

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 **Tuesday, 5 March 2019**, in the **Green Tye Mission Hall**, following the closure of the Much Hadham Parish Council meeting, 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

28 February 2019

AGENDA

- 19/23. Apologies for absence
- 19/24. Declarations of Interest
- 19/25. Chair's announcements
- 19/26. Minutes of the last meeting held on 5 February 2019
- 19/27. Reports on outstanding matters
- 19/28. Decisions issued by East Herts Council:
- (i) Permissions granted:
- 3/18/2054/FUL - Demolition of existing dwelling and rear garage; erection of replacement 4 bed dwelling with connected garage at Kesten Station Road Much Hadham
- 3/18/2321/HH & 3/18/2322/LBC - Demolition of summerhouse and log store; erection of summerhouse, pool house, bin/log store and swimming pool; installation of two electronically operated timber vehicle gates to two site entrances; various areas of new landscaping and paving including minor alterations to site levels at Sidehill House Stansted Hill Perry Green
- 3/18/2581/LBC - Installation of new stove and external flue pipe at The Granary Moor Park Place Much Hadham
- 3/18/2681/HH - Alterations to driveway, creation of new access and erection of gates at Palace Bothy Winding Hill Much Hadham
- (ii) Permission refused:
- 3/18/2689/FUL - Conversion of barns to dwelling, a detached annexe, erection of rear extension with front gable, two new dormers, terrace area and to include a basement and alterations to the fenestrations at Bluebell Farm New Barns Lane Much Hadham.
- 3/18/2691/FUL - Erection of detached residential dwelling and two new vehicular accesses at land adjacent to 24 Windmill Way Much Hadham
- 3/19/0037/FUL - Erection of stable block with tack room and hay store at Land At Moor Place Park Much Hadham

(iii) Application withdrawn:

3/18/2646/LBC - Replacement windows to rear elevation at 3-7 Almshouses Tower Hill Much Hadham

19/29. Planning enforcement

19/30. Residents' comments on current planning applications

19/31. Planning appeals

None

19/32. Current Planning Applications for Committee to consider:

3/19/0154/FUL - Change of use from agricultural land, to equestrian; erection of a stable block and a revised gate entrance at Warren Farm Green Tye Much Hadham

3/19/0212/HH - Proposed two storey side extension incorporating juliet balcony and single storey rear extension at 15 Millers View Much Hadham

3/19/0232/HH & 3/19/233/LBC - Single storey side extension; insertion of window to flank elevation at The Old Boiler House Moor Park Place Much Hadham

3/19/0248/HH - Replacement of chesnut pale fencing with close board fencing measuring width 1.83 metres and 1.22 metres high, per panel at Lordship Cottage Much Hadham

3/19/0297/HH - Proposed garage conversion, replace garage door with new front window, 1 new rear velux roof window opening at Tanglewood Widford Road Much Hadham

3/19/0383/OUT - Outline planning application for Five 4 bedroom dwellings at The Jolly Waggoners Widford Road Much Hadham **Potentially to be deferred to the April meeting**

19/33. Confirmation of date of next meeting – Tuesday 2nd April 2019 – Much Hadham Village Hall, Green Room

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council Planning Committee meeting held on Tuesday, 5th March 2019, at 8:23 pm, in the Green Tye Mission Hall.

Members: *Cllr I Hunt Cllr C Thompson (Committee Chairman)
 *Cllr W O'Neill *Cllr K Twort

*Denotes present.

In attendance: F Forth, Parish Clerk and 9 members of the public.

19/23. APOLOGIES FOR ABSENCE

Apologies for absence were received and approved from Cllr C Thompson. Due to Cllr C Thompson's absence, Cllr I Hunt chaired the meeting as the Vice-Chair of the Parish Council.

19/24. DECLARATIONS OF INTEREST

None.

19/25. CHAIR'S ANNOUNCEMENTS

None.

19/26. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 5 February 2019 be accepted as a correct record of the proceedings and be signed by the Chair.

19/27. REPORTS ON OUTSTANDING MATTERS

Outstanding matters noted. The Clerk reported that a response had now been received from East Herts Planning Enforcement in respect of Foxglove Barn. A site visit will be carried out to establish the current use of the land and any appropriate enforcement action deemed necessary will be taken.

19/28. DECISIONS ISSUED BY EAST HERTS COUNCIL

(i) Permissions granted:

3/18/2054/FUL - Demolition of existing dwelling and rear garage; erection of replacement 4 bed dwelling with connected garage at Kesten Station Road Much Hadham

3/18/2321/HH & 3/18/2322/LBC - Demolition of summerhouse and log store; erection of summerhouse, pool house, bin/log store and swimming pool; installation of two electronically operated timber vehicle gates to two site entrances; various areas of new landscaping and paving including minor alterations to site levels at Sidehill House Stansted Hill Perry Green

3/18/2581/LBC - Installation of new stove and external flue pipe at The Granary Moor Park Place Much Hadham

3/18/2681/HH - Alterations to driveway, creation of new access and erection of gates at Palace Bothy Winding Hill Much Hadham

(ii) Permissions refused:

3/18/2689/FUL - Conversion of barns to dwelling, a detached annexe, erection of rear extension with front gable, two new dormers, terrace area and to include a basement and alterations to the fenestrations at Bluebell Farm New Barns Lane Much Hadham.

3/18/2691/FUL - Erection of detached residential dwelling and two new vehicular accesses at land adjacent to 24 Windmill Way Much Hadham

3/19/0037/FUL - Erection of stable block with tack room and hay store at Land At Moor Place Park Much Hadham

(iii) Applications withdrawn:

3/18/2646/LBC - Replacement windows to rear elevation at 3-7 Almshouses Tower Hill Much Hadham

19/29. PLANNING ENFORCEMENT

Covered under item 19/27 above.

19/30. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS AND APPEALS

3/19/0297/HH - Tanglewood

A resident queried whether there was alternative parking at the rear of the site if the garage is converted. The Chair stated that the plans indicate no.

19/31. PLANNING APPEALS

No appeals to be considered at this meeting but the Clerk highlighted that official notification of the appeals submitted in respect of the mobile home on land north of New Barns Lane and Old Hall Cottage, East Kettle Green Lane have been received. These will be on the agenda for the next meeting.

19/32. CURRENT PLANNING APPLICATIONS CONSIDERED

(i) Support given to the following applications:

3/19/0154/FUL - Change of use from agricultural land, to equestrian; erection of a stable block and a revised gate entrance at Warren Farm Green Tye Much Hadham

Vote: all Cllrs present voted to support this application.

3/19/0232/HH & 3/19/233/LBC - Single storey side extension; insertion of window to flank elevation at The Old Boiler House Moor Park Place Much Hadham

Vote: all Cllrs present voted to support this application.

3/19/0248/HH - Replacement of chesnut pale fencing with close board fencing measuring width 1.83 metres and 1.22 metres high, per panel at Lordship Cottage Much Hadham

Vote: all Cllrs present voted to support this application.

(ii) Objections raised on the following applications:

3/19/0212/HH - Proposed two storey side extension incorporating juliet balcony and single storey rear extension at 15 Millers View Much Hadham

Objection on the basis that:

- a 90% increase in the width of the frontage, 90% increase in the footprint at ground level and 83% increase in 1st floor space is arguably disproportionate to the original size of the house, unbalancing the street scene, given this is one of 4 semi-detached properties; and

- The available off road car parking space is reduced from 3/4 places to just 2 places. District policy TRA3 requires conformity with the latest SPD on parking provision, which stipulates a minimum of 3 spaces to be available for a 4-bed house.

Vote: all Cllrs present voted to object to this application.

3/19/0297/HH - Proposed garage conversion, replace garage door with new front window, 1 new rear velux roof window opening at Tanglewood Widford Road Much Hadham

Objection on the basis that the conversion will create a 4th bedroom. The available off road car parking space is nominally reduced from 3 places to just 2, although the application suggests the garage is not used for parking. District policy TRA3 requires conformity with the latest SPD on parking provision, which stipulates a minimum of 3 spaces to be available for a 4-bed house.

Vote: all Cllrs present voted to object to this application.

3/19/0383/OUT - Outline planning application for Five 4 bedroom dwellings at The Jolly Waggoners Widford Road Much Hadham

The basis of the objection is detailed in Appendix A.

Vote: all Cllrs present voted to object to this application.

(iii) Neutral view on the following application:

None.

19/33. DATE OF NEXT MEETING

Tuesday, 2nd April 2019, 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 8:50 pm

3/19/0383/OUT - Proposed erection of 5 dwellings at Jolly Waggoners, Widford Road, Much Hadham

Much Hadham Parish Council objects to this planning application. This rural site is poorly related to the existing village and future residents would be dependent on private vehicles to access services and facilities. It is therefore unsuitable as a location for residential development. Furthermore, no case has been presented as to why the existing Use Class A4 should be changed.

Objections based on:

EAST HERTS DISTRICT PLAN 2018

Development Strategy

1. The site is within the Rural Area Beyond The Green Belt, outside the Category 1 Much Hadham village boundary. Policy GBR2 seeks to maintain the district's considerable and significant countryside resource by concentrating development within existing settlements. This will help to prevent coalescence of villages. Linear development such as that proposed here undermines this objective and opens up the possibility of land either side of this site being subject to development, substantially extending the built form of the village all the way to Bourne Lane and the boundary with Widford.
2. To maintain the Rural Area Beyond the Green Belt as a valued countryside resource, GBR2 prohibits inappropriate development in a rural area such as this unless one of the exception criteria applies. The application is relying on the exception for:

(e)complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use..... in sustainable locations, where appropriate to the character, appearance and setting of the site and/or surrounding area;

The proposal says that an application has been made for the site to be entered on the district's Brownfield Register and presumes this will be accepted, in which case it then further presumes to qualify for the exception (e) above.

However, the site is not brownfield as it does not meet all the criteria necessary for inclusion in the register, specifically the requirement that it be "**Suitable**- Sites must be appropriate for residential-led development, having regard to the National Planning Policy Framework and local planning policies."

[See Appendix 1 for more detail on how this is assessed.]

The remainder of this submission demonstrates that residential use is inappropriate having regard to local development plan policies and the NPPF.

District Plan Policies - Development

3. Para 10.6.2 of the district plan states that planning applications that result in the loss of village pubs will not be permitted unless the Council is satisfied that every effort has been made to retain them in accordance with Policy CFLR8 Loss of Community Facilities.

Policy CFLR 8 I. states that proposals that result in the loss of uses, buildings or land for public or community use will be refused unless an assessment has been undertaken which has clearly shown that the facility is no longer needed in its current form. No such assessment accompanied the application and the applicant has not shown what has changed that would warrant this policy being set aside since the successful application 3/14/0369 approved 4 years ago to develop a replacement pub for the Jolly Waggoners.

4. The current Use Class is A4 Drinking Establishment. No attempt is made in the planning application to argue why a change of use should be authorised, nor why the change should be to Class C3 Housing rather than an alternative that, for example, would create employment opportunities.
5. The proposal is said to contribute to meeting the policy objective in VILL1 Group 1 villages of a minimum 10% increase in the no. of dwellings in Much Hadham. This is not true. The site is well beyond the village development boundary, so any units built would not count towards the objective. The policies in VILL1 are irrelevant to this application.

District Plan Policies - Landscape Character

6. The site falls within Landscape Character Area (LCA) 87 Middle Ash Valley, characterised by a flat narrow valley floor and wetland vegetation. Crucially, there are few settlements within the valley floor (the main exception being Malting Lane from Hadham Cross up to the ford).
7. The views in the area are small scale, contained by vegetation and landform and the view across this site from the B1004 is exactly typical. The landscape elements are “unified, tranquil and coherent” – everything that an estate of large executive homes is not. “This is one of the most traditional and picturesque river valleys in Hertfordshire.....with a wooded farmland character that differentiates it....” (LCA)
8. The strategy for this LCA is to conserve and restore – not build. In particular, “resist any development which could permanently damage the local landscape character. In essence, this means any development, as this is an unsettled area.”
9. The proposal makes no mention of the landscape character, how it will be conserved, enhanced or strengthened, and makes no contribution to the strategy for managing change within this LCA, all of which is required under DES2 Landscape Character. In that it fails to respect the rural character of the locality, it is considered to be harmful to it.

District Plan Policies – Design and Housing

10. DES 4 Design of Development requires a high standard of design and layout to reflect and promote local distinctiveness. In the application, comparison is made with other housing in the vicinity, seeking to draw parallels e.g.

“The surrounding area is characterised by open rural agricultural land interspersed with two storey domestic dwellings and farm buildings.....Many of the houses in the surrounding area are clustered with tree (*sic*) and are accessible via Widford road. Our proposal follows suit.”

“With regard to character and appearance the proposals relate to the small cluster of existing detached dwellings to the North and South of the site where small scale development is found dispersed amongst rural fields and woods.”

The reality is that no new housing has been built in the vicinity either to the north or south of this site for very many decades, which has ensured the preservation of a rural ambience approaching the village from the south, rather than the suburbanisation that this proposed mini-estate of car-dominated executive housing would introduce.

Housing further south along the B1004 is largely characterised by an eclectic mix of smaller cottages and dormer bungalows, with the occasional larger property, all sited along a building line close to the road. A site of five identikit houses set back from the road and crammed together with little separation does not complement the existing pattern and grain of development. Suburban housing does not contribute to local distinctiveness in a traditional rural environment so the standard required by DES 4 has not been met.

11. DES4 Design of Development also requires that proposals “(d) Incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy and water efficient, design and sustainable construction methods” so the claimed innovation in para 2.4 is no more than that required by policy.
12. Policy HOU1 Type and Mix of Housing requires that “On new housing developments of 5 or more gross additional dwellings, an appropriate mix of housing tenures, types and sizes will be expected in order to create mixed and balanced communities appropriate to local character and taking account of the latest Strategic Housing Market Assessment and any additional up-to-date evidence, including the latest East Herts Housing and Health Strategy; local demographic context and trends; local housing need and demand; and site issues and design considerations.” The application makes no reference to any of this.

Instead it says “the intention would be to design a group of similar dwellings,” basically identical in comprising “two storey development with dropped eaves where the first floor is partially accommodated in the roof space” each with 1 garage and sized at 200sq m. So they would be identical in tenure, type and size with no consideration of demography, housing need or demand, contrary to HOU1.

District Plan Policies – Sustainability

13. The application attempts to demonstrate that the location is close to facilities but shows a cavalier approach to accuracy when it comes to the Table at para 3.1.8. and elsewhere. For example:

Facility	Distance from site claimed	Distance from site actual (shortest per Google maps)
Bishop’s Stortford College	0.5 miles	5.9 miles
Holy Cross RC church	0.7 miles	1.3 miles (shared with St Andrews)
Little Hadham Village Hall	1.2 miles	3.0 miles
Henham & Ugley Primary & Nursery School	1.5 miles	12.5 miles
In para 3.1.3:		
Bishop’s Stortford station	3.67 miles	6.3 miles
Sawbridgeworth station	4.15 miles	6.5 miles
		(the nearest stations are overlooked: St Margaret’s 5.7 miles, Ware also 5.7 miles and Harlow 6.1 miles)

The same problem applies to the Table 2 at para 3.1.2, which claims to show the surrounding transport network, with buses in all directions. The reality is that there is only one bus service through Much Hadham: 351 to Bishops Stortford and Hertford, with 9 daytime services on weekdays (4 on Saturdays and none on Sundays). This frequency is unlikely to be sufficiently convenient for most workers. The rest of the Table lists random bus services elsewhere in the county, none within 6 miles of Much Hadham.

14. This is not a sustainable location from the perspective of access to public transport. The Village Hierarchy Study 2016 scored Much Hadham at 58, well below other Group 1 villages such as Standon and Puckeridge (80) and Stansted Abbots (128). It scored particularly poorly for accessibility. Railway stations in all likelihood would be accessed by private car. The limitations of public transport impede the social credentials of the proposal and also impact negatively on the environmental dimension, by requiring car usage.
15. The proposal can only promote car usage, in breach of policy TRA1 Sustainable Transport (a) whereby development proposals should primarily be located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction. This site is too remote from the facilities and services of the village e.g. village school and recreation ground 1.33km, village hall and Bull Inn 1.63km, health centre 1.15km, all beyond the 800m comfortable walking distance cited in the Manual for Streets. The first 425m is a narrow, unlit footway directly adjacent to the highway, for part of which the speed limit remains at 40mph. 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 congestion and parking issues along the B1004 through the village.

Objections based on:

NPPF 2018

1. It can be shown that the adverse impacts from the application of policies in the framework would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole, primarily because of the development's unsustainable location and its impact on the landscape. In particular section 5, para 77-79 support rural affordable housing and sustainable development but this proposal fails both those tests and, generally, other rural development as a category is not given any support in the NPPF.
2. NPPF para 77 is quoted in the proposal: "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs." The application makes no attempt to do this (and goes on to misunderstand the village housing need, as stated above).

It is not stated who is the intended market for these houses but the forthcoming neighbourhood plan makes it clear that the local need is for 1,2 and 3-bed properties at the more affordable end of the spectrum. The intended selling price for these is not stated but up to £1m is feasible.

3. NPPF para 78: "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities." It goes on to make clear that this means development in villages so that they can "grow and thrive". This proposal is well beyond the village settlement boundary and is not therefore supported by the NPPF.
4. The proposal references an element within NPPF para 79 (e) but takes it completely out of context in an attempt to justify development. NPPF para 79 (e) refers to isolated homes and how one might be potentially acceptable if it were of such exceptional quality that it "would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area." This is a development of 5 homes, not 1, and it is not an isolated site.
5. The proposal goes on to claim that the new development would be an improvement on the existing "eyesore" without recognising that it is an eyesore because the applicant has neglected the property for many years since acquiring it! We should not be rewarding a failure to maintain the property by granting development permission – what policy signal does that send? The applicant failed to fulfil promises made to parish councillors that the site would be kept presentable and has not followed through on the permission granted to replace the existing building with a more modern pub.
6. The proposal references NPPF Para 118 c), which requires planning decisions to "give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs....." This site is not in a settlement and is not brownfield so there is no weight to be given to this aspect.

7. The proposal goes on to reference Para 118 d) but this section has no relevance as it is intended to encourage more intensive usage of under-developed sites, particularly where land supply is constrained. That is not the case in Much Hadham, where the emerging neighbourhood plan will demonstrate there is sufficient land to sustainably meet the local housing need.
8. The proposal also references NPPF para 131: "In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings." It claims that technical innovation in relation to renewable energy and the reduction of CO² justifies this additional weight but overlooks the requirement for the designs to fit in with the surroundings. There are fields either side of the site and the rear of the site is dominated by trees and the river valley floor.

Finally, the NPPF is no more than guidance and cannot 'displace the primacy' of the statutory development plan of EHC in determining planning applications. The adverse impacts of granting planning permission outweigh the benefits when assessed against not only the policies of the NPPF but also the development plan policies.

Conclusion

Much Hadham Parish Council objects to the application on the grounds stated above.

Decision to object made at the Much Hadham Parish Council Planning Committee meeting 5th March 2019.

APPENDIX 1

1. The guidance at Gov.UK on Brownfield Land Registers includes:

How should a local planning authority assess whether a site is suitable, available and achievable?

Regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 sets out the criteria against which sites should be assessed. In making their assessment authorities should have regard to the requirements set out in [‘What do local authorities need to take into account when deciding which sites to enter in registers?’](#) They should have regard to the policies set out in the [National Planning Policy Framework](#). Local planning authorities should utilise work undertaken as part of the [Strategic Housing Land Availability Assessment](#) process to identify potential sites. Where sites meet the relevant [criteria](#) they must be included in Part 1 of the brownfield land registers.

In the Act “suitable for residential development” in relation to any land means that the land at the entry date—

- (a) has been allocated in a local development plan document for residential development NO;
- (b) has planning permission for residential development NO;
- (c) has a grant of permission in principle for residential development NO; or
- (d) is, in the opinion of the local planning authority, appropriate for residential development, having regard to—
 - (i) any adverse impact on—
 - (aa) the natural environment;
 - (bb) the local built environment, including in particular on heritage assets;
 - (ii) any adverse impact on the local amenity which such development might cause for intended occupiers of the development or for occupiers of neighbouring properties; and
 - (iii) any relevant representations received.

How should a local planning authority assess whether a site has an adverse impact on the built, natural and historic environment or local amenity?

In assessing potential brownfield sites, local planning authorities must take into account the National Planning Policy Framework. The Framework has strong policies for protecting the built, natural and historic environment. It also requires authorities to ensure that a residential use is appropriate for the location and that a site can be made suitable for its new use. Local planning authorities must also have regard to relevant policies in their development plan documents. Local planning authorities should draw on of all relevant available information sources in making assessments on the suitability of potential sites.