

Location: **Courtlands
Todds Green
Stevenage
Hertfordshire
SG1 2JE**

Applicant: **EHP Land & Development Ltd**

Proposal: **Means of access in relation to proposed redevelopment of existing stables to provide 17 dwellings with access road, parking, landscaping, footpath connections, infiltration basin and pump station.**

Ref. No: 21/02576/FP

Officer: **Peter Bull**

Date of expiry of statutory period : 01.12.2021

Reason for Delay (if applicable)

Reason for Referral to Committee (if applicable)

Submitted Plan Nos

14043-P035C 14043-P034D 14043-P027-C 14043-P030-R 14043-P031-K
14043-P033-C 14043-P035-B 14043-P037-B 14043-P038-A ID-200-PLAN

1.0 **Site History**

1.1 None

2.0 **Representations**

2.1 **Site Notices:** 17/09/2021 Expiry: 10/10/2021

Press Notice: 26/08/2021 Expiry: 16/09/2021

2.2 **Neighbours** – one letter received objecting to the residential development of the site due to adverse impacts on the green belt and climate change. Concerns are also raised about the associated traffic with the residential development and the impact on local services.

2.3 **Wymondley Parish Council** - objected to the principle of the residential development of the residential development proposed in Stevenage Borough Council's area on the grounds it is contrary to the National Planning Policy Framework and the adopted Wymondley Parish Neighbourhood plan. However, no issues were raised in relation to the proposed use of the vehicular access.

2.4 **Hertfordshire County Council as highways authority** – issues relating to vehicular access, service and emergency vehicles, road safety, parking provision, sustainable

travel, trip generation distribution and high impact, travel plans and constructions traffic have been and it is considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the inclusion of the planning conditions and a highway informative.

- 2.5 **Air quality Consultant** – recommends the requirement for EV charging although acknowledges that the residential elements lie outside North Herts district.
- 2.6 **Environmental Protection and Housing** - there is considered to be a low likelihood of environmental risk from ground contamination. Therefore, there is no objection to the proposed development, with respect to contamination on land. There are no requirements for the imposition of planning conditions, in the event that permission may be granted.
- 2.7 **Environmental Health** - no objections regarding the proposed means of access.
- 2.8 **Archaeology** – no response received
- 2.9 **Environment Agency** – does not consider this proposal to present a high pollution risk to controlled waters, based upon the environmental setting and/or the previous land uses of the site. In the circumstances, no site-specific advice on land contamination is provided.
- 2.10 **Local Lead Flood Authority** – the information provided does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. We therefore object to the grant of planning permission and recommend refusal of the application.
- 2.11 **Transport Policy Officer** - agrees with the comments provided by officers from HCC (Hertfordshire County Council as highway authority), emphasising the need to improve pedestrian access to the development.
- 2.12 **Footpaths (Rights of Way)** – no response received.
- 2.13 **Ecology (Natural Historic and Built Environment)** – no response received.

3.0 **Planning Considerations**

3.1 **Site and Surroundings**

3.1.1 The application seeks permission for the use of an existing vehicular access to serve a proposed residential development located outside of the District within Stevenage Borough (Stevenage Borough Council application reference number 21/00971/FPM). The proposed residential development site which the access will serve is currently occupied by a riding school and consists of a number of old buildings of varying ages, scales and appearances.

3.1.2 Currently the access, Old Chantry Lane, links to the main road network via Chantry Lane designated a Local Access Road. Chantry Lane links to the A602 in the north and Stevenage Road to the south and is located immediately west of junction 8 of the A1(M). There are two dwellings within the riding school site which have been used by the owners and which are accessed via Old Chantry Lane. The access also serves two other properties south of the residential site, The Lodge and Chantry Farm.

3.1.3 The eastern edge of Old Chantry Road is the district boundary separating the North Herts from Stevenage. Old Chantry Lane is a hard surfaced double width carriageway and is

screened from Chantry Road by existing dense treed strip of land. To the east of the riding stables site is the main railway line linking Kings Cross London to the north of England.

3.2 Proposal

3.2.1 The application insofar as it relates to development within North Hertfordshire District seeks permission for the means of access in relation to proposed redevelopment of existing stables to provide 17 dwellings with access road, parking, landscaping, footpath connections, infiltration basin and pump station on adjacent land. The means of access is an existing access road currently which measures approximately 25 metres in length and 5 metres in width. Although only a small element of the wider development red line boundary is within North Hertfordshire District, regulations require that when an application site area straddles two administrative boundaries, duplicate planning applications must be submitted to each Local Planning Authority. The development of the proposed 17 dwellings however would be located wholly within Stevenage Borough boundary.

3.2.2 At a meeting of Stevenage Borough Council's Planning and Development Committee on 9th December 2021, it was resolved to grant planning permission for the residential subject to the applicant entering into a S106 Legal Agreement.

3.3 Key Issues

3.3.1 As already confirmed in the foregoing parts of this report, the use of the access will be serving a residential development outside of North Herts district. The principle of redeveloping the riding stables site for residential use and the associated technical matters arising were considerations for Stevenage Borough Council only. In the circumstances, it is not appropriate to consider or seek to control many of the issues raised by third party consultees (including neighbour representations and Wymondley Parish Council) as part of this application. For clarity, the matters under consideration as part of this application are limited to the impacts on highways and access and the associated green belt impacts.

Highways and access

3.3.2 The proposed residential development will utilise Old Chantry Lane as to sole access for vehicular traffic. As part of the development, changes to the existing bellmouth at the point where the internal access road meets Old Chantry Lane including improved visibility splays will be provided. No other specific changes or improvements are proposed to the access within the application site. However, a number of off-site improvements are proposed within the public highway. These comprise improved visibility splays at the priority T-junction of Old Chantry Lane and Chantry Lane, new footpaths either side of the junction, a toucan crossing and footpath widening across the bridge in Fishers Green.

3.3.3 In relation to the changes in vehicular movements along Old Chantry Lane, the existing commercial equestrian stables is considered to generate a moderate amount of movements to and from the site. The proposed residential scheme (17 dwellings) would result in an intensification of use of Old Chantry lane with an estimated 83 two-way movements per day as suggested in the submitted Transport Statement. The Transport Assessment calculates that the existing use generates 51 two-way movements per day. The proposal is therefore likely to result in a daily increase of 32 two-way vehicle trips with a perceived intensity of use as a result. This would give rise to a very moderate amount of harm to the Green Belt. Hertfordshire County Council have assessed this data and advise that this increase in trip generation would not have an unreasonable impact on the safety and operation of the adjoining highways and therefore raise no concerns or objections in this regard.

3.3.4 As part of another nearby development, Stevenage Borough Council have, through a S106 Legal Agreement, secured a new bus stop which will also serve the residential

development of the residential development. This together with the other improvements set out in 4.5.3 of this report will ensure that the residential development of the adjacent site will offer opportunities to travel through a variety of sustainable transport modes.

3.3.5 In relation to construction traffic, to ensure these do not prejudice the safety and operation of the highway network, a construction Management Plan condition is recommended by the Hertfordshire County Council in the event that permission is granted.

Conclusion

3.3.6 Subject to the imposition of conditions, the proposed development would not have any harmful impacts that cannot be mitigated by conditions.

Alternative Options

None applicable.

Pre-Commencement Conditions

I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

4.0 Legal Implications

4.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

5.0 Recommendation

5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage 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.

4. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic 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.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. AN1) 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
2. AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to willfully 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.
3. AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on 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. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

4. AN4) Construction standards for works within the highway. 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

7.0 **Appendices**

- 7.1 Proposed site plan including residential development with Stevenage Borough.