

## **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, 1<sup>st</sup> November 2022**, 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

27<sup>th</sup> October 2022

### **A G E N D A**

22/112. Apologies for absence

22/113. Declarations of interest and requests for dispensations

22/114. Chair's announcements

22/115. Minutes of the last meeting held on 4<sup>th</sup> October 2022

22/116. Reports on outstanding matters

22/117. Decisions issued by East Herts Council

(i) Permissions granted:

3/22/0626/HH - Removal of roof, replaced with a new roof at a greater height of 1.81 metres with 6 dormers, 2 first floor windows and 2 rooflight windows; removal of conservatory; alterations to ground floor fenestration and new wrap around raised patio at Trundle Mead Oudle Lane Much Hadham

3/22/0686/HH - Removal of side porch, front porch, single storey side addition, detached cart lodge and outbuilding; construction of Two storey side extension, single storey rear and single storey side extensions; reinstatement of front entrance, alterations to fenestration and new pitched glazing to rear elevation and construction of replacement detached cart lodge incorporating use of roof space with external stairs at Little Hill Much Hadham

3/22/1143/FUL - Continued use of first floor as an independent dwelling; change of use and conversion of ground floor garages to create additional living accommodation with the creation of bay windows to front; insertion of doors to flank elevation, insertion of windows to rear and extension of existing driveway - Part retrospective at Annex At Hadham Heights Black Bridge Lane Much Hadham

3/22/1145/FUL - Erection of a detached dwelling and associated works, parking, outbuildings and swimming pool at Plot 1 Land South of Culver Lodge Widford Road Much Hadham

(ii) Permissions refused:

3/22/1864/PNHH - Single storey rear extension: Depth 8.00 metres, Maximum height 3.10 metres, Eaves height 2.47 metres at North View Perry Green

(iii) Applications withdrawn:

3/22/0736/HH - Single storey front extension at 8 Ducketts Lane Green Tye Much Hadham

22/118. Planning enforcement

22/119. Residents' comments on current planning applications and appeals

22/120. Planning appeals

No planning appeals to consider nor any planning appeal decisions to note.

22/121. Current Planning Application for Committee to consider:

3/22/1934/HH - Erection of a two storey and first floor side extensions and alterations to parking layout at 1 Old Park Cottages Perry Green Much Hadham

3/22/2091/HH - Demolition of rear lean-to and erection of single storey rear extension with insertion of rear rooflight window at 2 Chapel Cottages Tower Hill Much Hadham

3/22/2111/HH & 3/22/2112/LBC - Demolition of rear extension, outbuilding and shed; removal of swimming pool; replacement of all front and rear windows and doors with like for like replacements; erection of single storey rear extension and part first floor extension; erection of side building, to be connected to main building through glazed link.

Replacement of fence and brick wall front boundary; re-landscaping of garden to include raised embankment and garden patio steps; removal of staircase; removal of partican walls; infill of windows and doorways; removal of first floor step; relocation of soil pipe boxing; lowering of ground floor land level; instillation of partican walls on ground and first floors; new internal doorways; instillation of external doorways and window at Little Maltings Malting Lane Much Hadham

3/22/2138/FUL - Proposed demolition of public house and construction of 2 detached dwellings with garages, new access and associated landscaping at The Jolly Waggoners Widford Road Much Hadham

3/22/2155/FUL - Change of use of land from agriculture to residential; erection of outbuilding to provide garage and ancillary accommodation at Grudds Farm Green Tye Much Hadham

3/22/2197/HH - Proposed Two storey side extension to annex/garage block incorporating a side facing juliet balcony and front facing dormers; partial garage conversion; new covered front porch and alterations to fenestration at Chase House Perry Green Much Hadham

22/122. Date of next meeting – Tuesday 6<sup>th</sup> December 2022 – Much Hadham Village Hall

## **MUCH HADHAM PARISH COUNCIL**

MINUTES of the Much Hadham Parish Council Planning Committee meeting held on Tuesday, 1<sup>st</sup> November 2022, in the Green Tye Mission Hall, at 9:14 pm.

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

\*Denotes present.

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

### 22/112. APOLOGIES FOR ABSENCE

None.

### 22/113. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

None.

### 22/114. CHAIR'S ANNOUNCEMENTS

The Chair provided feedback from the East Herts Council's (EHC) Planning Forum meeting held on the 18<sup>th</sup> October. At the last Planning Committee meeting, a number of topics were agreed and submitted in advance of this Forum (Minute ref: 22/105) and feedback was as follows:

- the next review of the Local Plan, due in 2023, will include further sustainability measures, many already included in the current Supplementary Planning Documents (SPD), subject to whatever revisions are made to the National Planning Policy Framework (NPPF), Levelling Up bill, housing need calculations and the evidence base;
- it was accepted that previously there had been shortcomings in the wording of planning conditions but EHC state they are more experienced now and there is better liaison with Legal;
- in response to querying whether there were more opportunities for Parish Councils (PCs) in supporting the work of EHC e.g. in enforcement matters, as previously, EHC repeated that there are public reporting forms available and, although PCs are their "eyes and ears", it did not sound like EHC are going to formalise any such support;
- a merger of the enforcement function with that of North Herts is not on the cards. However, at Herts County Council (HCC) level there is a task force looking at the issue of resilience in district planning functions, the opportunities for joint services, recruitment and retention best practice etc; and
- finally, in response to asking about the shock withdrawal of the Hopleys planning application by EHC, a planning application largely in accordance with the

Neighbourhood Plan, EHC admitted it was a complete error on their part. EHC are having ongoing discussions with the applicant and their agents as to how to remedy this. The Chair has pointed the applicant in the direction of the Local Government Ombudsman, if they cannot achieve satisfaction with EHC.

Due to the May 2023 local elections, the next forum is unlikely to take place before the Summer.

#### 22/115. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 4<sup>th</sup> October 2022 be accepted as a correct record of the proceedings and be signed by the Chair.

#### 22/116. REPORTS ON OUTSTANDING MATTERS

The report on outstanding matters was circulated prior to the meeting.

Cllr D McDonald provided the following updates:

- field opp. Danebridge Cottage: a response is still awaited from East Herts Council (EHC). Cllr S Smith reported that there had been no real activity on the field in the last few weeks;
- lack of effective monitoring and enforcement: given the low level of engagement by other Parish Councils in the Planning Forum mentioned earlier, Much Hadham will seek improvements on its own behalf;
- Plot 12A Moor Place Park enforcement: a response from EHC still awaited; and
- Jolly Waggoners: a planning application is being considered at this meeting (agenda item: 22/121)

#### 22/117. DECISIONS ISSUED BY EAST HERTS COUNCIL

##### (i) Permissions granted:

3/22/0626/HH - Removal of roof, replaced with a new roof at a greater height of 1.81 metres with 6 dormers, 2 first floor windows and 2 rooflight windows; removal of conservatory; alterations to ground floor fenestration and new wrap around raised patio at Trundle Mead Oudle Lane Much Hadham

3/22/0686/HH - Removal of side porch, front porch, single storey side addition, detached cart lodge and outbuilding; construction of Two storey side extension, single storey rear and single storey side extensions; reinstatement of front entrance, alterations to fenestration and new pitched glazing to rear elevation and construction of replacement detached cart lodge incorporating use of roof space with external stairs at Little Hill Much Hadham

3/22/1143/FUL - Continued use of first floor as an independent dwelling; change of use and conversion of ground floor garages to create additional living accommodation with the creation of bay windows to front; insertion of doors to flank elevation, insertion of windows to rear and extension of existing driveway - Part retrospective at Annex At Hadham Heights Black Bridge Lane Much Hadham

3/22/1145/FUL - Erection of a detached dwelling and associated works, parking, outbuildings and swimming pool at Plot 1 Land South of Culver Lodge Widford Road Much Hadham

(ii) Permissions refused:

3/22/1864/PNHH - Single storey rear extension: Depth 8.00 metres, Maximum height 3.10 metres, Eaves height 2.47 metres at North View Perry Green

(iii) Applications withdrawn

3/22/0736/HH - Single storey front extension at 8 Ducketts Lane Green Tye Much Hadham

22/118. PLANNING ENFORCEMENT

Covered as part of outstanding matters (Minute ref: 22/116).

22/119. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS AND APPEALS

3/22/2138/FUL The Jolly Waggoners

A resident queried whether the proposed scheme for The Jolly Waggoners site was a sustainable development in accordance with the Neighbourhood Plan. In particular, they highlighted policies H2 – Village Development Boundary as the proposed housing was far from the central points of Much Hadham and H3 – Type and Mix of Housing.

3/22/2155/FUL Grudds Farm

Note – the applicant had provided a letter to all Cllrs in advance of the meeting that outlined the background and reasoning for the submitted planning application.

In response to a question, the applicant explained the purpose of the existing buildings on the frontage of the property.

## 22/120. PLANNING APPEALS

There were no new appeals to consider nor any planning appeal decisions to note.

The Clerk reported that the Millers View, Station Road appeal was still not on the Planning Inspectorate portal. A discussion with East Herts Council Planning had identified that the appeal had been confirmed as valid by the Planning Inspectorate in September, and the delay relates to appointing an inspector and determining the format and timing of the appeal process.

## 22/121. CURRENT PLANNING APPLICATIONS CONSIDERED

### (i) Support given to the following application:

3/22/2091/HH - Demolition of rear lean-to and erection of single storey rear extension with insertion of rear rooflight window at 2 Chapel Cottages Tower Hill Much Hadham

<b>Vote:</b>	For	3
	Against	2
	Abstain	0

3/22/2111/HH & 3/22/2112/LBC - Demolition of rear extension, outbuilding and shed; removal of swimming pool; replacement of all front and rear windows and doors with like for like replacements; erection of single storey rear extension and part first floor extension; erection of side building, to be connected to main building through glazed link. Replacement of fence and brick wall front boundary; re-landscaping of garden to include raised embankment and garden patio steps; removal of staircase; removal of partican walls; infill of windows and doorways; removal of first floor step; relocation of soil pipe boxing; lowering of ground floor land level; instillation of partican walls on ground and first floors; new internal doorways; instillation of external doorways and window at Little Maltings Malting Lane Much Hadham

Support given subject to support of the Conservation Unit.

**Vote:** all Cllrs present voted to support this application.

3/22/2138/FUL - Proposed demolition of public house and construction of 2 detached dwellings with garages, new access and associated landscaping at The Jolly Waggoners Widford Road Much Hadham

Support given and the basis of this support is detailed in Appendix A.

<b>Vote:</b>	For	4
	Against	0
	Abstain	1

3/22/2155/FUL - Change of use of land from agriculture to residential; erection of outbuilding to provide garage and ancillary accommodation at Grudds Farm Green Tye Much Hadham

**Vote:** all Cllrs present voted to support this application.

(ii) Objections raised on the following application:

3/22/1934/HH - Erection of a two storey and first floor side extensions and alterations to parking layout at 1 Old Park Cottages Perry Green Much Hadham

Objection on the basis of a lack of subservience of the extensions to the main dwelling.

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

3/22/2197/HH - Proposed two storey side extension to annex/garage block incorporating a side facing juliet balcony and front facing dormers; partial garage conversion; new covered front porch and alterations to fenestration at Chase House Perry Green Much Hadham

Objection as in breach of policies GBR2 and HOU13. No justification is provided for the increase in the level of accommodation and no information is provided to demonstrate that there will remain a functional link to the main house e.g. that occupants are likely to access the main house for meals or other facilities. The new proposal would see the annex footprint and mass extended by ~80% to become a new 3-bedroom dwelling in the rural area.

(iii) Neutral view on the following application:

None.

22/122. DATE OF NEXT MEETING

Tuesday, 6<sup>th</sup> December 2022 following the close of the Much Hadham Parish Council meeting at the Much Hadham Village Hall.

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There being no further business the meeting closed at 10:12 pm

**3/22/2138/FUL | Proposed demolition of public house and construction of 2 detached dwellings with garages, new access and associated landscaping - The Jolly Waggoners  
Widford Road Much Hadham**

## **1. SUMMARY**

**Much Hadham Parish Council supports this application strictly subject to a number of conditions which appear hereinafter, and on the basis that such conditions will be monitored and enforced by East Herts Council (EHC).**

The location of the housing is greenfield development and, as such, falls outside policy GBR2. NPPF para 12 allows development outside of policy to be approved if there are site-specific material considerations that justify it. It is considered that the following such considerations apply to this application and justify approval of the development:

1. there will be a significant net gain in landscaped and greenfield areas due to the restoration of much of the current brownfield area, previously a car park;
2. the demolition of the long-derelict pub and creation of a valuable community asset in the form of a wildflower meadow/copse will enhance the character and appearance of the area;
3. The opportunity for upgrades to adjacent infrastructure by improving road water drainage, eliminating highway and pavement flooding will give free access to and



egress from the village for both motor vehicles and pedestrians (which currently is not always the case). Without this upgrade to the infrastructure, occupiers of the proposed houses will be physically separated from the village after periods of heavy rainfall.

## **2. PRINCIPLE OF DEVELOPMENT**

### **2.1 Policy Background**

Policy DPS2 The Development Strategy 2011-2033 puts sustainable brownfield sites at the top of the development hierarchy.

Policy GBR2 Rural Area Beyond the Green Belt includes:

“1. In order to maintain the Rural Area Beyond the Green Belt as a valued countryside resource, the following types of development will be permitted, provided that they are compatible with the character and appearance of the rural area:.....

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

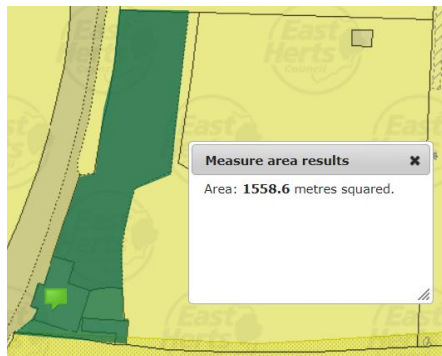


NPPF para 120 requires that planning decisions.....

"a) encourage multiple benefits from both urban and rural land.....taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;.....

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;"

## 2.2 Brownfield



The extent of the brownfield area (buildings plus car park) using EHC's mapping tool is ~ 1,558.6m<sup>2</sup>.

[Previously much of this land had been allowed to become overgrown and was covered by vegetation. More recently, this was cut back and fresh sub-base material has been laid, possibly to extend the area which gave the appearance of being "brownfield". The extended area has been discounted from this analysis.]

The application would see a loss of some greenfield areas but would return a greater area of brownfield to greenfield land, as now explained.

The two new dwellings have a total footprint of 476m<sup>2</sup> (including the garages). The proposed permeable gravel access footprint is a further 468m<sup>2</sup>, a total of ~944m<sup>2</sup>. Therefore, although the houses themselves are proposed to be sited on the previously undeveloped part of the land, there would be a net reduction of approximately 40% in the developed land and a net environmental gain of over 600 m<sup>2</sup> in habitat creation (1,558m<sup>2</sup> – 944m<sup>2</sup>). In the process, order would be brought to a derelict site which has become an eyesore

In the opinion of the Parish Council, the net environmental and other benefits described above meet the requirements of GBR2 and NPPF para 120.

## 2.3 Sustainable Location

With regard to whether this is a sustainable location, it has easy access on to the B1004, is adjacent to a bus stop and is 300m walking distance on the paved footway to the village boundary. In its previous use as a public house, customers would have walked, cycled, bussed, and driven to this location so it should be considered as relatively easy to access.

This is subject to an important caveat: it is essential that a study be performed, and remedial action be implemented permanently to solve the problem of road and pavement surface flooding in the vicinity of the site identified at paragraph 1.3 above. This is all the more important in light of the increased likelihood of heavy rain over large parts of the year due to the effects of climate change.

The application considers in more detail the specific economic, social and environmental benefits that would contribute to sustainable development so these are not repeated here.

## 2.4 Character and Appearance

The final criterion in assessing whether the principle of development is supportable is the impact on the character, appearance and setting of the site and local area under GBR2.

In considering the 2014 application for a new public house (3/14/0369), the planning officer wrote: “The existing appearance of the building and overall site is poor in visual amenity terms and the opportunity to improve the appearance of the site through redevelopment must be seen as a positive aspect of the application.” The appearance of the site and the building has deteriorated further since then, so appropriate redevelopment remains attractive.

The proposal is compatible with the character and appearance of the area. Detached houses set back from the road on significant plots can be seen along Widford Road between this site and the village boundary. The design and materials are appropriate to the area, with features found elsewhere locally.

The replacement buildings, by virtue of there being two of them and with slightly higher ridge heights, substantially increase the mass of the built form visible from the public domain compared to that existing. Some mitigation is gained by the houses being set back from the road – further back than the new development at the land south of Culver, for example - and by the softening impact of the proposed landscape treatments (hedges and trees). This is an important factor, as without a sufficient set back of the dwellings from the road (meaning a separation from the brownfield area), they would appear as overly prominent features in the street scene.

The demolition of the existing buildings will provide new rural outlooks, partially compensating for the intrusion associated with the extra massing. The new housing will not block any existing views, which are already limited by the eastern boundary trees and vegetation. Moreover, the open vista eastwards from the highway access point across 1km of countryside to the woodland at the Perry Green burial ground should remain unaffected, given appropriate landscape planning conditions for the meadow/copse.

The change of use of land at the front and rear of the houses to residential garden is not likely to result in an adverse effect on the character and appearance of the surrounding area and landscape. The rear gardens would not be visible from the public domain and, again, given appropriate landscape planning conditions there would be a significant improvement on the present frontage in terms of appearance.

## **3. PLANNING OBLIGATIONS**

3.1 In the strictest sense, this application does not accord with the most up to date development plan in that it proposes greenfield development. It must be emphasised that the proposal only works because of the creation and preservation of extensive natural habitat in the form of a wildflower meadow and copse, which offsets the negative aspects of greenfield development.

This offset is necessary to make the application acceptable in planning terms and should therefore be a planning obligation. This could take the form of a unilateral undertaking submitted in advance of a planning decision being made. The Parish Council stands ready to contribute to discussions with EHC and the developer as to the content of this, including

provision for its creation, ownership, and long-term maintenance. Appendix H, section 4 of the Neighbourhood Plan anticipates the possibility of land donations to the Parish Council. The meadow/copse could be a candidate for this if the applicant agrees.

3.2 A further planning obligation, necessary to make the proposal acceptable from a planning perspective, is for the surface water flooding issues on the B1004 by the site entrance to be addressed. Without it, occupiers of the houses will be physically separated from the village after periods of intense rainfall.

3.3 It is also suggested that the demolition of the former pub creates an opportunity (potentially using s106 contributions) to instal a layby and shelter at the south-bound bus stop. This would improve traffic flow and make for a more pleasant passenger experience.

#### **4. OTHER MATTERS**

It is recognised that the application is deficient in leaving certain areas unaddressed or in need of improvement. It is expected these would be remedied as part of the approval process:

- minimising light pollution;
- FTTP broadband connectivity in accordance with neighbourhood plan policy MH ITC2: Communications;
- a full ecology survey with proposed mitigations to ensure measurable improvements in net biodiversity;
- improving visibility splays; and
- to comply with Policy WAT3 Water Quality and the Water Environment and Policy EQ1 Contaminated Land and Land Instability, risk assessments should be submitted to demonstrate the risks to controlled waters, including from the proposed ground source heat pumps.

That these net benefits are achieved in practice will depend on the proposed development being made subject to clear and strict planning conditions which, if breached, can and will be enforced, not only during the construction phase, but into the future. It is a matter for EHC, guided by its legal department, as to how this is to be achieved but it is particularly important for this site that such conditions are bullet- and future-proof. Much Hadham has suffered too many times from the consequences of poorly drafted, poorly enforced planning conditions and the Parish Council does not want to face a similar situation regarding this locally important site.

Much Hadham Parish Council would very much welcome being involved in any discussions about the planning obligations and conditions required to make this application acceptable.

#### **5. CLOSING REMARKS**

The application has been assessed against policies DSP2 and GBR 2 and a case made for supporting it in principle, recognising that several other aspects of the proposal need to be addressed to get it over the line.

However, if there is some doubt about whether it can be sanctioned, NPPF para 12 opens the door to approving an application that does not fall squarely within district plan policies: “.....Local planning authorities may take decisions that depart from an up-to-date

development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

If it is considered by planning officers that the siting of houses on the greenfield part of the curtilage means that the application is marginally non-compliant, the material considerations that could justify approval under the latitude provided by the NPPF should include:

- the net reduction in derelict brownfield area in the rural area and net gain in natural habitat;
- the lack of viable alternatives to housing for this site, resulting in its long-term derelict state;
- the creation of the wildflower meadow and woodland copse can be achieved via a planning obligation as this is necessary for the application to be acceptable in planning terms;
- this is a much smaller proposal than that previously approved for a substantial pub and car park, which would have had a very adverse effect on the landscape character by comparison; and
- restricting development to the roadside brownfield area would ultimately be harmful to the semi-open aspect of the site and the wider rural characteristics of the area.

**Decision made at the Much Hadham Parish Council Planning Committee held on  
1<sup>st</sup> November 2022**