

## PRESTON PARISH NEIGHBOURHOOD PLAN

### STEERING GROUP RESPONSE TO LAND ADJACENT TO DUNGARVAN PLANNING APPLICATION

Ben Glover  
North Herts District Council  
Gernon Road  
Letchworth  
SG6 3TF

Friday 22 October 2021

Dear Mr Glover

**Reference: 21/02632/FP**

***Erection of 10 detached dwellings (1 x 2-bed, 4 x 3-bed, 3 x 4-bed and 2 x 5-bed) including garages, private amenities and creation vehicular access off Back Lane. Land Adjacent To Dungarvan, Back Lane, Preston, Hertfordshire SG4 7UJ***

The Steering Group appreciates the opportunity to be a consultee for this planning application and is pleased to note that the Preston Parish Neighbourhood Plan (PPNP) has been addressed in the proposals for this development on land adjacent to Dungarvan in Preston. However, there are some policies which have not been taken into account to the extent that it believes they should have been. The Steering Group would like to highlight these and request that they are addressed and, where necessary, conditions imposed before any planning consent is granted.

**Policy QL3: Local Distinctiveness:**

*The architecture of, and landscaping schemes in, all new developments should preserve and where possible enhance heritage assets, historic features, and rural character, thereby promoting community identity and preserving local distinctiveness.*

The Steering Group is pleased to note that an attempt to take account of historic features, rural character and local properties has been made in these proposals but is of the view that the proposals do not enhance these aspects as much as they could have done, thus missing an ideal opportunity to provide a development which enhances this part of the Conservation Area and which should have helped to preserve Preston's local distinctiveness.

The Steering Group notes that red bricks which predominate in Preston are planned but that some of the other materials are not those used on existing dwellings. It is vital that the conditions which will be placed on the materials to be used are strictly adhered to in order to enhance this area of the village.

**Policy HD3: Housing Types:**

*Proposals for new homes should demonstrate the way in which they would address local housing needs. Proposals for or which include, two- and three-bedroom houses suitable for families, local people and first-time buyers will be supported.*

The Steering Group notes that this policy has been addressed in the proposals by including a mix of housing. It would, however, like to point out that there is no need for more 5 bedroom

homes in Preston and suggests that these two dwellings are removed from the plans and are replaced with two 3 bedroom bungalows, suitable for downsizing and disabled people. There would be local interest for these dwellings. A restrictive covenant would be required to ensure that an extra storey can't be added and they remain as bungalows in perpetuity.

This suggestion would align with PPNP page 32, paragraph 9.3 which provides data from the Neighbourhood Plan Survey 2017 where the preference was for two (58%) and three (63%) bedroom houses and bungalows (31%).

The Steering Group acknowledges that this suggestion would require a new site plan to be submitted as a condition on planning consent.

**Policy HD4: Tenure of Housing:**

*Development proposals for new dwellings should deliver a mix of homes, including an element of social and affordable housing, which takes account of the most up to date study of housing needs in the neighbourhood area.*

By incorporating 50% of dwellings with 4 or more bedrooms into these proposals and for all ten dwellings to be open market housing, it is clear that this policy hasn't been addressed. As suggested in the paragraph above, some of the larger houses could become 2 or 3 bed dwellings.

**Policy HD5: Sustainability and Energy Efficiency:**

*Proposals for the provision of measures for water conservation and landscape schemes that improve biodiversity will be encouraged. Proposals with a low carbon footprint will be encouraged. The provision of electric car charging points for all new homes will also be supported as will proposals that enable residents to work from home. Prior to occupation, each residential property shall incorporate an Electric Vehicle (EV) ready, domestic charging point.*

While the Steering Group acknowledges that some of this policy has been met by providing electric car charging points, installing ground source heat pumps and harvesting rain water to reduce the overall water consumption, there are some key elements which have not been met.

It is disappointing that solar panels are not being incorporated into these dwellings and the Steering Group would like this decision to be reconsidered. The orientation of some dwellings means that solar panels would not have an adverse impact on the Conservation Area and for others their orientation would make them ideal to benefit from solar energy. It is vital that every strategy is followed to ensure that this development has a low carbon footprint.

No provision has been made to meet this point:

*..... as will proposals that enable residents to work from home.*

This should be addressed as working from home, either permanently or for part of the week, is now normal working practice for many people.

**Policy HD8: Flood Risk and Drainage Provisions:**

*Development proposals in locations at the highest risk of flooding will not be supported. Where any development proposal can be demonstrated to be necessary in such areas the development should be made safe for its lifetime without increasing the risk of flooding elsewhere.*

*In other parts of the neighbourhood area beyond the locations at the highest risk of flooding, development proposals will be supported where they do not increase flood risk elsewhere in the neighbourhood area, and within Castlefield, Templars Lane, Chequers Lane, Church Lane and Butchers Lane in particular.*

*Major developments should incorporate sustainable drainage systems within their design and layout unless there is clear evidence that this would not be appropriate either within the neighbourhood area or on the site concerned.*

The planning documents indicate that the proposed development will use a traditional below-ground gravity system for the collection of foul water which will flow into the existing Thames Water sewer. As this will be subject to a S106 application it must be decided at the same time as the decision is made on the development to ensure that there can be no issues with the disposal of foul water.

There are detailed plans for a SUDS drainage system and its maintenance. The Drainage Strategy Technical Note, Paragraph 4.2 suggests that the responsibility for maintaining the shared drainage components should lie with either the development landowner unless it is delegated to an appointed external Management Company. The Steering Group is of the view that the decision on which organisation maintains this system should be a condition of planning consent to ensure there is clarity and transparency if any issues arise after completion of the development. Any drainage or sewage issues would have an adverse impact on the wider community.

**Policy EH2: Conservation Areas and Heritage Assets:**

*All development proposals, including new build, must demonstrate how the particular environment of Preston has been taken into account during conception and evolution of the design. Proposals that do not positively contribute to the local character must explain why and demonstrate the reasons behind the alternative approach.*

**Bullet Point 4**

*Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment undertaken by an appropriately qualified specialist so that the impact of the proposed development on the significance of the heritage assets can be assessed and, where necessary, carry out a field evaluation.*

The Steering Group notes that conditions 15, 16 and 17 which were imposed on the original consent for this site: 20/01564/FP are being addressed in the Archaeological Written Statement of Investigation. It would, however, like these conditions to be included again as part of planning consent for this application to ensure that this vital work is undertaken and monitored appropriately to ensure that the long term historical records for the area are accurately updated.

It is essential that personnel working on this investigation understand and acknowledge that the site is within the Preston Conservation area, as clearly illustrated in other planning documents and that page 3, paragraph 2.10 of this document is incorrect:

## **Conservation Areas**

**2.10** *None within the site or within the 500m study area.*

### **Bullet Point 5**

*The design of any new build should have regard to prevailing scale, massing and density of properties in the Conservation area and be in harmony with the character of the location in which it is being constructed. Materials used should be complementary and similar to neighbouring properties.*

The application documents indicate that the proposals meet the requirements of this policy for development within the Conservation Area but the Steering Group is of the view that these proposals do not reflect the character and rural setting of this location on the edge of the village. The density is too high and the architecture of the dwellings is not inspiring and does not preserve or enhance the Conservation Area.

To ensure that this development maintains and enhances the characteristics of the Conservation Area in perpetuity, the Steering Group would like to suggest that a condition is imposed on consent which removes all permitted development rights so that future property owners have to apply for full planning permission to make any changes, amendments or extensions to their dwellings. This will be important to ensure that any additions to these dwellings, particularly the roofs, do not have an adverse impact on neighbouring properties, both within the development and the wider area beyond.

### **Policy EH5: Tranquillity and Dark Skies:**

*Proposals for development should respect the tranquil character of the neighbourhood area. Proposals which would generate an unacceptable detrimental impact on its tranquillity through noise, generated traffic or light pollution will not be supported.*

The Steering Group notes that the plans indicate that low lighting will be used in this development. As there are almost no streetlights in Preston and none in the vicinity of this site, the Steering Group would like a condition put on any planning consent to ensure that this strategy is continued. It would also like no external lighting anywhere on the site to be included in such a condition. This would comply with the Manual for Streets, published by the Department for Transport, paragraphs 10.3.11 and 10.3.6.

If imposed, this condition would meet PPNP Working Principle HERC 9.

**Working Principle HERC9:** *In considering development involving potentially adverse lighting impacts to wildlife Preston Parish Council will expect surveys to identify movement corridors and ensure that these corridors are protected and enhanced.*

It is essential that this Working Principle is adhered to in order to mitigate the impact of additional domestic light pollution on wildlife

The Steering Group also suggests that a covenant restricting the installation of additional flood lights should be in place for future property owners.

### **Policy EH7: Protecting and Enhancing the Local and Natural Environment:**

*Development proposals should maintain and where practicable enhance the elements of the natural environment as identified in Appendix C2 (pages 68 to 84). Where appropriate development proposals should also incorporate measures to ensure their connectivity to the wider habitats in the neighbourhood area.*

*Where significant harm to biodiversity arising from a proposed development cannot be avoided, adequately mitigated or as a last resort compensated for, any such proposals will not be supported.*

The Preliminary Ecological Appraisal does not meet the above policy, nor does it meet the policy in the Emerging Local Plan (ELP) which was added in the Main Modifications in 2018 which states:

*All development should deliver measurable net gains for biodiversity.*

The survey does not include a DEFRA metric assessment and does not specify that a 12m buffer will be provided to all hedgerows, both of which are requirements of the ELP policy. The Steering Group believes that a new survey should be submitted which includes a DEFRA biodiversity metric net gain assessment which clearly demonstrates a biodiversity net gain of 10% increase in habitat units. The survey should also include plans that show a 12m buffer of complementary habitat to all hedgerows. The new survey should be submitted and assessed prior to planning consent being granted to ensure that the appropriate measurable net gains for biodiversity are met.

The Steering Group would like a restrictive covenant to be imposed on property owners to ensure that the 12m buffer remains in perpetuity and that any construction within the curtilage, for which full planning permission must be sought, must respect this buffer.

**Policy EH8: Hedgerows, Trees and Verges:**

*Where appropriate and relevant to the site concerned development proposals should retain and maintain existing trees and hedgerows within the site and along its boundaries. If their removal is necessary, they should be replaced in an appropriate location with trees of no less arboricultural or amenity value*

*Where the boundary of a new development has existing hedgerows and trees these should be protected to give it a green and soft edge, with additional landscaping and planting to minimise the visual impact of the new development. Landscaping should be incorporated in the design of all new development to mitigate the visual impact of development and ensure that the development is sensitively incorporated into the existing village context. Landscaping schemes should include predominately native species.*

The Steering Group notes the detailed plans in the Arboricultural Statement to protect the oak tree which has a Tree Preservation Order.

The Design and Access Statement Paragraph 7.1 states:

*Although a portion of landscaping will be lost to allow for the new access road, this will be minimal and all landscaping will be maintained where possible to reduce the impact of the proposals.*

There is no information as to how the existing landscaping will be protected. It is important that there are root protection areas for all the trees which are being retained otherwise they may not survive the construction period. It is important too that the boundaries between and around the dwellings do not damage any trees or hedgerows.

**Policy TC1: Safe and Sustainable Transport:**

*Residential and community development proposals will be supported where amenities in the village can be readily and safely accessed by pedestrians and cyclists. In addition development proposals should conform to the following criteria:*

- a) development proposals should not generate an unacceptable increase in traffic volume and movements within or through the village and*
- b) development proposals should not generate unacceptable highway safety risks and*
- c) development proposals should provide a minimum of 2 off-road parking spaces per new residential unit with 2-3 bedrooms and a minimum of 3 parking spaces for 4+ bedroom residential units.*

The Steering Group notes that a desk top exercise using TRICS data has been used to estimate the increase in traffic on Back Lane from the proposed development and that paragraph 8.3 of the Design and Access Statement refers to:

*this lightly trafficked lane with very low associated vehicle speeds.*

No mention has been made of Preston Primary School and the increased traffic at drop off and pick up times and the potential safety issues. There are 75 pupils on roll at the school. Of these 27% live in Preston, 73% live elsewhere and have to be driven to school. This is in addition to the 10 members of school staff who use Back Lane every day to get to work. If the development goes ahead there will be considerably more traffic using this narrow rural lane on a daily basis.

The Transport Statement does not acknowledge the potential impact on safety at the corner where Back Lane joins Crunnells Green. There is reduced visibility at this point where there could be traffic coming in the opposite direction.

The Steering Group notes that traffic monitoring cables have been installed during the consultation period. It is essential that this data, which should be a realistic assessment of the current situation, is used when this application is considered, rather than the TRICS data provided on the Transport and Access Statement.

There are areas of grasscrete alongside and opposite the development site. This was installed by Hertfordshire Highways in conjunction with Preston Parish Council in Spring 2009 to create a parking area for parents dropping off and picking up their children from Preston Primary School. It is used at other times during the school day as an overflow from the school car park which is locked during the day when pupils are on site.

The grasscrete preserves the verges and it is essential that it remains in place and in good condition opposite the site. Alongside the site, it seems likely that some of the grasscrete will have to be removed to provide the correct visibility splay and sight lines so that vehicles are able to leave the development safely.

The Steering Group would like to suggest that on completion of the work on site, the developer must ensure that new grasscrete is installed in the sections before the access to provide safe parking for parents at the start and end of the school day.

The Steering Group is pleased that the correct number of parking spaces has been planned for the proposed development, including visitor parking which should eliminate the need for anyone from this site having to park on Back Lane.

**Policy TC2: Broadband and Mobile Coverage:**

*Provision of facilities to support the delivery of efficient and effective landline, broadband and mobile coverage throughout the parish will be supported provided they are sensitively designed and located in accord with other policies in this Plan.*

At present high speed broadband is not available in all areas of the village and, with the current levels of home working, it is essential that a super-fast service, which meets the Government's criteria, is available for everyone living and working in Preston.

Depending on the provider, the mobile signal is poor for many residents. The Steering Group suggests that the developer negotiates with mobile phone providers to get more equipment installed on the recently erected mast.

The Steering Group believes that ELP Policy SP7: Infrastructure Requirements and Developer Contributions is relevant to this aspect of the application. In accordance with this policy, the developer should be required to finance appropriate broadband infrastructure to accommodate additional demands resulting from the development. The following points from this policy are particularly relevant:

- Ensure appropriate provision of facilities and infrastructure for new residents
- Avoid placing unreasonable additional burdens on the existing community or existing infrastructure
- Mitigate any adverse impacts, where appropriate

The Steering Group believes that a condition which reflects this policy should be imposed, prior to planning consent being granted, to ensure that effective high speed broadband, mobile phone service and landlines are provided so that all residents experience services and connectivity which are fit for the world we live in today.

**Construction Management Plan**

Page 108 of the Preston Parish Neighbourhood Plan has the details of what is expected from a Construction Management Plan and a Considerate Constructors Scheme. The Steering Group is pleased to note that a detailed Construction Management Plan is included in the application documents which indicate that there will be no deliveries during drop off and pick up times for Preston Primary School.

An informal one way system of arriving by Back Lane and departing by Crunnells Green is used during school drop off and pick up times by parents and residents of Back Lane to ease congestion and make the lane safer for both adults and children. The Steering Group would like to request that all traffic and personnel attending the development site adheres to this system to ensure the safety of all road users.

The Preston Parish Neighbourhood Plan is now part of the Statutory Development Plan for North Hertfordshire until 2031 so must be taken into account by NHDC when this planning application is assessed.

The Steering Group hopes that the points raised here can be fully addressed prior to planning consent being granted.

Yours sincerely

Preston Parish Neighbourhood Plan Steering Group:  
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