

Submissions in Response to a Public Notice entitled- Notice Under Article 15- Proposal Contrary to Local Development Plan

(Town and Country Planning Act 1990)

CASE REFERENCE NUMBER: 25/01094/FP

This document comprises my observations, queries and formal objections to the above-referenced planning application.

1. I am the owner of a listed property which lies adjacent to 34 Arlesey Road in the conservation area and will have a direct view over the development site, should planning permission ultimately be granted. This property is my principal residence and family home.
2. No information has been given so as to explain the meaning and significance of the following wording: - a proposal which is contrary to Local Development Plan and “the proposed development does not accord with the provisions of the Development Plan in force in the area in which the land to which the application relates is situated.”
3. As such, it is unclear what the legal effect of these words are on the application itself. Since no explanation has been provided, one is requested as a matter of urgency and before the application progresses any further.
4. Should the legal effect be that as it is “contrary” to the Development Plan be that additional planning criteria apply or there is a presumption that the application should not proceed in the circumstances, then the applicant and all affected by the above-referenced planning application should be informed immediately and action taken.
5. My understanding is that there is a ‘known’ and recurrent problem on the proposed site with drainage which the above-referenced planning application does not address adequately.
6. For example, in the Application form (Planning Portal Reference PP-13963251) no box has been ‘ticked’ to explain how surface water will be disposed of.

7. Further the Application form states that the means of disposing of foul sewage is “unknown”.
8. It also states that it is “unknown” whether or not a connection will be made to the existing drainage system. Further information is required.
9. No social, affordable or intermediate rent housing is included within the proposed development. I would not object as strongly to this planning application if the housing to be provided addressed social needs.
10. There is a discrepancy over the red line boundary of the site and more information is required (see the Report of Liz Anderson, Ecologist, North Herts Council Ref: 25/01094).
11. Ms. Anderson’s report further identifies that a veteran tree has already been felled onsite (a photograph of a tree stump features in the report) and she states that “a veteran tree would be classed as irreplaceable habitat and, as such, a bespoke approach would be required to mitigate for its loss.”
12. Additionally, Ms. Anderson’s report identifies that no onsite hedge baseline is included in the metric and that the requirement set out in the Local Plan that the IC1 allocation should “*retain and reinforce planting along site boundaries*” has not been met.
13. Further, the the Ickleford Design Code produced to support the Neighborhood Plan advises that the ‘new development will need to take a proactive approach to mitigate their impact and to adapt to the specific landscape within and surrounding the area.’
14. According to the Ecologist’s report, this standard has not been met. It states that “the loss of the poplar is deeply regrettable but even with the absence of this veteran tree this proposal fails to give sufficient buffering to the site boundaries and shows no intention to retain existing vegetation on the eastern edge.
15. Heritage features have not been sufficiently addressed. In terms of trees, it is further reported that “the existing fruit trees on site are all shown to be removed, so losing any nod to the heritage of this area. Old maps indicate the site was previously part of an orchard so it would have been positive to see this reflected in the planning.”

16. I believe that the orchard was on the land formerly attached to my own heritage property, which was a working farm.

17. The proposed development will degrade or destroy the view from the rear of my property and negatively affect the value of my property.

18. The Heritage Assessment considered in the Public Examination of the Local Plan acknowledges the significance of the aspect behind Ivy Cottage:

“the proposal site provides a planted backdrop to the grade II listed Ivy Cottage. The development of this site in a way which preserves and adds to existing greenery would not impact upon the setting of this listed building.”

The instant Planning Application does not add and preserve, it degrades and removes.

19. No information has been provided to explain how noise and nuisance will be managed during the construction phase or how long it would last. This is particularly important for those working from home.

20. I consider that the photograph entitled “view into Duncots Close from Arlesey Road” creates a misleading representation of that road junction, such as to suggest that it is much wider and longer than it is in fact. See page 5, para 2.10 of the Planning, Design, Access & Heritage Statement (Phillips Planning Services Ltd, for the Applicant), hereafter the “Philips Report”.

21. The Philips Report conflicts with the ecological report (see paras 10-15 above) in that it states that the land “is not the subject of any ecological or other environmental designations.”

22. So far as I can determine, the onsite parking allocation for the proposed development is insufficient. This is likely to cause an ‘overspill’ issue for those of us living in neighboring properties, compounded by a road infrastructure which is already inadequate without an additional volume.

23. I consider that the additional weight of traffic entering and exiting and/or parking around the Duncots Close/ Arlesey Road Junction will increase the risk of accidents at that junction and make the process of entering and reversing out of my own driveway dangerous. I propose that a site visit

be arranged by the planning team, such that the issues are tangible/ can be tested.

24. The additional weight of traffic cannot be looked at in isolation to the entry/exit point for the new development at the old flour mill, where permission has been granted for the construction of an additional 71 dwellings.
25. To compound matters, the mill is situated next to a section of Arlesey Road which is only 1 lane as it goes over the river. This is bound to be a traffic bottleneck and hazard.
26. In order to drive into Hitchin, both mill development traffic and the proposed new development will need to access the same section of Arlesey Road.
27. The target of creating 29 New Homes required for Ickleford (and set out in the Neighborhood Plan), has already been met. No further new build is required.
28. It is not clear whether emergency vehicles will be able to enter and exit the proposed development site from Duncots Close.
29. I understand that it is a criminal offence under normal circumstances to disturb or destroy the nesting sites of wild birds or the roost sites of bats. The report appended to the planning application prepared by RGS-Arboricultural Consultants (the 'RGS report') highlights this risk.
30. Presumably, the risk to wild birds could be managed by scheduling any works to take place outside of the nesting season. However, to the extent that any of the nesting sites are in trees which are scheduled to be removed to accommodate the developments, that is no solution.
31. As the RGS report makes clear, a good number of the existing trees on site are due to be removed, should the planning application be approved.
32. From the materials submitted in support of the planning application, it has not been established with certainty that there is no bat occupation on site.

33. In fact, the application relies in part on anecdotal evidence in this regard. In particular:

One of the apple trees however has an open rot hole, leading into an open cavity within its trunk. This presents an opportunity for use by both nesting birds and as a Potential Roosting Feature (PRF) for bats. Anecdotal evidence indicates this feature is used by nesting starlings (sturnus vulgaris) each year, precluding its use as a summer bat roost.

(Executive summary, Preliminary Ecological Appraisal, prepared on behalf of Peter David Homes).

Presumably, the developers have been unable to preclude the possibility of bat occupation as the report further states:

Ecological enhancements specifically for species will be included within the developed sites including bird nest boxes, cavity bat tubes and hedgehog pop-holes in rear garden fences.

34. The same ecological report also confirms the potential adverse impact to a Priority Species for Conservation, the starling, currently nesting in the apple tree.

35. The planning application also includes a draft report from Minerva Archaeology. This identifies potential prehistoric, iron age, roman, saxon and medieval remains on the proposed building site. As such, I wanted to draw the planning committee's attention to the following findings, taken from that report:

They are of sufficient significance to warrant a programme of detailed archaeological investigation of the site, should it be developed, to mitigate the impacts of the development on their survival and ensure that they are preserved by record, with the recorded data made publicly accessible. Such a programme would normally be secured through a standard archaeological condition attached to any planning consent that might be granted."

36. For reasons that are not explained, the planning application contains approximately 20 pages of data pertaining to road usage in Swansea which appears to have nothing to do with the planning application. Can this be confirmed as an error?

37. The TRICS numbers provided at para 7.3 of the Transport Note to the application appear to be woefully inadequate (i.e. much too low for the number of homes and size of those homes). I believe that the issue should be properly investigated and the impact on Arlesey Road traffic considered, so as to include the additional 71 approved dwellings on the other side of Arlesey Rd at the site of the old flour mill.
38. Finally, the document entitled “sustainability and energy statement” does not print so as to show all of its content. Could a replacement copy be circulated?