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

Director of Planning  
Welywn Hatfield Borough Council  
The Campus  
Welwun Garden City  
Hertfordshire  
AL6 6AE

District ref. 6/2021/2857/MAJ  
HCC ref. WH/10075/2021  
HCC received: 18 May 2022  
Area manager: James Dale  
Case officer: Sarah Hearn

Location  
Tewin Road, Welwyn Garden City, AL71BD

Application Type  
Full Application

#### Application Details

Change of use from former gasholder site and car dealership (Sui Generis) to industrial processes (E(g)(iii), general industrial (B2) and storage or distribution (B8) and erection of three new commercial units with associated access, servicing, landscaping and boundary treatments.

#### 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, informatives and S106 obligation:

#### Conditions:

1) Prior to the first use of the development hereby permitted the vehicular accesses shall be completed and thereafter retained as shown on drawing numbers 003(1) D and 004(1) D 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).

2) Prior to the first use of the development hereby permitted the vehicular and pedestrian access to, and egress from, the adjoining public highway shall be limited to the two accesses shown on drawing number 1734-JSA-WY-XX-DR-A-01201 P11. Any other accesses or egresses shall be permanently closed, and the footway and kerb shall be reinstated in accordance with a detailed scheme to be approved in writing by the Local Planning Authority in consultation with the highway authority.

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

3) Prior to the commencement of the development hereby permitted, an updated scheme for (short and long stay) the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

Informatives:

1) 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.

2) 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.

3) 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.

4) 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.

#### S106 Obligation

1) At least 3 months prior to the first use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

#### Comment

The Highway Authority provided comments on this application on the 15th February 2022 and recommended approval subject to conditions. Since the submission of these comments, updated plans have been submitted as the red line boundary of the site has been altered and the proposed building has been slightly re-located. This has resulted in the submission of additional plans and documents (including an updated Transport

Statement (TS)).

Following a review of the most recently submitted documents, the following changes have been noted and assessed:

- A reduction in one car parking space in the yard associated with Units 2/3 (now a total of 70 car parking spaces within the site)
- Updated cycle parking plans have been provided
- The northern access has been altered and now measures 8.27m rather than 8.0m
- An updated travel plan has been submitted.

#### Parking

Regarding the loss of one of the parking spaces associated with Units 2 and 3, Welwyn Hatfield Borough Council are the Parking Authority for the borough, and I trust in the borough council to comment on the acceptability of this.

From a highway safety perspective, I am satisfied that the proposed minor relocation of the building and loss of one parking space will not materially impact the operation of the site. Furthermore, as previously noted, Tewin Road benefits from double yellow lines in the vicinity of the site and there are limited locations which could accommodate displaced on-street parking. The Highway Authority therefore raises no objection to the loss of one additional parking space.

#### Cycle Parking

A total of 36 cycle parking spaces are still proposed in the site, with no change compared to the previous proposals. These spaces are designed as 18 Sheffield stands and I note that paragraph 4.24 of the TA states 'within this provision, 3 spaces for larger bikes are proposed, which equates to 8% of the total number of bike spaces.'

An updated cycle parking plan has been provided however these plans do not show space for the non-standard bikes. It must also be ensured that there is at least 1.0m between each Sheffield stand and 0.6m between the edge of each shelter and the end Sheffield stands. The cycle parking plans must therefore be updated.

Furthermore, only 24 of the 36 cycle parking spaces are located within shelters. All of the cycle parking should be covered and secure and all the proposed cycle parking facilities should therefore be accommodated within shelters.

#### Northern Vehicular Access

Drawing 21055 003(1) D shows the amended northern vehicular access to measure 8.27m. There is no change to the previously accepted radii and bellmouth.

Having assessed the updated plans, I can confirm that no objection is raised to the minor increase in the northern access width. However, I trust discussions are still ongoing with the HCC Tree Officers regarding the access arrangements.

#### Travel Plan

An updated Draft Travel Plan has been submitted with this application. This Draft Travel Plan has been assessed by the Sustainable Transport Team and detailed comments have been forwarded onto the case officer separately. The applicant is advised that the Full Travel Plan will be required to be in place from first occupation until five years post full occupation. A £1,200 per annum index-linked RPI March 2014 Evaluation and Support Fee should be secured by section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance.