

Our Ref: TP53xx_L1_RF

Your Ref: 19/00520/OP

Date: 8th June 2021

Entran Ltd
78 York Street
London
W1H 1DP

Director of Planning
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

Dear Sir/Madam,

**Land between Croft Lane, Norton Road and Cashio Lane, Letchworth Garden City – 19/00520/OP
Means of Access**

I am writing in connection with an outline planning application for up to 42 houses on land served by Croft Lane. All matters are reserved except means of access. I have reviewed the comments made by Hertfordshire County Council (HCC) as local highway authority, and I watched the online Planning Control Committee on 27th May 2021; I am slightly alarmed by the inconsistent approach HCC appear to be taking in respect of this particular application when compared to other residential developments in the County.

HCC's Highway Development Management home page has a statement which advises developers that the DfT has suspended Local Transport Note 1/11: Shared Space and therefore HCC "*will pause all shared space schemes except for: raised junctions, speed tables etc.; raised pedestrian, cycle, or equestrian crossings; cul-de-sacs for motorised traffic serving less than 25 dwellings, or; schemes where detailed design is complete or technically approved*".

It should be noted that in September 2018 the MHCLG and DfT issued a joint Ministerial statement clarifying the Government's position on shared space schemes. It stated that "*the pause does not apply to streets within new residential areas, or the redesign of existing residential streets with very low levels of traffic, such as appropriately designed mews and cul-de-sacs, which take into account the relevant aspects of the National Planning Policy Framework and associated guidance.*" The HCC website statement is therefore not entirely consistent with the ministerial advice, but on other residential developments in the County they have applied their website statement vigorously when commenting on planning applications.

In February 2020 HCC objected to a planning application for just six houses at the Rose and Crown pub in Aston (East Herts ref 3/20/0094/FUL) due to the width of the access road and the existing road from which it was proposed to take access. HCC eventually withdrew their objection when the developer agreed to widen the existing highway to 5.5m and provide a 2m wide footway along the entire site frontage. The developer argued that there were no footways anywhere close by and so any pedestrians would have to walk in the carriageway to reach local facilities in the village as the local lanes are all effectively shared spaces; however, HCC insisted on the highway works to widen the road and provide a footway in front of the six houses. Planning permission was refused for other reasons but more recently permission has been granted for just four houses on the site, still with the road widening and footway works.

In 2019 HCC objected to a planning application for seven houses served by a short layby off a main road in Goffs Oak (Broxbourne ref 07/19/0562/F). The shared-space layby, which serves as a through route for



pedestrians walking along the main road, serves five houses at present. The developer offered to widen out the layby area to 6.5m to improve the existing shared space but HCC objected. The developer then offered to include a demarcated 2m walkway to clarify the use of the space. HCC still objected but BBC granted planning permission on that basis. Unfortunately, when the developer applied to discharge the condition in respect of the approved highway works, HCC objected again. The developer offered to include a low 25mm kerb to demarcate the walkway (at considerable additional expense), but HCC continued to object. They stated repeatedly that the additional traffic generated by the seven new homes would require a new 2m wide footway to be provided along the entire length of the existing shared space (approximately 100m). In justifying their position HCC stated there were “*only two reasonable options that can be considered in principle: A proper fully shared scheme and a proper fully segregated scheme*”.

We were therefore very surprised by HCC’s inconsistent approach to the Croft Lane scheme where they have raised no objection to 42 new homes taking vehicle access from an existing residential shared-space road with a width of 3.8m in some locations and no footway for 220m. This seems to be entirely at odds with their approach to other private developments in the County and it is unclear why they would take this alternative stance to the development of the former Norton School Playing Field.

In the first (undated) consultation response from HCC they objected to the application on the basis that the internal access roads were not wide enough and required 2m footways as they serve more than 25 houses. Strangely, the consultation response was silent on the width of Croft Lane and its lack of footways.

A Stage 1 Road Safety Audit was submitted in support of the application; however, it only reviewed the off-site highway works proposed by the developer. It too was silent on the narrow shared-space nature of Croft Lane.

HCC provided two further consultation responses in August 2020 and March 2021 raising no objection to the development subject to conditions and obligations. In the latest response HCC have accepted the scope and findings of the Safety Audit despite its failure to address the potentially unsafe nature of additional traffic and pedestrians using Croft Lane.

At the Planning Control Committee Mr Hanks from TPA spoke on behalf of the local residents in expressing concern about the additional traffic using Croft Lane and that at just 3.8m wide this intensification of use of a narrow shared-space would be contrary to Roads in Hertfordshire and HCC’s LTP4. It is regrettable that no one from HCC was present to explain or justify their position.

Please be aware that we are not objecting to this planning application, but we feel it is important for officers and Members to be aware of HCC’s inconsistent approach to shared space and intensification of use of existing highways. It would appear that if NHDC grant planning permission for this scheme, that decision may be challengeable; or conversely a number of recent decisions to refuse planning permission on highways grounds may be subject to appeal.

We would be grateful if you could take this matter into consideration when this application goes back to committee, and would suggest that the Highway Authority is asked not only to explain their position on the Croft Road application, but their inconsistent approach when compared to other recent applications.

Yours sincerely

Richard Fitter

Director FCILT, FICE, FIHE

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