

MUCH HADHAM PARISH COUNCIL

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Notice is hereby given that the **virtual** meeting of the Much Hadham Parish Council **Planning Committee** will be held on **Tuesday, 5 May 2020** 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.

For access details to this virtual meeting, please request details using email address above.

F M Forth

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Clerk of the Council

30 April 2020

A G E N D A

- 20/41. Apologies for absence
- 20/42. Declarations of Interest
- 20/43. Chair's announcements
- 20/44. Minutes of the last meetings held on 3 March 2020 and 7 April 2020
- 20/45. Reports on outstanding matters
- 20/46. East Herts Council Policies Map
- 20/47. Decisions issued by East Herts Council:
 - (i) Permissions granted:
 - 3/19/2616/FUL - Siting of a mobile home for a temporary period of 3 years for an agricultural workers dwelling at Land North Of New Barns Lane Much Hadham
 - 3/20/0023/HH - Removal of door to ground floor front elevation and insertion of window; removal of window to side elevation and insertion of door at 27 Ash Meadow Much Hadham
 - 3/20/0410/FUL - Conversion of barns to dwelling and detached annexe and construction of rear extension, basement, front gable, terrace area and alterations to the fenestration - amendment to previously approved planning permission 3/19/0392/FUL, to include addition of 5 first floor side windows (4 to main barn and 1 to annexe) at Bluebell Farm New Barns Lane Much Hadham
 - 3/20/0425/HH - Proposed single storey rear extension at 2 Applecroft Windmill Way Much Hadham
 - 3/20/0506/HH - First floor rear extension and two storey side extension, proposed rear dormer to replace existing removed dormer; insertion of 3 roof lights to front roof plane and extension of roof to create open front porch at Peregrine Perry Green

(ii) Permissions refused:

3/19/2534/FUL - Demolition of shop and garage; construction of a 4 bedroomed dwelling with detached garage/store and alterations and creation of parking (adjacent to Nearin) at Nearin/The Junk Shop Green Tye Much Hadham

3/19/2631/FUL - Replacement 4 bedroom dwelling and erection of a car port at Ridgemont Widford Road Much Hadham

3/20/0003/HH - Erection of detached garage with room over at Watersdown Station Road Much Hadham

3/20/0144/FUL - Demolition of all buildings; erection of 9 dwellings comprising 3 detached, 6 semi-detached served by a new access and 24 parking spaces at Land At South End Perry Green Much Hadham

3/20/0269/FUL - Erection of 4 two bedroomed dwellings, 2 three bedroomed dwellings and 2 four bedroomed dwellings with associated access, parking and landscaping at Land At Old Station Yard Millers View Much Hadham

(iii) Application withdrawn:

None

20/48. Residents' comments on current planning applications and appeals

20/49. Planning enforcement

To request East Herts Council to renew enforcement action at Plot 12a – Moor Place Park

20/50. Planning appeals

To consider the Parish Council's response to the following planning appeal: None

To note the outcome of the following planning appeal:

3/19/1658/FUL - Demolition of detached garage and erection of 1 detached four bedroom dwelling and new vehicle access/crossover at The Old Nurseries Widford Road Much Hadham:

Appeal allowed with conditions

20/51. Current Planning Applications for Committee to consider:

3/20/0706/HH & 3/20/0707/LBC - Demolition of outbuilding and erection of replacement ancillary outbuilding, with the inclusion of a basement; conversion of existing carport with raised rear eaves; kitchen window widened, to form a doorway; creation of 2 glazed links from main dwelling to carport building, and carport building to replacement ancillary outbuilding; amendment to previous approval 3/19/1661/HH: Reorientation of approved basement, amendment to doors in approved modern link, re-positioning of modern approved partitions in WC and Store and re-positioning of approved metal flue at Homestalls Green Tye Much Hadham

20/52. Date of next meeting – Tuesday 2nd June 2020 – arrangements to be confirmed

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council Planning Committee virtual meeting held on Tuesday, 5th May 2020, at 8:55 pm.

Members: *Cllr I Hunt (Committee Chair) *Cllr D McDonald
 *Cllr B O'Neill *Cllr S Smith
 *Cllr K Twort

*Denotes present.

In attendance: F Forth, Parish Clerk and 3 members of the public.

20/41. APOLOGIES FOR ABSENCE

None.

20/42. DECLARATIONS OF INTEREST

None.

20/43. CHAIR'S ANNOUNCEMENTS

The Chair made the following announcements:

- as reported at the preceding Parish Council meeting, the membership of the Planning Committee remains unchanged for now as an annual meeting in May was not possible due to Coronavirus;
- Coronavirus will impact on planning matters in many ways, in particular the preparation of applications as evidenced by the reduction in applications for consideration at the meeting. An impact on subsequent building works is also likely; and
- protocols are different for any process requiring public consultation and a referendum on the Neighbourhood Plan will not be possible before May 2021.

20/44. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 3 March 2020 be accepted as a correct record of the proceedings and be signed by the Chair.

The Chair reminded those present that the April meeting was held prior to the regulations being in place for a virtual meeting but was a practical way to consider planning applications at that time. RESOLVED that the minutes of virtual meeting held on 7 April 2020 be accepted as a correct record of the proceedings with all decisions made therein ratified and the minutes be signed by the Chair.

20/45. REPORTS ON OUTSTANDING MATTERS

The Clerk highlighted that the outstanding item related to enforcement at Moor Place Park which will be considered at agenda item 20/49.

20/46. EAST HERTS COUNCIL POLICIES MAP

The Chair reported that East Herts Council have responded to the questions raised about the boundary changes in 2018 at Millers View and Mill Cottages. Disappointingly, East Herts Council are not going to change the map, believing that to do so would undermine their development policy for villages, as developers could point to a precedent for similar plots on the “wrong side” of the boundary.

As yet, no response has been received in relation to the request to East Herts Council to change the map to correct the boundaries for the common land in the hamlets.

Following discussion, it was agreed that further action would be considered once the response relating to the common land was received. The Chair stated he was reasonably confident that no large scale developments could take place outside the village boundary for now.

20/47. DECISIONS ISSUED BY EAST HERTS COUNCIL

(i) Permissions granted:

3/19/2616/FUL - Siting of a mobile home for a temporary period of 3 years for an agricultural workers dwelling at Land North Of New Barns Lane Much Hadham

3/20/0023/HH - Removal of door to ground floor front elevation and insertion of window; removal of window to side elevation and insertion of door at 27 Ash Meadow Much Hadham

3/20/0410/FUL - Conversion of barns to dwelling and detached annexe and construction of rear extension, basement, front gable, terrace area and alterations to the fenestration - amendment to previously approved planning permission 3/19/0392/FUL, to include addition of 5 first floor side windows (4 to main barn and 1 to annexe) at Bluebell Farm New Barns Lane Much Hadham

3/20/0425/HH - Proposed single storey rear extension at 2 Applecroft Windmill Way Much Hadham

3/20/0506/HH - First floor rear extension and two storey side extension, proposed rear dormer to replace existing removed dormer; insertion of 3 roof lights to front roof plane and extension of roof to create open front porch at Peregrine Perry Green

(ii) Permissions refused:

3/19/2534/FUL - Demolition of shop and garage; construction of a 4 bedroomed dwelling with detached garage/store and alterations and creation of parking (adjacent to Nearin) at Nearin/The Junk Shop Green Tye Much Hadham

3/19/2631/FUL - Replacement 4 bedroom dwelling and erection of a car port at Ridgemont Widford Road Much Hadham

3/20/0003/HH - Erection of detached garage with room over at Watersdown Station Road Much Hadham

3/20/0144/FUL - Demolition of all buildings; erection of 9 dwellings comprising 3 detached, 6 semi-detached served by a new access and 24 parking spaces at Land At South End Perry Green Much Hadham

3/20/0269/FUL - Erection of 4 two bedroomed dwellings, 2 three bedroomed dwellings and 2 four bedroomed dwellings with associated access, parking and landscaping at Land At Old Station Yard Millers View Much Hadham

(iii) Permissions withdrawn:

None.

20/48. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS AND APPEALS

Blue container near railway bridge, Kettle Green Lane

A resident reported that an enforcement request had been submitted to East Herts Council asking for the blue container near the railway bridge on Kettle Green Lane to be removed. It had been there for a number of years. The reason for the resident making the request was the concern that as further plots of land are sold there, more containers could be placed, and asked whether the Parish Council could also support this action.

20/49. PLANNING ENFORCEMENT

Plot 12A – Moor Place Park

Cllr D McDonald explained the background to this item, referring to the draft letter and photos that had been circulated prior to the meeting.

Following discussion, subject to amending the introduction to the letter to refer to the email received by the Clerk from East Herts Council Enforcement, RESOLVED to request East Herts Council renew enforcement action at Plot 12A – Moor Place Park via submission of a letter. The letter submitted, including photos, is reproduced at Appendix A.

20/50. PLANNING APPEALS

The Parish Council's response to the following planning appeal: None

The outcome of the following planning appeal was noted:

3/19/1658/FUL - Demolition of detached garage and erection of 1 detached four bedroom dwelling and new vehicle access/crossover at The Old Nurseries Widford Road Much Hadham:

Appeal allowed with conditions

20/51. CURRENT PLANNING APPLICATIONS CONSIDERED

(i) Support given to the following applications:

3/20/0706/HH & 3/20/0707/LBC - Demolition of outbuilding and erection of replacement ancillary outbuilding, with the inclusion of a basement; conversion of existing carport with raised rear eaves; kitchen window widened, to form a doorway; creation of 2 glazed links from main dwelling to carport building, and carport building to replacement ancillary outbuilding; amendment to previous approval 3/19/1661/HH: Reorientation of approved basement, amendment to doors in approved modern link, re-positioning of modern approved partitions in WC and Store and re-positioning of approved metal flue at Homestalls Green Tye Much Hadham

Vote: all Cllrs present voted to support this application.

(ii) Objections raised on the following application:

None.

(iii) Neutral view on the following application:

None.

20/52. DATE OF NEXT MEETING

Tuesday, 2nd June 2020 following the close of the Much Hadham Parish Council meeting. Arrangements to be confirmed but likely to be in the same format as tonight if restrictions are not lifted. Any suggestions for improvement on the meeting format can be sent to the Clerk.

There being no further business the meeting closed at 9:29 pm

**Much Hadham Parish Council's letter to East Herts Council Enforcement regarding
Plot 12A – Moor Place Park dated 7th May 2020**

In an email dated 9th March from your colleague, Kim Bowers, to a resident, East Herts Council confirmed that work performed by the owner of Plot 12A was considered to be compliant with the conditions imposed for its development. This confirmation has been received with surprise and concern by the Parish Council and the Parish Council request that it be rescinded, and that the owner be required to properly complete the outstanding landscaping.

Background

The relevant planning conditions are contained in the Decision Notice (3/12/1075/FP) of 9 April 2013. Relevant extracts are attached as Appendix A to this letter.

The conditions were not met for Plot 12A and Breach of Conditions Notices were issued, most recently on 31 October 2019 in respect of Condition 13, which required that the landscaping in approved drawing 65311.813 be implemented. Three months were granted for compliance, i.e. until 31 January 2020.

Current Position

Apparently in response to the Breach of Conditions Notice, the owner made what can at best be described as perfunctory attempts at partial compliance.

I attach a number of photographs of Plot 12A (Appendix B) which have been taken subsequent to the decision of East Herts Council to approve the work done by the Owner of the Plot.

The on-going breach of Condition 13 (the requirement to complete all the landscaping in accordance with approved plans) is examined in detail by reference to the relevant sub-sections in condition 12:

(b) Means of enclosure/access

- the principal boundary to three sides is post and rail fencing and the north boundary is hedge. However, there is an absurdity in drawing 65311.813 in that the access to the entire plot (intended to be from the west boundary) is entirely fenced off! Thus, the Plot cannot be used at all as an amenity area with communal car parking, contrary to the Decision Notice conditions. The only access to Plot 12A is through a gate at the bottom of the grassy pathway which divides Dairy Barn and Plot 12A; and
- there is required to be a rabbit-fence protecting the area designated for allotments but none has been provided.

(c) Car parking layouts

Car parking spaces have not been marked out.

(d) Layout/access to allotments

There is supposed to be a path inside the area allocated for allotments but this has not been provided.

(e) Hard surfacing materials

The car parking area is required to be accessed across bands of granite setts to a gravel area marked out with five spaces (including one for disabled parking). Instead, it is rough spoil laid on top of the existing ground, with no attempt made clearly to define the borders and parking spaces or to stop the spoil spreading out onto the ground upon which it has been laid. It is entirely out of character with the rest of the MPP development and of a much lower quality, more akin to what might be found on a farm track than a high-class residential property site. The same inadequate treatment has been used for the path through the Plot.

Further, it is understood that no membrane has been laid under either the car parking area or under the rough paths which have been laid. As a consequence, weeds will rapidly proliferate. This is happening already as the attached photographs show.

(f) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)

The allotment area has been excavated simply by removing the top layer of vegetation (which all was weed which the owner had permitted to grow tall and is deep-rooted).

The ground is predominantly clay. No topsoil has been laid down. Individual plots have not been marked out and no attempt made to mark the area off. The allotments shed has not been provided.

(i) Planting plans

None of the Plot has been laid to "flowering lawn/meadow" as required in GD12/35 Rev 2. This essential aspect of the landscaping has been entirely neglected: the green vegetation in the photographs is entirely weed which already has been allowed to grow tall. As such it is a positive nuisance to the properties in the vicinity of the plot as the weeds have been allowed to flower and spread their seed.

(k) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

None of the four oak trees or approximately thirteen other trees and shrubs have been planted by the end of April 2020, as the owner was directed to do. The bushes which have been planted along two of the sides of Plot 12A are (and have been since they were planted) unattended (contrary to condition 14), untidy and are entirely out of character with the rest of the development and with the concept of a "landscaped" development. The Parish Council understands that the residents of MPP have had to incur personal expenditure to have a gardener trim the bushes along the shorter of the two sides (the side which runs alongside the driveway) because of the detrimental effect that the unattended hedge was having on the appearance of the development.

(l) Implementation timetables

It is now 7 years since planning approval was granted. Compliance with the Breach of Conditions Notice was required 3 months ago.

With further regard to Condition 13, a rough, long, un-landscaped mound of earth, probably excavated by the Owner in preparing the car parking space and pathways, has been deposited in a line which has not been landscaped, does not appear on the Plan and is covered in weeds. It is an eye sore.

Generally

The views of the Plot show it to have all the appearances of having been abandoned, and with no features which reasonably can be described as having been "landscaped" rather than being (as Plot 12A was intended to be) an integrated part of the MPP development, providing its residents with communal car parking space, including for disabled parking, and an amenity and recreation area.

Remedies Required

QUOTE

The proposed landscape design will protect and reinforce the existing character of the farmyard site and historic parkland surrounds with proposed features contributing positively to enhance these distinct landscapes.

UNQUOTE

The above quotation is taken from the Planning Statement submitted with the original application. That is the standard required. It has not been met.

Neither has a "reasonable standard of landscaping in accordance of the approved designs, in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and national guidance in section 7 of the National Planning Policy Framework" been achieved. Indeed, the work which has been done is of so poor a quality and falls so far short of the standards required that it represents a positive detriment to the surrounding MPP development.

In the circumstances the Parish Council requests the following:

- i. an officer of East Herts Council returns to the site with two Parish Councillors to verify the matters which are referred to above (observing safe distancing measures);
- ii. the decision of East Herts Council to approve the work be reversed and (insofar as necessary), the standards to be applied in re-doing the work be explained to the Owner;
- iii. further Breach of Condition Notices are issued and the threat to pursue prosecution followed through for non-compliance; and
- iv. the Owner be required to put in place a Schedule of Landscape Maintenance (without time restriction) following satisfactory completion and sign off of the work, as was envisaged in condition 14 (the Parish Council considers that there should be no time restriction on the obligation of the owner of Plot 12A to maintain the Plot in the manner required because the maintenance of that plot in that condition clearly

is required to be performed as an ongoing obligation, for the benefit of the surrounding properties. The Owner purchased the Plot with the intention of developing it, for profit. However, East Herts Council rightly turned down the application, leaving the Owner with no incentive to maintain the Plot. The fact that it has been necessary for East Herts Council to serve Breach of Condition Notices, the inadequacy of the token work which has been done to comply with the conditions for development, and the fact that the Owner has failed to respond to the latest requirement that trees and shrubs be planted by 30 April 2020 demonstrate that it has to be assumed that if a time limit is imposed on the need for the Owner to maintain the Plot it will not do so thereafter).

I look forward to receiving your response to the matters referred to in this letter. If it would be helpful to discuss any points arising, please contact Cllr Duncan McDonald – telephone: 07887 754 949.

Yours sincerely

Fiona Forth
Clerk to Much Hadham Parish Council

EXTRACTS FROM DECISION NOTICE (3/12/1075/FP) DATED 9 APRIL 2013Condition 12 relates to the landscape design proposals:

“Prior to the first occupation of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Proposed finished levels or contours (b) Means of enclosure (c) Car parking layouts (d) Other vehicle and pedestrian access and circulation areas (e) Hard surfacing materials (f) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (g) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.) (h) Retained historic landscape features and proposals for restoration, where relevant (i) Planting plans (j) Written specifications (including cultivation and other operations associated with plant and grass establishment) (k) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (l) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason

To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

Condition 13 relates to the landscape works implementation:

“All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants which, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and national guidance in section 7 of the National Planning Policy Framework.”

[In this context, the reference to “approved details” means drawing GD12/35 Rev 2, as referenced in condition 4, the listing of the approved plans. The “Discharge of Conditions” letter of 2 September 2014 from the (then) owner’s architect claiming, inter alia, satisfaction of conditions 12 and 14 was accompanied by drawing 65311.813, which appears to be identical in most material respects but failed to carry over the complete legend from drawing GD12/35 Rev 2, so the two have to be taken together to fully understand what was intended and approved.]

Condition 14 refers to landscape maintenance:

“Prior to the first occupation of the development, a schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation.

Reason

To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.”

DRAFT

PHOTOGRAPHS OF PLOT 12A









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