

MUCH HADHAM PARISH COUNCIL

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Notice is hereby given that the meeting of the Much Hadham Parish Council **Planning Committee** will be held on **Monday, 5 December 2016**, in the **Much Hadham Village Hall Green Room** at 7:30 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

F.M. Forth

Fiona Forth
Clerk of the Council

29 November 2016

AGENDA

1. Apologies for absence
2. Declarations of Interest
3. Chairman's announcements
4. Minutes of the last meeting held on 1 November 2016
5. Reports on outstanding matters
6. Decisions issued by East Herts Council:
 - (i) Permissions granted:

3/16/2051/FUL – Change of use of barn to two separate residential units at Warren Farm Green Tye Much Hadham

3/16/2128/HH – Partial conversion of existing garage/store and new windows and doors to enable use as a residential annexe at Hadham Heights Widford Road Much Hadham

3/16/2172/HH – Erection of 2 car ports (retrospective) at The Rick South End Perry Green Much Hadham

3/16/2104/LBC – Installation of secondary glazing at Gaytons High Street Much Hadham
 - (ii) Permission refused:

None
7. Planning enforcement
8. Residents' comments on current planning applications
9. Current Planning Applications for Committee to consider:

3/16/2321/FUL – Erection of 8 dwellings (4 semi-detached and 4 detached) with associated access road at land at Old Station Road Millers View Much Hadham

3/16/2405/HH – Single storey rear extension at 36 Ash Meadow Much Hadham

3/16/2452/HH – New in ground swimming pool, terrace and extension to existing tennis pavilion to become pool house, tennis and garden equipment store at North Leys Cottage High Street Much Hadham

3/16/2460/FUL – Demolition and erection of replacement dwelling with garage and associated landscaping at Springs Farm Great Hadham Road Much Hadham

3/16/2471/LBC – Removal of window and insertion of doors at The Lordship C15 North from Winding Hill to New Road Much Hadham

3/16/2489/FUL – Install 1 QE30 Adiabatic air handling unit and install 2 new acoustic louvres, 1 for inlet and 1 for exhaust. Remove and blank out 2 existing louvres at BT Telephone Exchange Malting Lane Much Hadham

10. Date of next meeting – Tuesday 10 January 2017 at Much Hadham Village Hall Green Room

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council Planning Committee meeting held on Monday, 5th December 2016, in the Much Hadham Village Hall Green Room, at 7:30 pm.

Members:

Cllr W Compton	Cllr Mrs M O’Neill
*Cllr I Hunt	*Cllr Mrs P Taylor
*Cllr Mrs J Liversage	*Cllr C Thompson (Committee Chairman)
*Cllr B Morris	*Cllr K Twort
*Cllr W O’Neill	

*Denotes present.

In attendance: F Forth, Parish Clerk and 26 members of the public

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Mrs M O’Neill and Cllr W Compton.

2. DECLARATIONS OF INTEREST

None.

3. CHAIRMAN’S ANNOUNCEMENTS

The Chair referred to the planning application in respect of the Old Station Yard being on the agenda.

4. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 1 November 2016 be accepted as a correct record of the proceedings and be signed by the Chairman.

5. REPORTS ON OUTSTANDING MATTERS

Report on outstanding matters received.

6. DECISIONS ISSUED BY EAST HERTS COUNCIL

(i) Permissions granted:

3/16/2051/FUL – Change of use of barn to two separate residential units at Warren Farm Green Tye Much Hadham

3/16/2128/HH – Partial conversion of existing garage/store and new windows and doors to enable use as a residential annexe at Hadham Heights Widford Road Much Hadham

3/16/2172/HH – Erection of 2 car ports (retrospective) at The Rick South End Perry Green Much Hadham

(ii) Permissions refused:

None.

7. PLANNING ENFORCEMENT

Currently nothing further to report.

8. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS

Residents comments received in respect of the planning application for the erection of 8 dwellings on land at Old Station Road (3/16/2321/FUL). These included:

- Conclusion that the development was unsustainable;
- Notification that the planning application had been called in to East Herts Council's Development Management Committee;
- Legal framework within which this application has been made is different to that in place when the previous application was made;
- Original plan was for 3 houses and leave the remainder of land open for the use of villagers;
- Risk that a further 25 houses could be built behind those proposed;
- Ecology report previously received supporting preservation of the woodland which was subsequently ignored;
- Previous application granted was not in accordance with EHC's local plan policies;
- need to avoid piecemeal developments that potentially seek to circumvent affordable housing requirements; and
- In response to a request from a resident for the PC to fund or contribute to the cost of obtaining legal advice on the enforceability of the s52 agreement and other matters relating to this application it was noted that, whilst there may be a case for considering this, an unbudgeted spending commitment could not be made at this meeting as it was not on the agenda. In view of the imminent deadline for responses to the application, it may be more practical for affected residents to collectively obtain their own legal advice.

9. CURRENT PLANNING APPLICATIONS CONSIDERED

(i) No objections raised on the following applications:

3/16/2405/HH – Single storey rear extension at 36 Ash Meadow Much Hadham

3/16/2460/FUL – Demolition and erection of replacement dwelling with garage and associated landscaping at Springs Farm Great Hadham Road Much Hadham

3/16/2471/LBC – Removal of window and insertion of doors at The Lordship C15 North from Winding Hill to New Road Much Hadham

3/16/2489/FUL – Install 1 QE30 Adiabatic air handling unit and install 2 new acoustic louvres, 1 for inlet and 1 for exhaust. Remove and blank out 2 existing louvres at BT Telephone Exchange Malting Lane Much Hadham

(ii) Objections raised on the following application:

3/16/2321/FUL – Erection of 8 dwellings (4 semi-detached and 4 detached) with associated access road at land at Old Station Road Millers View Much Hadham

Objection on the basis of a number of matters as detailed in Appendix A.

Vote: all Cllrs present voted against this application.

3/16/2452/HH – New in ground swimming pool, terrace and extension to existing tennis pavilion to become pool house, tennis and garden equipment store at North Leys Cottage High Street Much Hadham

Objection on the basis of:

- Buildings proposed are completely out of scale with both North Leys and the separate cottage;
- No purpose in a bedroom being included in what is accommodation for a small pool hut; and
- Footprint, accommodation and massing is wholly inappropriate in the grounds of a Grade II listed building.

Vote: all Cllrs present voted against this application.

10. DATE OF NEXT MEETING

Tuesday, 10 January 2017, in the Much Hadham Village Hall Green Room following the close of the Much Hadham Parish Council meeting.

There being no further business the meeting closed at 20:31 pm

Much Hadham Parish Council – Summary of Objection to Planning Application 3/16/2321/FUL

Land At Old Station Yard, Millers View, Much Hadham, Hertfordshire SG10 6BN

Erection of eight dwellings (four semi-detached and four detached) with associated access road.

Much Hadham Parish Council requests that East Herts Council refuse planning permission for this application to destroy a woodland in the rural area beyond the green belt, not even adjacent to the village boundary, and replace it with housing that does not meet the needs of the parish or district. Development in this location is in clear breach of the current development plan and the emerging plan.

The lack of a 5 year housing development land supply and its consequences under the NPPF are well understood but this objection draws, inter alia, on a recent refusal by the Secretary of State in a similar situation. The specific objections are:

1. The adverse effect of the development on the character and appearance of the surrounding area, having particular regard to the pattern of development and its countryside location. Core principles of the NPPF (paragraph 17) are that planning should recognise the intrinsic character and beauty of the countryside, and that it should contribute to conserving and enhancing the natural environment. The proposal would be contrary to those principles, to the general aims of Local Plan (LP) Policy GBC14 to improve and conserve local landscape character and to LP Policy ENV1, which seeks development compatible with its environment.
2. The scheme is prejudicial to the implementation of the LP Strategy and of the emerging district plan. The proposed scheme would go against the underlying strategic objective of the LP to direct growth in village and rural areas to locations which can be seen to be sustainable in terms of a reasonable match between jobs and dwellings so as to minimise commuting for work purposes, especially by car.
3. The proposal for housing in this location is clearly unsustainable having regard to the development plan and the NPPF. The NPPF presumption when relevant development policies are out of date, as here, is that all development is sustainable and therefore to be approved unless it can be shown that the planning harm outweighs the planning gain. On balance, the economic dimension is assessed as a benefit. However, the social dimension is uniformly adverse across a wider range of policies (4) and the environmental dimension is adverse in one policy area too. *[Other policy areas are either not applicable (6) or neutral (1)]*. In summary, when assessing the proposal against the overarching requirement for sustainable development as detailed in the NPPF, there is only one policy area that benefits and five that are harmed. The planning gain is easily outweighed by the planning harm.

The parish council does not therefore consider that the circumstances of the proposed scheme represent material considerations of sufficient weight to justify a decision otherwise than in accordance with the development plan and the emerging district plan. This conclusion mirrors that of the Secretary of State in the Bishop Sutton appeal, where a materially similar set of circumstances and arguments applied. The application should be refused and the parish council firmly believes that any appeal would be rejected to, for sound planning policy reasons.

The full details of the planning case against the application are set out in the following pages.

Much Hadham Parish Council – Detailed Objection to Planning Application 3/16/2321/FUL

Land At Old Station Yard, Millers View, Much Hadham, Hertfordshire SG10 6BN

Erection of eight dwellings (four semi-detached and four detached) with associated access road.

This response draws heavily on the conclusion of the Secretary of State for Communities and Local Government in the Bishop Sutton appeal ref 13/04975/OUT, wherein a proposed scheme was rejected by the Secretary of State in September 2016 in substantively identical circumstances to those in this application.

Policy and Statutory Considerations

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning proposals be determined in accordance with the district's development plan unless material considerations indicate otherwise. In this case, the primary development plan document is the East Herts Local Plan 2007 (LP). This is supplemented with a Proposals Map, which indicates the areas to which policies apply and sites that are subject to specific policies.

2. The **key aims** of the LP are established in Chapter 1, section 1.14 as the main basis on which the LP policies have been formulated. The key aims include:

- maintain the settlement pattern of small towns and villages through the concentration of development in towns, and to other locations where necessary in the interest of equitable distribution, as well as through the maintenance of a Green Belt, and Rural Area Beyond the Green Belt;

3. The **overall purpose** of the LP in section 1.16 is "to achieve sustainable development in the District, consistent with local circumstances and requirements" (underlining added for emphasis).

4. The **strategy** of the LP is set out in these extracts

1.16.2 The LP Strategyis basically one of restraint, with emphasis on generally concentrating development in the main settlements of Bishop's Stortford, Hertford, Ware and Sawbridgeworth..... together with Stanstead Abbots and St Margarets, and Buntingford, as two additional settlements where limited development may be appropriate to maintain the vitality of the area.

1.16.3.....development in smaller settlements will also be accommodated to support the facilities and services needed and meet the employment and housing needs for that settlement and its surrounding area only. Elsewhere, in the Green Belt and Rural Area Beyond the Green Belt, there is a strong restraint on development, other than required for agriculture, forestry, appropriate rural and countryside activities and local needs.

5. The **saved LP policies** of most relevance to this application are SD2 Settlement Hierarchy, OSV1 Category 1 Villages, GBC2 The Rural Area Beyond the Green Belt, GBC3 Appropriate Development in the Rural Area Beyond the Green Belt, GBC14 Landscape Character and ENV1 Design and Environmental Quality. The LP Proposals Map includes a detailed plan for Much Hadham defining the confines of the village for development purposes. The LP includes the opportunity for further development in the villages identified in policy OSV1 (which includes Much Hadham) on sites within the confines of the village. However, the application site lies outside the village boundary as shown on the Proposals Map and therefore the proposal is contrary to the development plan.

6. The other material consideration is the National Planning Policy Framework March 2012 (the Framework) and the planning practice guidance first published in March 2014. The Council has stated in its Authority Monitoring Report for 2014/15 that it does not have a 5 year supply of housing land. It follows that the Council's LP policies GBC2 and GBC3 cannot be considered up-to-date insofar as they seek to restrict the circumstances in which development within the rural area outside the green belt can be undertaken. Thus, it is accepted that the location of the site outside of the settlement boundary is not determinative on its own in relation to this objection. Consequently paragraph 14 of the Framework is engaged. In terms of their underlying countryside protection aims, GBC2 and GBC3 still align with objectives in the Framework. Consideration has to be given to whether the proposed scheme can be shown to be sustainable development and, if so, to determine whether the material considerations identified in this case, not least the presumption in favour of sustainable development, are sufficient to outweigh the fact that the scheme is contrary to the development plan.

7. There is also the question of how much weight can be given to the pre-submission version of the draft district plan. NPPF Paragraph 216: "From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

8. Taking these points in turn:

- The emerging district plan is at an advanced stage. EHC considers it to be sound and (by the time of the DMC meeting in January) the final public consultation will have been held. The plan will be submitted for examination in its current state. In that sense, its preparation is complete.
- The relevant policy is GBR2 Rural Area Beyond the Green Belt, wherein development is considered inappropriate (other than for certain exceptions not applicable to this application). It is not considered that there will be significant unresolved objections to this core policy of restraint.
- EHC has stated that the plan "sits fully in line with the policy objectives of the NPPF and therefore it is 'close' to the policies of the NPPF. The District Plan is in a position where it is possible to begin to assign it reasonable weight."

The emerging plan is a material consideration that can be given reasonable weight under the NPPF.

9. It may also be noted, although of very limited weight at this stage, that there is in preparation a neighbourhood plan for Much Hadham parish. On the basis of the public consultation responses to date, this will not support a development such as this outside the village boundary. Under the NPPF paragraph 198 "Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted." It is expected that the neighbourhood plan will come into force at a similar time to the district plan.

Main Issues

The effect of the development on the character and appearance of the surrounding area, having particular regard to the pattern of development and its countryside location.

10. The site is entirely wooded, as can be seen from Google maps, and elevated and therefore presently screens from view from the surrounding open countryside and from Kettle Green Lane the existing housing in Windmill Way. The destruction of the woodland, even with the retention of the minimal number of trees proposed, and its replacement with 3-storey properties taller than the few remaining trees, would fundamentally destroy the character and appearance of this area by eliminating the buffer between housing and the open countryside. The separate submission from Dr Martin Adams visually demonstrates this. Inevitably, environmental harm would arise from the loss of almost all of this countryside woodland and the habitat and biodiversity benefits it offers.

11. Core principles of the Framework (paragraph 17) are that planning should recognise the intrinsic character and beauty of the countryside, and that it should contribute to conserving and enhancing the natural environment. The proposal would be contrary to those principles, to the general aims of LP Policy GBC14 to improve and conserve local landscape character and to LP Policy ENV1, which seeks development compatible with its environment.

Potential prejudice to the implementation of the LP Strategy and of the emerging district plan

12. The Authority Monitoring Report for 2014/15 records that, since the commencement of the current plan period in 2011, locations outside the six main settlements including Category 1 villages such as Much Hadham have absorbed 41% of new housing development completions in the District. It is clear that the LP Strategy of concentrating development in the 6 main settlements and of strong restraint in the development of the rural area beyond the green belt is not being enforced because of the shortfall in development on allocated and unallocated sites in the main settlements.

13. The corollary of allowing a greater proportion of housing development in the villages and the rural areas beyond the green belt solely to make up the shortfall across the District is to undermine the LP Strategy of directing the main initiatives for growth to the main settlements. Some degree of limitation or restraint outside the main settlements is appropriate for reasons of achieving a balanced, sustainable growth strategy. Permitting significant growth in excess of the current land supply situation in the villages and the rural areas beyond the green belt undermines the principles of sustainable development set out in the LP, significantly undermining the confidence of residents (and, indeed, developers) in the plan-making process.

14. Furthermore, as referred to in para 4. above, one of the LP strategies is that “.....development in smaller settlements will also be accommodated to support the facilities and services needed and meet the employment and housing needs for that settlement and its surrounding area only. Elsewhere, in the green belt and rural area beyond the green belt, there is a strong restraint on development, other than required for agriculture, forestry, appropriate rural and countryside activities and local needs.” No evidence has been put forward to show that new employment opportunities have been established in the village or parish of Much Hadham to match the amount of committed and proposed housing development, which even before this proposal for a further 8 dwellings, now totals 25 houses in the parish (13 within the village boundary and 12 in the rural area beyond the green belt (including 5 at Old Station Yard on the village boundary and adjacent to this proposal)). The proposed scheme would therefore go against the underlying strategic objective of the LP to direct growth in village and rural areas to locations which can be seen to be sustainable in terms of a reasonable match between jobs and dwellings so as to minimise commuting for work

purposes, and especially by car. The strategy of a strong restraint being applied to development in the rural area would also justify a brake being applied to applications such as this, given the number of applications already approved.

15. Turning to the emerging district plan, to which reasonable weight may now be given, policy GBR2 prohibits development in the rural area beyond the green belt (except in exceptional cases which do not apply here). Approval for this application would be therefore be refused under it.

Whether the proposal for housing in this location comprises sustainable development having regard to the development plan and the Framework.

16. The Framework, in Paragraph 7, recognises that there are three dimensions to sustainable development, namely economic, social and environmental. It might be thought that development of this site would assist the local economy in terms of labour opportunities and demand for materials and services during construction. However, there is no evidence that housebuilding activity to develop the site will give a boost to the economy of the village and its surrounding area as the application does not include any provision for local craftsmen and suppliers to be employed. From past experience, it is more likely that builders and other trades will drive in / be brought in from outside the District, adding to the traffic problems in the village and parking problems on Windmill Way. Only once occupied may ongoing economic benefits be anticipated, as future residents support local services.

17. The social dimension concerns providing the supply of housing required to meet the needs of present and future generations and accessible local services. It is recognised, that, as one of the larger villages in the rural area beyond the green belt, Much Hadham may not be an inappropriate place in which to provide homes needed by households living in the wider rural hinterland (although it is noted that no provision has been made in the proposal for affordable housing, which is the real need). There seems to be no reason why Much Hadham could not accommodate additional population in terms of the capacity of facilities and services.

18. However, this site is too remote from the facilities and services of the village. Distances using online mapping software and the shortest footpath route from this site's entrance are: 940m to the Londis shop/PO, 1,117m to Doctors' surgery, 1,281m to the primary school gate (and the Recreation Ground opposite) and 1,590m to the village hall entrance, all beyond the 800m comfortable walking distance cited in the Manual for Streets. The walk along Station Road to the nearest bus stop is 502m, although most of this distance has no pedestrian kerb and is poorly lit, posing obvious dangers. Indeed this site proposal makes no provision for pedestrians, who will be forced to walk in the road along its entire length. The site is also at the highest point on the Windmill Way / Millers View / Station Road estate, rising 20m at an average gradient of 3.5% from the main road, which is uncomfortably steeper for longer than cited for cyclists in the Manual for Streets. Consequently, in practice, journeys to use local facilities and drop off / pick up children at the school would be made by car, exacerbating the existing parking issues along the B1004 through the village.

19. Bus services run through the village to the nearest towns. Services are infrequent and unlikely to be sufficiently convenient for most workers. Railway stations at St Margaret's, Ware and Bishop's Stortford in all likelihood would involve use of the private car to access them. The limitations on public transport impede the social credentials of the proposal and also impact negatively on the environmental dimension.

20. Paragraph 70 of the Framework requires: "To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should ensure an

integrated approach to considering the location of housing, economic uses and community facilities and services.” By proposing a housing development in a location beyond the village boundary, away from easy access to facilities and services, and by not reducing or minimising the need for car travel but, rather, increasing that need if those services are to be taken advantage of, there is no evidence of an integrated approach. It is a material consideration of significant weight that the Framework allows for a planning decision to reject the application for this reason.

21. More importantly in terms of the weight given to the social dimension is the absence of affordable housing. Although the proposed development exceeds the council’s adopted threshold policy for the provision of affordable housing, recently reinstated planning practice guidance sets the threshold at 1000 square metres. As the proposal is for 982 sqm and thus fractionally falls below this threshold, the provision of affordable dwellings is not triggered and other contributions will not be required. However, the proposal artificially contrives to meet this threshold by not providing garaging and it is a reasonable expectation that future occupiers of such substantial dwellings will seek permission to remedy this, so adding to the built environment. More fundamentally, by considering this site and its adjacent site (approved recently for development under 3/15/1952/FUL) as one development, as they fall under the same ownership and are registered as a single property at the Land Registry, then the full weight of affordable housing and other contributions should be obligations attached to any approval. The absence of these means that this development does not meet the housing needs of present and future generations and this is a material consideration of significant weight.

22. The applicant supports the proposal with a Bat Roost assessment. The principal conclusion is that the main impacts will come from vehicular and human disturbance and lighting near bat foraging areas and commuting routes. The recommended mitigation is for the retention of a dark corridor / flight line and appropriate lighting. The applicant states in the Design & Access statement that the site layout incorporates such a corridor but the supporting papers do not demonstrate where the corridor is actually intended to be. Nor do the supporting papers specify how the requirement for including appropriate lighting will be achieved. Martin Adams, a resident, in his submission included a plan of how little of the existing dark corridor would remain. Indeed, looking at the site layout in more detail, it appears to become discontinuous at certain points to the south of Mill Cottages, where no apparent provision is being made for the retention of existing trees. An estimated 76% of existing trees are torn down to add to the loss of over 90 trees on the adjacent site. The Joint Nature Conservation Committee’s publication “Habitat Management for Bats” includes as a basic management principle the avoidance, fragmentation and isolation of habitats. Dividing habitats into smaller areas, or isolating them through loss of connecting features.... may prevent them from being used by some bats. For example, even gaps as small as 10m may prevent bats – especially the smaller species – from using hedgerows as a route to fly between roosts and foraging areas.” The proposal fails to demonstrate that this basic principle is met, which is a material adverse consideration in assessing this proposal.

23. As mentioned above, delivering sustainable development requires consideration of 3 dimensions: economic, social and environmental. These dimensions are manifested in the Framework in 13 policies. A summary table has been prepared assessing the contribution the application makes to achieving those policies insofar as they apply in these circumstances:

Policies for delivering sustainable development	Dimension	Assessment of this application's contribution to meeting those policies
Building a strong, competitive economy	Economic	N/A (Relates to policies providing support for business and industry)
Ensuring the vitality of town centres	Economic	N/A (this is a rural area)
Supporting a prosperous rural economy	Economic	Benefit (more residents using local facilities)
Promoting sustainable transport	Environmental	Adverse (promotes car usage)
Supporting high quality communications infrastructure	Economic	N/A
Delivering a wide choice of high quality homes	Social	Adverse (narrow choice of homes, none affordable)
Requiring good design	Social	Adverse (no attempt to integrate into the natural environment, too tall to sit within tree line, no community consultation on design)
Promoting healthy communities	Social	Adverse (promotes car usage; no attempt to integrate location with economic uses and community facilities and services)
Protecting Green Belt land	Environmental	N/A (although site is in the rural area beyond the green belt within which many planning policies are similar to those for the Green Belt)
Meeting the challenge of climate change, flooding and coastal change	Environmental	Neutral (sustainable construction protocols and energy efficient housing but promotes car usage)
Conserving and enhancing the natural environment	Environmental	Adverse (76% of woodland trees are felled; bat corridor eliminated, no proposals to enhance natural environment or even to match its current state)
Conserving and enhancing the historic environment	Environmental	N/A (no heritage assets and outside conservation area)
Facilitating the sustainable use of minerals	Environmental	N/A

It is accepted that the 13 policies are not to be considered as having equal weight, as the weight is dependent on local considerations.

24. On balance, the economic dimension is assessed as a benefit. However, the social dimension is uniformly adverse across a wider range of policies (4) and the environmental dimension is adverse in one policy area too. Other policy areas are either not applicable (6) or neutral (1). When assessing the proposal against the highly significant material consideration of the requirement for sustainable development as detailed in the Framework, there is only one policy area that benefits and five that are harmed.

25. The Framework provides for a further consideration in the decision-making process. “Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.” (Paragraph 188). The developer has not sought or taken any pre-application advice. The consequence is that the application fails on many measures as detailed above. Although the developer is not obliged to seek advice, it is another negative consideration.

26. Balancing all the above points, overall while there would be some benefits arising from the proposed scheme it would not fulfil the social and environmental criteria of sustainable development as set out in the Framework. In terms of the Framework, the planning harm clearly and significantly outweighs the planning gain.

Planning conditions and obligations

27. It is submitted that, whilst it is possible that reasonable and necessary planning conditions and obligations could be suggested that would meet the tests of, respectively, paragraphs 206 and 204 of the Framework, there are no planning conditions and obligations that could be imposed to overcome the reasons for refusing this application.

Planning balance and conclusion

28. For the reasons given above, it is considered that the proposed scheme is not in accordance with policies GBC2, GBC3, GBC 14 and ENV1, nor with the relevant LP aims, objectives and strategies and so is not in accordance with the development plan overall. Granting planning permission would unacceptably prejudice the implementation of the LP and would be contrary to its objectives. Nor is the scheme in accordance with the emerging plan policy GBR2, in that it seeks to develop a site in the rural area beyond the green belt without meeting any of the exception criteria. The question now is whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

29. As noted, it is accepted that the District Council cannot demonstrate a 5 year housing land supply across the District as a whole and that paragraph 14 of the Framework is engaged. It is necessary to consider whether the proposed development is sustainable in terms of the Principles set out in the Framework and, if so, whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the terms of the Framework as a whole.

30. Whilst attaching weight to the positive benefit that this contribution of housing would make to the District and to the fact that the village has capacity in terms of facilities and services, Much Hadham Parish Council consider that these are outweighed by the fact that the proposed development fails to generate net positive social and environmental benefits. It fails to achieve the objective of providing a reasonable match between jobs and dwellings appropriate to meet local

needs. Access to village facilities and services, and to employment, would very largely be by car. The proposal is unable to demonstrate an integrated approach in considering the site location, housing need and access to jobs and facilities. The lack of affordable housing is another clear failure to accommodate the social dimension. Environmental considerations are played down. No dark bat corridor has been demonstrated. There is no question that the overall sustainability of the proposal has not been demonstrated to the standard required in the Framework. The parish council does not therefore consider that the circumstances of the proposed scheme represent material considerations of sufficient weight to justify a decision otherwise than in accordance with the development plan and the emerging district plan. This conclusion mirrors that of the Secretary of State in the Bishop Sutton appeal, where a materially similar set of circumstances and arguments applied.

31. In granting permission for the development of the adjacent site (application 3/15/1952/FUL) at the Development Management Committee in February 2016, district councillors were advised by planning officers that they would retain control over the future development of this second woodland site. Should an application be received to develop this site, so compromising its habitats and biodiversity and the ability of bats and roman snails to adapt to the development of the first site, then councillors could object to it at that time, they were advised. That time has arrived. Residents strongly object to this application and believe that the material considerations against development are more than sufficient to withstand any potential appeal to the Planning Inspectorate. Much Hadham Parish Council requests that the District Council refuses to grant planning permission.

Much Hadham Parish Council

5th December 2016