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**Preston Neighbourhood Plan – 2nd Submission Version – Regulation 16
Comments made on behalf of North Hertfordshire District Council**

The District Council welcomes the publication of the 2nd Submission Version of the Preston Neighbourhood Development Plan and appreciates the significant amount of work undertaken by the Preston Neighbourhood Plan Steering Group and the Parish Council in reaching this stage in the preparation of the Neighbourhood Plan. The attached comments are made by officers and follow on from the extensive discussions that have taken place with the Steering Group.

In reviewing the Neighbourhood Plan documents, it is clear that the Neighbourhood Plan Steering Group have undertaken a significant amount of public consultation in the preparation of the neighbourhood plan and that this is reflected in the Consultation Statement.

All neighbourhood plans must meet certain “basic conditions” before they can come into force. These are tested through the independent examination, before a plan can proceed to a referendum. The basic conditions for neighbourhood plans are to:

- have regard to national policy;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies in the development plan for the area; and
- be compatible with EU obligations.

In terms of compliance with existing planning policy, the Neighbourhood Plan Regulations are clear that the neighbourhood plan should be in “general” conformity with the current statutory Local Plan. The adopted local plan for North Hertfordshire is the District Local Plan No. 2 with Alterations, 1996.

Although a draft neighbourhood plan is not tested against the policies in an emerging local plan, Planning Practice Guidance does state that emerging evidence is likely to be relevant to the consideration of the basic conditions. The District Council acknowledges the significant amount of work that the Preston Neighbourhood Plan Steering Group has undertaken to ensure that the neighbourhood plan has been prepared having regard to the emerging policies in the Local Plan, which is at a relatively advanced stage of preparation.

The District Council is satisfied that the Preston Neighbourhood Plan is in general conformity with the saved policies from the District Local Plan No. 2 with Alterations, 1996 and has regard to national planning policy.

In submitting these representations, it should be clear that the District Council fully supports Preston Parish Council's ambition to put into place a neighbourhood plan for the parish and will continue to work with the Parish Council in the next stages of the neighbourhood plan.

The Parish Council might also be interested to hear that the District Council has commissioned consultants to prepare a Conservation Area Character Statements for each of the conservation areas across the District. The work will be undertaken in the 2019/2020 financial year.

Yours sincerely

A handwritten signature in black ink that reads "Nigel Smith". The signature is written in a cursive style with a large initial 'N'.

Nigel Smith
Strategic Planning Manager

Appendix A

North Hertfordshire District Council Schedule of Comments on Preston Parish Neighbourhood Plan Policies:

Policy Ref	Policy	NHDC Comment
Objective E3	To take special care of the Conservation Areas, ensure that development in a Conservation Area or its setting is of an appropriate scale and maintains or enhances its character, and to raise awareness of the relevant legislation.	<p>Typographical error, as shown below:</p> <p>To take special care of the Conservation Areas, ensure that development in a Conservation Area or its setting is of an appropriate scale and maintains or enhances its character, and to raise awareness of the relevant legislation.</p>
Policy QL3	<p>Local Distinctiveness</p> <p>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.</p>	<p>The policy would benefit from the addition of two commas and should be amended to read:</p> <p>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.</p>
Policy AF1	<p>New and Improved Community Facilities:</p> <p>Proposals for new or improved community facilities which fulfil the needs of existing and new residents will be supported unless any adverse impacts would significantly outweigh the benefits. Improvements should improve accessibility for children, the elderly and those with disabilities.</p>	<p>It would be difficult for a developer to demonstrate how the needs of future residents could be fulfilled. The policy could be made clearer if the words “fulfil the needs of existing and new residents” were deleted. The policy would read:</p> <p>Proposals for new or improved community facilities which fulfil the needs of existing and new residents will be supported unless any adverse impacts would significantly outweigh the benefits. Improvements should improve accessibility for children, the elderly and those with disabilities.</p>
Section 9		There are a number of paragraphs in Section 9 : Housing and Development which in themselves include a number of paragraphs.

		<p>It would be helpful, if these are all numbered separately.</p> <p>Examples include paragraphs 9.2; 9.5; 9.14; 9.17; 9.18</p>
Policy HD1	<p>Size of Individual Development:</p> <p>The emerging NHDC Local Plan allocation of 21 dwellings, which will include 7 affordable housing units, for Preston between 2011 and 2031 is acknowledged. The NHDC emerging Local Plan Policy HS2 would allow development to be phased, reflecting the results of the survey and a preference for a number of smaller developments (Paragraph 9.3) but at the same time to be considered as a whole for the purposes of affordable housing provision, thus ensuring this key need is met over the plan period.</p> <p>Proposals for development must take these factors into account while at the same time ensuring that:</p> <ul style="list-style-type: none"> • they are of an appropriate density for this rural location, • the rural setting is preserved and • the village character is complemented. 	<p>The wording of the last bullet point in the policy could be amended to read:</p> <ul style="list-style-type: none"> • the village character is complemented respected.
Policy HD3	<p>Housing Types:</p> <p>Developments over the plan period must include a variety of styles, in keeping with neighbouring properties and the village as a whole while also providing 2 and 3 bedroom homes, suitable for families, local people and first-time buyers.</p>	<p>The wording of the policy and the title is a little unclear as to whether the policy is about types or design of housing.</p>
Policy HD5	<p>Sustainability and Energy Efficiency:</p> <p>Provision of measures for water conservation and landscape schemes that improve biodiversity will be encouraged. Proposals with a low carbon footprint will be supported. 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</p>	<p>The Council supports the reference to EV charging points in the policy as it is in line with the NHDC Air Quality and Planning Guidance Document.</p>

	<p>occupation, each residential property shall incorporate an Electric Vehicle (EV) ready, domestic charging point.</p>	
Policy HD7	<p>Gardens:</p> <p>All new homes should have the benefit of a private garden. In certain circumstances a shared garden might be appropriate, for example in a development scheme for elderly people.</p>	<p>The explanatory text should include a definition of a “garden” to ensure that the policy is clear and that developers understand what a development proposal should include.</p>
Policy HD9	<p>Residential Extensions:</p> <p>Residential extensions, excluding those covered by permitted development, will be supported where they are sympathetic to the scale, form and design of the original building and do not have an adverse impact on the street scene.</p> <p>Materials used should be complementary to the original building and the pitch and form of the roof should conform to the original building and local character. The privacy, daylight, sunlight and outlook of adjoining residents must be safeguarded. Rear extensions must not dominate and floor levels must be well related to adjoining properties.</p> <p>The dwelling must continue to meet the parking standards of Policy TC1 by providing a minimum of 2 off road parking spaces for dwellings up to 3 bedrooms and a minimum of 3 parking spaces for 4+ bedrooms.</p>	<p>The policy would be clearer if the wording “excluding those covered by permitted development” was to be included in brackets, as follows:</p> <p>Residential extensions, (excluding those covered by permitted development) will be supported where they are sympathetic to the scale, form and design of the original building and do not have an adverse impact on the street scene.</p>
HD10	<p>New Housing Development:</p> <p>New dwellings on infill sites and new housing schemes will be supported where the proposal maintains and contributes to the local character of Preston, while at the same time meeting the requirements of the policies contained within this plan. New homes should be grouped in such a way that the green spaces and green lanes of the village are protected and landscaped appropriately. New</p>	<p>There is some wording in the policy which refers to other policies in the plan – it is considered that this is unnecessary as all relevant policies in the local and neighbourhood plans will be considered when determining planning applications.</p> <p>The 2nd sentence of the policy is also a little unclear. A single new dwelling will not be “grouped”. It is suggested that the policy could be re-worded as follows:</p>

	<p>access arrangements should be safe and take account of the character of the rural lanes in the parish.</p> <p>Landscape plans must be agreed before planning permission or agreed as a condition of planning consent.</p>	<p>Development proposals for new dwellings on infill sites and new housing schemes will be supported where the proposal maintains and contributes to the local character of Preston, while at the same time meeting the requirements of the policies contained within this plan. Development schemes should be designed New homes should be grouped in such a way that the green spaces and green lanes of the village are protected and landscaped appropriately. New access arrangements should be safe and take account of the character of the rural lanes in the parish.</p> <p>Landscape plans must be agreed before planning permission or agreed as a condition of planning consent.</p>
EH1	<p>Village Boundary, Rural Character and Setting:</p> <p>In the emerging NHDC Local Plan Preston is classed as a Category 'A' village, with a boundary within which development will be allowed.</p> <p>A clear visual break must be retained between Preston and nearby villages/settlements, for example, Gosmore, St. Paul's Walden and Langley to ensure that open countryside, woodlands, hedgerows and green corridors are protected and enhanced. Development that significantly reduces or destroys these assets will not be permitted.</p>	<p>The last sentence of this policy should be amended as there maybe circumstances where very special circumstances are proven and that development is acceptable.</p>
EH2	<p>Conservation Areas and Heritage Assets</p> <p>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. All development within the Conservation Area and within the setting of other designated and non-designated heritage assets must take account of the historic fabric of these areas and conserve, and where appropriate enhance, their character and appearance.</p>	<p>As written, the policy refers to all new development but the title refers to development in conservation areas. Either the first two sentences should be deleted from the policy because:</p> <ol style="list-style-type: none"> 1. the first sentence refers to all development proposals but the policy is focussed on development proposals within conservation areas; and 2. the second sentence as development proposals should make a positive contribution to the site's local context. <p>Or, alternately, the first two sentences could form a standalone</p>

	<p>Proposals should provide a statement containing an appropriate level of detail for the importance of the asset, including:</p> <ul style="list-style-type: none"> • The significance of any heritage asset(s) affected • Any adverse impacts the development may have on the asset(s) and their setting and any proposed mitigation measures • How it will contribute to the character and setting of the relevant heritage asset(s) • 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 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. 	<p>design policy applicable to all development.</p>
EH3	<p>Open and Green Spaces:</p> <p>New development should not impact on the uses and functions of existing green infrastructure (i.e. all types of green space, large or small, public or private) within the village and wider parish. Where it is demonstrated through assessment that a development will have a detrimental impact on the quantity or function of existing green infrastructure, then the development will not be permitted unless replacement provision is made that is of equal or greater value than that which will be lost through development. Development that fails to exploit opportunities to incorporate green infrastructure will not</p>	<p>The first sentence of the policy should be amended to make it clear that there should be no harmful impact from new development on the existing green infrastructure network, as some development might have a positive impact.</p>

	<p>be considered appropriate.</p> <p>In considering development proposals, Preston Parish Council will expect green infrastructure to provide permeability for wildlife through and around the development. Green infrastructure should be connective and functional as wildlife habitat in its own right not just as a link between habitats. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Development will not be permitted within 8 meters of a watercourse.</p>	
EH5	<p>Tranquillity and Dark Skies:</p> <p>Given the importance Preston residents place on the quiet, peaceful nature of the parish and its dark skies, any new development should not significantly disturb this tranquillity through the creation of excess noise, increases in traffic or light pollution. Preston Parish Council has a long-standing policy that there will be no streetlights within the parish.</p>	<p>It is difficult to envisage how this policy will be applied as it is written. It would be helpful if the supporting text is amended to provide some guidance on what might be deemed “significantly” or “excess” otherwise application of this policy will be entirely subjective and difficult to apply with any consistency.</p>
EH6	<p>Views and Vistas:</p> <p>This policy seeks to maintain the close connection between the village and the surrounding rural landscape, so any development proposal should include an assessment of the impact of the development on the key views and vistas or harm to the landscape. Proposals where a harmful impact is identified will only be permitted where appropriate mitigation measures can be delivered. If there is mitigation, the mitigation cannot be as bad or worse than the problem it has to solve. Development proposals will need to demonstrate, through their design and planning statement, that their design, scale, height and massing does not adversely impact the existing views and vistas, and positively enhances them where</p>	<p>To simplify the policy, the first sentence should be deleted:</p> <p>This policy seeks to maintain the close connection between the village and the surrounding rural landscape, so any dDevelopment proposals should include an assessment of the impact of the development on the key views and vistas or harm to the landscape. Proposals where a harmful impact is identified will only be permitted where appropriate mitigation measures can be delivered.</p>

	<p>possible.</p> <p>Where development proposals are likely to have an impact upon landscape, a landscape and visual impact assessment will be required in line with good practice guidance, 'Guidelines for Landscape and Visual Impact Assessment Third edition, Landscape Institute and Institute of Environmental Management and Assessment, 2013.' (GLVIA3) or any successor document.</p>	
TC2	<p>Broadband and Mobile Coverage:</p> <p>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. Proposals for new residential, commercial or community developments should include meeting the broadband and mobile phone needs of occupiers without any adverse impact on broadband speed or mobile phone coverage for the wider community.</p>	<p>The District Council has some concerns about this policy, in that the provision of telecommunication facilities does not always require planning permission as it is development covered by the GPDO. In terms of the effect that new development might have on broadband speeds and mobile coverage, this is something which is not monitored by the District Council.</p>
Project List		<p>The Council would welcome the identification of any potential s106 projects (preferably with indicative costings) within this Plan, rather than deferred to the future. This would give greater weight to any future requests from the Parish Council and greater transparency / certainty to any prospective developers. The Council is currently implementing improvements to its own s106 processes.</p>