



Mark Youngman
Development Management Group Manager
Hertfordshire County Council
Postal Point CH0242
County Hall
Pegs Lane
Hertford
SG13 8DE

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: 6/2023/2136/COND
HCC ref: WH/18732/2023
HCC received: 25 January 2024
Area manager: Manjinder Sehmi
Case officer: Chris Carr

Location

Car Park Salisbury Square Hatfield AL9 5AD

Application type

Discharge of Condition

Proposal

AMENDED PROPOSAL

Submission of details pursuant to condition 2 (construction management plan), 3 (archeological written scheme of investigation), 4 (Arboricultural method statement), 7 (petrol interceptors and treatment devices) and 9 (surface water drainage) on planning permission 6/2021/3422/MAJ

Recommendation

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council (HCC) as Highway Authority grant the discharge of Condition 2 mentioned below.

Informatives

Foreword:

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) Extent of highway: Information on obtaining the extent of public highway around the site can be acquired from the County Council's website at:
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) 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) 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.

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/drop-ped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN) 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 the access routes marked on the submitted plans 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.

AN) Chairs and tables on highway: Notwithstanding any consent issued under the Town and Country Planning Act, a licence issued under the provisions of Section 115E of the Highways Act 1980 is required prior to the placement of any tables, chairs or other apparatus in the public highway. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/street-cafe-licence.aspx> or telephone 0300 1234047 to arrange this.

AN) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms or by telephoning 0300 1234047.

Comments

Condition 2

The Decision Notice 6/2021/3422/MAJ states under Condition 2:

"No development shall commence until a Construction Management Plan, to enable demolition, has been submitted to and approved in writing by the Local Planning Authority.

No development above ground level, other than demolition, shall take place until a further Construction Management Plan is submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with the approved Plan. Each Construction Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site;
- c) Traffic management requirements
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of construction activities;
- i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;

- j) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements; and
- k) Phasing Plan.

REASON: To protect highway safety and the amenity of other users of the public highway and rights of way; to protect the living conditions of neighbouring properties, in accordance with Policies 5, 12, 17 & 22 of Hertfordshire's Local Transport Plan (adopted 2018); Policy R19 of the Welwyn Hatfield District Plan 2005; Policy SADM18 of the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework."

Analysis:

HCC in its previous response asked for several details pursuant to the following:

Condition 2 (part a)

- Specify the largest vehicle type accessing the site and include swept path analysis demonstrating that the largest vehicle can enter and exit the site in forward gear.

- Routing Plan

Condition 2 (part b)

- Swept path analysis of the proposed site access and internal site is required to ensure the largest can enter/ exit the site in forward gear.

Condition 2 (part g)

- LHA required deliveries to/from the site occur outside of drop-off and pick-up times, therefore needed to be stated in the CMP.

Condition 2 (part i)

- LHA required CMP to state post construction restoration/ reinstatement of the working areas and temporary access to the public highway.

The applicant has submitted an updated Construction Management Plan (CMP) to support the discharge of Condition 2.

HCC Response

Condition 2 – Response

The details required in the Construction Management Plan are assessed below:

a) The CMP includes details of the largest expected vehicle to access the site. The CMP includes swept path analysis to demonstrate that the largest vehicle, a 10.1m long articulated lorry (40t) can enter and exit the site in forward gear.

The swept path indicates that the vehicle overhang will overlap the kerb line. However, the CMP highlights that it is acceptable that vehicle overhang overlaps the kerb line as long as no structure blocking the way. This is deemed acceptable under the condition that the swept path remains clear of any hindrances at all times, including the marked parking bays on the southern section of the hammerhead, as it is not specified if these bays are proposed post completion or onsite during the construction.

The updated CMP includes a routing plan. Earlier, the CMP stated that no deviations or special controls are in place on any of the local roads. It is expected that deliveries would be from the site via the A1000 Great North Road and the A414, A1 & M1/M25. This is considered acceptable.

Conclusion: Condition 2 (part a) can be discharged.

b) During construction, it is proposed that vehicle access will be via Arm and Sword Lane at the rear of the site. The recently submitted CMP includes swept path analysis of the 10.1m long articulated lorry (40t) for the proposed site access and internal site demonstrating that the largest vehicle can enter/exit the site in forward gear.

The swept path indicates that the vehicle overhang will overlap the kerb line. However, the CMP highlights that it is acceptable that vehicle overhang overlaps the kerb line as long as no structure blocking the way. This is deemed acceptable under the condition that the swept path remains clear of any hindrances at all times, including the marked parking bays on the southern section of the hammerhead, as it is not specified if these bays are proposed post completion or onsite during the construction.

The CTP confirms that Banksmen will be posted at the site entrance to protect pedestrians or warn approaching traffic whilst marshalling wagons or delivery vehicles on/off the site. This is considered acceptable.

Conclusion: Condition 2 (part b) can be discharged.

c) The CMP states that Banksmen will be posted at the site entrance to protect pedestrians or warn approaching traffic whilst marshalling wagons or delivery vehicles on/off the site. If at any time the number of Banksmen is considered inadequate the process will be reviewed and then number of banksmen increased, or the procedures adapted. This is acceptable.

Conclusion: Condition 2 (part c) can be discharged.

d) The CMP includes a drawing of the proposed site set up. This shows the location of parking spaces, site accommodation and storage area. This is considered acceptable.

Conclusion: Condition 2 (part d) can be discharged.

e) The proposed site set up drawing shows the location of the proposed vehicle wash down area and this is acceptable.

Conclusion: Condition 2 (part e) can be discharged.

f) It is proposed that site and road conditions will be continuously monitored. The water runoff from wheel wash facilities will be contained within a bunded area and drain naturally through holes punctured in the hardstanding. No water from the wheel washing will enter the local highway. It is also proposed that the roadway adjacent to the site will be regularly swept during the course of the working day to maintain cleanliness. This is acceptable.

Conclusion: Condition 2 (part f) can be discharged.

g) The CMP states that working hours are restricted to 8am to 6pm Monday to Friday and 8am to 1pm on a Saturday. The CMP states that restricted delivery times will be followed between 9:30am to 16:00hrs.

Conclusion: Condition 2 (part g) can be discharged.

h) The CMP states that there is limited on-site parking proposed and that there is available parking at Hatfield Station car park. It is proposed that contractors will drop tools and equipment off to site to then go and park off site returning at the end of the day if required for collections. The CMP states that no contractor vehicles will park in the roads adjacent to the site. Due to the town centre location of the site and the close proximity of nearby car parks, this is considered acceptable.

Conclusion: Condition 2 (part h) can be discharged.

i) The CMP states that any areas disturbed during the works will be addressed with restoration/ reinstatement being undertaken immediately upon completion.

Conclusion: Condition 2 (part i) can be discharged.

j) The proposed site set up drawing shows the provision of storage / access arrangements for pedestrians & vehicles / temporary accommodation units / wheel washing facilities and parking area. This is acceptable.

Conclusion: Condition 2 (part j) can be discharged.

k) The CMP includes a construction programme showing the phases of construction. This is acceptable.

Conclusion: Condition 2 (part k) can be discharged.

Summary

To conclude, HCC as Highway Authority recommend granting the discharge of Condition 2.

Signed

Matthew Jopp

14 February 2024