

Statement of Common Ground  
in relation to  
LAND TO THE REAR OF 42-100 TOLLGATE ROAD & 42  
TOLLGATE ROAD, COLNEY HEATH  
on matters of  
Highway and Transportation

Planning Application Number: 5/2022/1988  
Planning Appeal Reference: APP/B1930/W/23/3323099

Between  
Hertfordshire County Council as Highway Authority  
and  
RPS Consulting Services Ltd  
on behalf of Vistry Homes Ltd

## 1 INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) has been prepared to assist the Inspector in the consideration of the highway and transportation matters relating to the application for up to 150 dwellings on Land to the Rear of 42-100 Tollgate Road & 42 Tollgate Road, Colney Heath, St Albans, Hertfordshire.
- 1.2 This SoCG has been prepared by RPS on behalf of the applicant, Vistry Homes Ltd., in conjunction with Hertfordshire County Council (Highway Authority) and seeks to set out the matters where agreement has been reached over the proposals and where matters that relate to the reason for refusal are unresolved.
- 1.3 The Appeal Scheme was validated by the Local Planning Authority, St Albans District Council (SADC), on 23 August 2022. The Appeal Scheme was given reference 5/2022/1988.
- 1.4 As part of the application a Transport Assessment was submitted dated 29 June 2022, which was prepared following pre-application scoping discussions with Hertfordshire County Council (HCC) held on a call 15 March 2022. A response letter was received from HCC dated 21 October 2022. An updated Transport Assessment was prepared to address comments raised and provide further information including a Stage One Road Safety Audit. The updated Transport Assessment was submitted on 6 January 2023 along with an updated Travel Plan and a note setting out how HCC comments had been addressed.
- 1.5 HCC provided further comments 9 January 2023 on an updated site access plan, mitigation measures plan and a request for comment from the Road Safety Audit team. A response to these requests was issued on 3 February 2023.
- 1.6 A further set of comments from HCC was issued on 5 May 2023 which was used to complete the SADC Officer's Report. The HCC letter dated 5 May 2023 has been used as the basis for sections of this SoCG below.
- 1.7 The SADC Planning DM Committee resolved to refuse the application on 22 May 2023.

## 2 DEVELOPMENT PROPOSALS

- 2.1 The development proposal is an outline application for the demolition of the existing house and stables and the erection of up to 150 dwellings, including affordable and custom-build properties, together with all ancillary works (all matters reserved except access).
- 2.2 It is proposed that the development is served by a single access via Tollgate Road at the north west corner of the site. Pedestrian and cycle access will be via the proposed vehicular access arrangement. The vehicular access will provide cyclists with access to Tollgate Road and 2 metre wide footways would be provided on both sides of the access and connect to the existing southern Tollgate Road footway. As part of this planning application, approval is only being sought on the access and not the internal road layout which would be a reserved matter.

## 3 MATTERS OF AGREEMENT

- 3.1 The following are considered matters that are agreed between RPS and HCC. Where possible these have been quoted from the 5 May 2023 letter from HCC to SADC as the latest set of comments on the application.
- 3.2 **Site Access:** This is identified on Drawing reference no. JNY11289-RPS-0100-001B. It is agreed that this drawing is designed to current design standards including matters of site

access road width, radii, footway provision and visibility splays. The local bus operator has confirmed that there is no objection to a raised table subject to ensuring suitable construction and maintenance.

**3.3 Road Safety Audit.** The HCC response sets out –

*“A Stage 1 Road Safety Audit (RSA) of the proposed access arrangement and Designer’s Response has been undertaken and is recorded in the submitted Transport Assessment. The audit identifies problems for pedestrian users on Fellowes Lane due to the proposed vehicle access arrangement. As a result of initial comments from LHA, the design teams response has been updated. As part of the detailed design, pedestrian intervisibility will be checked and appropriate splays ensured. If needed, measures to prevent inappropriate parking on the grasscrete will be provided.*

*The LHA requested that any outstanding safety concerns from the RSA must be addressed. The TA has now been updated and all the RSA recommendations have now been accepted by the applicant and the outstanding concerns would be addressed at detailed design stage. This is considered acceptable.*

*Furthermore, the applicant has confirmed in the second submitted Highways Technical Note (February 2023) that the Audit team have confirmed that the addition of the proposed crossing location at the site access makes no change to the recommendations of the previous RSA1.”*

**3.4** RPS agree with the above comments.

**3.5 Walking and Cycling (Existing Infrastructure Audit):** The HCC response sets out –

*“The applicant has undertaken a walking and cycling route audit, and suggested potential improvements/mitigation on routes leading to local schools and facilities. The walking audit highlights the requirements for pedestrian crossing facilities at the site access to the northern footway on Tollgate Road, refreshing zebra crossing markings at the southern end of the High Street and the provision of tactile paving at Park Lane. The cycle route audit has identified that the underpass at the A1(M) would benefit from lighting and cosmetic improvements to make it more attractive to cyclists.”*

**3.6** The context of the above paragraph was in relation to the audit of infrastructure which was initially requested of the applicant in the HCC response dated 21<sup>st</sup> October 2022. In the latest response HCC were satisfied the detail within the audit covered the site area in enough detail and agreed on the conclusions relating to the routes and current condition of infrastructure. However, it is worth noting the wider sustainability issue, as identified in the Matters Not Agreed in Section 4 below, includes cycling trips to amenities not in the local area such as secondary schools, employment opportunities and public transport facilities.

**3.7** RPS agree with the above comments.

**3.8 Public Transport (Existing Infrastructure Audit):** The HCC response sets out –

*“The nearest bus stops are located to the southeast of the proposed site access on Tollgate Road (Fellowes Lane). These bus stops are accessible via the footway provision on either side of Tollgate Road. The bus stops are located within an approximate 400m (4-minute short walk) from the centre of the site. Bus stops are also located on Hall Gardens within approximately 390m (5-minute walk) of the site and provided access to bus service 200. Bus stops located on Roestock Lane are within approximately 480m of the site and provide access to the 305 service that runs between Sandridge and Potters Bar. Existing bus services are demonstrated to be accessible to most passengers from the proposed development site. The LHA requested an audit of the suitability of the existing bus stop facilities and infrastructure identified within the TA. The result of the audit suggests that improvements should be made to bus stop kerbing at the westbound bus stop, bus stop*

*kerbing and bus cage for the eastbound bus stop and also an improved shelter and raised kerb at Roestock Lane eastbound bus stop. The nearest train station is Welham Green circa 3.7km distance from the proposed development and accessible via Tollgate Road / Dixons Hill Road, approximately a 48-minute walk or 20-minute cycle. The station and all trains serving it are currently operated by Govia Thameslink Railway. The station provides services between Welwyn Garden City and Moorgate, London.”*

- 3.9 The above conclusions are made with regards to accessibility to infrastructure and the factual assessment made in the audit as to the time and distance to reach public transport infrastructure by walking and cycling means. No conclusion was made as to whether the current level of public transport access is acceptable and this remains a Matter Not Agreed as detailed in Section 4 below.
- 3.10 RPS agree with the above comments.
- 3.11 **Mitigation Measures:** The HCC response sets out –  
*“The suggested mitigation measures as a result of the pedestrian, cyclist and public transport audits are considered acceptable. Drawing JNY11289-00 shows the location of offsite mitigation measures.”*
- 3.12 Following further consultation with Public Transport, Strategy and Programme Management and Highway Officers in HCC the list of mitigations could be expanded upon. This however does not mean the monies agreed with RPS will go beyond that stated in 3.14 below, i.e. **£1,023,900**. The reason for this is to ensure monies are attached to appropriate and deliverable schemes directly benefiting the residents of the development proposals and the existing residents of the surrounding area.
- 3.13 RPS agree with the above comments.
- 3.14 **Impact Assessment:** The HCC response sets out –  
*“The Transport Assessment dated 11 November 2022 set out the approach to trip generation, distribution and capacity assessment at the following junctions*
  - *A414 North Orbital / High Street – signalised junction;*
  - *High Street, Roestock Lane, Tollgate Road, Courses Road – roundabout junction;*
  - *Tollgate Road / Fellowes Lane – priority junction;*
  - *Dixons Hill Road / Swanland Road – priority junction; and*
  - *A1000 Great North Road / Dixons Hill Road – roundabout junction.**In addition, the impact of the proposed residential development on Tollgate Road in relation to the existing on street parking to the east of Fellowes Lane was also determined. No significant adverse impacts were identified on these roads / junctions and no highway capacity mitigation measures are deemed necessary.”*
- 3.15 RPS agree with the above comments.
- 3.16 **Travel Plan:** A Framework Residential Travel Plan has been provided with the application documents and was revised following comments from HCC. The implementation of the Travel Plan should be secured through a s106 agreement.
- 3.17 **Planning Obligations and Agreements:** The HCC response sets out –  
*In the absence of CIL, sustainable transport contributions are sought. The Hertfordshire County Council 4th Local Transport Plan (LTP4) has developed strategies and plans*

for the county and the towns and areas within it which identifies the sustainable transport and accessibility measures for which contributions would be sought.

For new residential developments, a contribution of £6,826 per dwelling is required. Therefore, based on the proposed development of 150 dwellings the total developer contribution to active travel would be **£1,023,900**.

A Full Travel Plan will be required to be in place from first occupation until 5 years post full occupation. A £1,200 per annum (index linked RPI May 2014) Evaluation and Support Fee must be secured by Section 106 agreement Under the Town & Country Planning Act 1990 in accordance with Hertfordshire County Council's Travel Plan Guidance.

- 3.18 RPS note that the requested contribution has been calculated by HCC in line with the approach set out in the LTP4 and the 'Guide to Developer Infrastructure Contributions 2021'

## 4 MATTERS NOT AGREED

- 4.1 The HCC letter concludes

*"The Highway Authority have reviewed the development proposals and wishes to raise an objection in relation to the wider sustainability and public transport access for the site."*

- 4.2 It is HCC's view that:

Colney Heath has a number of facilities and services expected for a settlement of this size such as primary school, public house, church, village hall, hairdressers, takeaway, Post Office etc. However, residents are expected to travel to larger settlements such as St Albans, London Colney and Welham Green for services such as medical facilities, train stations, larger supermarkets, secondary schools and employment.

Making such trips to wider settlements is a problem because cycle journey connections are not direct and public transport is too unreliable within Colney Heath.

With regards to cycling trips, the wider sustainability issue is associated with a lack of direct routes to amenities outside of Colney Heath. The routes presented in the audit are not direct and therefore increases the likelihood of more direct options being taken by less desirable routes to get to wider amenities outside of Colney Heath. This is not compliant with LTP4 Policy 1 and 5.

With regards to public transport trips, the existing bus service provision is not regular and does not offer the new residents at the proposed site a genuine high quality public transport option that can be relied upon. Furthermore, the nearest public transport station (Welham Green Train Station) is a considerable distance away, taking nearly an hour to walk and no direct cycle route to. This is not compliant with LTP4 Policy 1,2 and 5.

The above points lead HCC to the conclusion that the wider sustainability of the site is a fundamental issue which cannot be resolved for all highway users being offered a suitable and reliable alternative to the private car when trips to be made by cycle are not direct and by public transport are too unreliable.

- 4.3 RPS disagree with this conclusion and references in the submitted Transport Assessment the Bullens Green Lane Inspector's decision (ref: 5/2020/1992/LSM –14 June 2021) which disagrees with the Council's conclusions on a similarly located site. RPS consider that the Inspector's comments and conclusion (paras 37-41) can equally be applied to the appeal site.



## 5 SUMMARY AND CONCLUSIONS

5.1 It is therefore agreed and concluded that all matters except for those identified in Section 4 above are agreed.

Signed on behalf of Hertfordshire County Council ..... 

Date 15/08/2023

Signed by RPS on behalf of Vistry Homes Ltd



Date 15/08/23