking will be generated by the development and there have been no accidents for over 20years and so there is no reason why such an access should be redesigned, this approach is nonsensical and would appear that the transport consultant does not understand the purpose of highway policies, regulations and guidance's. To clarify the vast majority of new build developments, have similar conditions, does that mean we cannot seek any improvements because there is no clear and evidenced reasons, 'if it ain't broke, don't fix it'.

The TN states 'opposing crossovers generate a "crossroad" is taking the street layout out of all normal context', the transport consultant has not understood the purpose of applying current higher standards of design, build and safety to new developments, if there is scope to locate a vehicle access to a safer location then that should be primary consideration unless there are substantive reasons provided otherwise. A vehicle access that has substandard visibility splays and no accidents for many years does not make it acceptable, in new build a vehicle access must meet current standards.

With regards to pedestrian visibility splays, the consultant is correct that under the current and emerging guidance visibility splays of 0.65m x 0.65m are acceptable and should be provided.

The siting of any gate should be set back by 5.5m from the back of the public highway, the consultant has stated there remains space within the site to provide this, the HA would insist that this be accordingly provisioned for reasons already provided in the previous comments.

The applicant is reminded that only one vehicle access will be permitted and that the applicant will be liable for the cost of returning the redundant crossover/ dropped kerb back to footway.

The TN states that a cycle security locker would be installed as part of the new dwelling, this is acceptable.

Recommendation:

The Highway Authority under the current submission cannot support the application due to the application has failed to demonstrate a satisfactory policy and design-led approach to the vehicle access arrangements contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF, therefore the proposals represent a risk to highway safety for all road users.

Reasons for refusal:

The application has failed to demonstrate and substantiate a satisfactory design-led approach to the development's vehicle access design and layout.

The proposed use of the existing northern vehicle access sited opposite The Driveway junction with Hill Rise for the new build continues with past obsolete standards which are prejudicial to the highway safety of all road users, contrary to current higher standards of design and safety.

Signed

Senober Khan

5 September 2023