

## **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, 6<sup>th</sup> December 2022**, in the **Much Hadham Village 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

1<sup>st</sup> December 2022

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

22/123. Apologies for absence

22/124. Declarations of interest and requests for dispensations

22/125. Chair's announcements

22/126. Minutes of the last meeting held on 1<sup>st</sup> November 2022

22/127. Reports on outstanding matters

22/128. Decisions issued by East Herts Council

(i) Permissions granted:

3/21/1865/LBC - New ground floor window opening in rear (western) elevation at Barwick Barn Kettle Green Lane Much Hadham

3/22/0834/HH & 3/22/0835/LBC - Replacement fencing; conversion of ground floor of annexe to two bay garage and cladding the annexe building with black feather board; alterations to fenestration and openings on annexe and either side of the link (between the main house and annexe) with double glass doors and replacement tiled ridge roof; internal alterations to remove internal walls, cupboards and elevator, infill door openings install new internal walls and create new internal openings at Hill House Tower Hill Much Hadham

3/22/1500/VAR - Demolition of outbuilding and erection of replacement ancillary outbuilding, with the inclusion of a basement with fire escape, 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; variation of condition 2 (approved plans) of planning permission: 3/20/2447/HH - Widen link corridors and adoption of Velux windows to rear elevation at Homestalls Green Tye Much Hadham Permission granted

3/22/1676/HH - Two storey rear and side extensions with a side Juliet balcony; ground floor front bay window; loft conversion with 2 front dormers, 1 rear dormer and 1 first floor side window; external alterations to fenestration and to the facade at 1 Danebridge Lane Much Hadham

3/22/1739/LBC - Regularisation for the replacement of windows and rooflight at Bishops Folly Winding Hill Much Hadham

3/22/1844/HH - Replacement Garden Store at Littlestone Widford Road Much Hadham

3/22/1994/VAR - Variation of conditions of 2 and 3 of planning approval 3/22/0683/LBC - Remove all roof tiles and re-tile on new breathable underfelt and battens, re-using existing tiles and matching handmade reclaimed clay tiles; Condition 2 to be varied with amended plan; Condition 3 amendment to the replacement of tiles at Hill House Tower Hill Much Hadham

(ii) Permissions refused:

None

(iii) Applications withdrawn:

3/22/1880/LBC - Extension to existing annexe with two additional rear windows to existing annex at The Old Nurseries Widford Road Much Hadham

22/129. Planning enforcement

22/130. Residents' comments on current planning applications and appeals

22/131. Planning appeals

To consider the Parish Council's response to the following planning appeal:

3/21/2237/FUL - erection of four dwellings (to include one affordable unit) with associated access road and landscaping at Old Station Yard Millers View Much Hadham

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

22/132. Current Planning Application for Committee to consider:

3/22/2221/HH - Single storey side/rear extension with creation of raised patio with external steps at Midfield Green Tye Much Hadham

3/22/2276/HH - Raising of roof to garage and pool house; installation of loft conversion, incorporating 2 front and 2 rear dormer windows at Waltons Winding Hill Much Hadham

3/22/2356/PNHH - Single storey rear extension incorporating roof lantern: Depth 8.0 metres, Maximum height 3.58 metres, Eaves height 2.32 metres at North View Perry Green

3/22/2377/FUL - Demolition of buildings and the erection of office/storage/workshop with hard standing at The Vineries Green Tye Much Hadham

3/22/2396/LBC - Regularisation for the replacement of kitchen and bathroom window to rear; replacement of rear door at 3 Whiprow Cottages Much Hadham

3/22/2459/VAR - Siting of a mobile home for a temporary period of 3 years for an agricultural worker's dwelling. Variation of condition 2 (use shall cease on or before 3rd April 2023) of planning permission: 3/19/2616/FUL - To allow the mobile to be stationed for 3 more years (Replace '3rd April 2023' with '3rd April 2026') at Paddock Lodge Chaldean Farm Bromley Lane Much Hadham

3/22/2470/HH - Ground mounted solar panel array at Waltons Winding Hill Much Hadham

22/133. Date of next meeting – Tuesday 10<sup>th</sup> January 2023 – Much Hadham Village Hall

## **MUCH HADHAM PARISH COUNCIL**

MINUTES of the Much Hadham Parish Council Planning Committee meeting held on Tuesday, 6<sup>th</sup> December 2022, in the Much Hadham Village Hall, at 9:13 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.

### 22/123. APOLOGIES FOR ABSENCE

Apologies for absence were received and approved from Cllrs D McDonald and S Smith.

### 22/124. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

None.

### 22/125. CHAIR'S ANNOUNCEMENTS

The Chair made the following announcements:

- housing land supply - district planning authorities are required to have, and publish annually, a minimum housing land supply of at least 5 years i.e. they can identify with a high degree of confidence just where housing will be built to meet their rolling 5-year targets. If the target is not being met, planning restrictions can be loosened and development approved on, say, greenfield locations. East Herts Council published in November 2022 that they had land available to deliver 5.8 years of housing requirement, updating the last reported figure in 2019. This means that unless developers can point to a flaw in the calculation, the parish is safe from the threat of development being approved on sites not in conformity with the strategic policies in the district plan; and
- public consultation by Punch on proposals for The Bull – as promised, Punch held its public consultation and this was reported at the preceding Parish Council meeting (Minute ref: 22/195 (vii)).

### 22/126. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 1<sup>st</sup> November 2022 be accepted as a correct record of the proceedings and be signed by the Chair.

## 22/127. REPORTS ON OUTSTANDING MATTERS

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

The Chair highlighted the following key points:

- field opposite Danebridge Cottage – no further activity;
- lack of effective monitoring and enforcement – disappointing that very few other Parish Councils have been actively involved. It is noted that whilst East Herts Council (EHC) are happy for Parish Councils to be their “eyes and ears”, EHC are not prepared to engage more than the generic 6 monthly Planning Forums;
- Plot 12A Moor Place Park enforcement – nothing new to report; and
- Jolly Waggoners – an enforcement case opened and the planning application for the site received qualified approval at last month’s meeting.

## 22/128. DECISIONS ISSUED BY EAST HERTS COUNCIL

### (i) Permissions granted:

3/21/1865/LBC - New ground floor window opening in rear (western) elevation at Barwick Barn Kettle Green Lane Much Hadham

3/22/0834/HH & 3/22/0835/LBC - Replacement fencing; conversion of ground floor of annexe to two bay garage and cladding the annexe building with black feather board; alterations to fenestration and openings on annexe and either side of the link (between the main house and annexe) with double glass doors and replacement tiled ridge roof; internal alterations to remove internal walls, cupboards and elevator, infill door openings install new internal walls and create new internal openings at Hill House Tower Hill Much Hadham

3/22/1500/VAR - Demolition of outbuilding and erection of replacement ancillary outbuilding, with the inclusion of a basement with fire escape, 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; variation of condition 2 (approved plans) of planning permission: 3/20/2447/HH - Widen link corridors and adoption of Velux windows to rear elevation at Homestalls Green Tye Much Hadham Permission granted

3/22/1676/HH - Two storey rear and side extensions with a side Juliet balcony; ground floor front bay window; loft conversion with 2 front dormers, 1 rear dormer and 1 first floor side window; external alterations to fenestration and to the facade at 1 Danebridge Lane Much Hadham

3/22/1739/LBC - Regularisation for the replacement of windows and rooflight at Bishops Folly Winding Hill Much Hadham

3/22/1844/HH - Replacement Garden Store at Littlestone Widford Road Much Hadham

3/22/1994/VAR - Variation of conditions of 2 and 3 of planning approval

3/22/0683/LBC - Remove all roof tiles and re-tile on new breathable underfelt and battens, re-using existing tiles and matching handmade reclaimed clay tiles; Condition 2 to be varied with amended plan; Condition 3 amendment to the replacement of tiles at Hill House Tower Hill Much Hadham

(ii) Permissions refused:

None.

(iii) Applications withdrawn

3/22/1880/LBC - Extension to existing annexe with two additional rear windows to existing annex at The Old Nurseries Widford Road Much Hadham

22/129. PLANNING ENFORCEMENT

Covered as part of outstanding matters (Minute ref: 22/127).

In addition, the Chair highlighted the following additional enforcement matters:

- lodge at Bluebell Farm – on behalf of a resident, a report has been made that the lodge at Bluebell Farm on New Barns Lane appears to have outstayed its approved purpose to provide accommodation pending the barn conversion which is now seemingly complete; and
- mobile home on New Barns Lane – reported that the mobile home had been moved but the concrete base that had been laid for it remained and should be removed. A response had been received that there was no requirement to move the concrete base as this work was undertaken more than 4 years ago. It was noted as a general point that if a retrospective planning application is refused, one would expect the file to be automatically passed to Planning Enforcement for remedial work to be required but that does not appear to be the case.

In discussion, it was questioned whether mobile homes, or lodges like those at the Great Hadham Golf and Country Club become part of the council tax base. The Clerk agreed to investigate.

22/130. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS AND APPEALS

Enforcement

A resident expressed concern that East Herts Council tends to take no action in relation to enforcement matters.

Cllr I Devonshire (EHC) stated that he had received an enforcement activity report which he agreed to share with the Chair and Clerk.

### 3/21/2237/FUL Old Station Yard, Millers View

As a reminder from the preceding Parish Council meeting, a resident highlighted that the Old Station Yard appeal was an opportunity to test the effectiveness of the approved Neighbourhood Plan.

### 22/131. PLANNING APPEALS

The Parish Council's response to the following planning appeal is detailed in Appendix A:

3/21/2237/FUL - erection of four dwellings (to include one affordable unit) with associated access road and landscaping at Old Station Yard Millers View Much Hadham

**Vote:** all Cllrs present voted to support submitting this response to the Planning Inspectorate.

The Chair expressed gratitude to a resident for highlighting some specific points for this submission.

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

### 22/132. CURRENT PLANNING APPLICATIONS CONSIDERED

No decision was made in relation to the following planning application as it was considered that the Planning Committee did not have the required technical knowledge to do so:

3/22/2356/PNHH - Single storey rear extension incorporating roof lantern: Depth 8.0 metres, Maximum height 3.58 metres, Eaves height 2.32 metres at North View Perry Green

The following planning application deferred to the next meeting as insufficient time to properly consider for this meeting as notice of consultation only received on 1<sup>st</sup> December:

3/22/2377/FUL - Demolition of buildings and the erection of office/storage/workshop with hard standing at The Vineries Green Tye Much Hadham

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

3/22/2221/HH - Single storey side/rear extension with creation of raised patio with external steps at Midfield Green Tye Much Hadham

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

3/22/2459/VAR - Siting of a mobile home for a temporary period of 3 years for an agricultural worker's dwelling. Variation of condition 2 (use shall cease on or before 3rd April 2023) of planning permission: 3/19/2616/FUL - To allow the mobile to be stationed for 3 more years (Replace '3rd April 2023' with '3rd April 2026') at Paddock Lodge Chaldean Farm Bromley Lane Much Hadham

Support subject to confirmation that there exists an essential agricultural need.

<b>Vote:</b>	For	2
	Against	1
	Abstain	0

(ii) Objections raised on the following applications:

3/22/2276/HH - Raising of roof to garage and pool house; installation of loft conversion, incorporating 2 front and 2 rear dormer windows at Waltons Winding Hill Much Hadham

Objection on the basis that Policy HOU13 requires residential annexes in the form of a separate outbuilding to be “close to and well related to and have a clear functional link to the main dwelling.” It has not been shown what the functional link is.

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

3/22/2396/LBC - Regularisation for the replacement of kitchen and bathroom window to rear; replacement of rear door at 3 Whiprow Cottages Much Hadham

Objection on the basis that:

- the photos supplied of the lean to windows are inconsistent with the design drawings, so it is unclear what is being requested;
- the application states it is for the “Replacement of kitchen and bathroom window on rear lean-to”. No mention is made on the form of replacing a rear door and no information provided therein as to its design, materials etc, so that aspect should be objected to also; and
- finally, it is noted from the photos that a roof window has been added to the rear elevation of the original building but there appears to be no planning approval for it. If that is the case, Planning Enforcement / Conservation Unit should be engaged to investigate further.

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

3/22/2470/HH - Ground mounted solar panel array at Waltons Winding Hill Much Hadham

Objection on the basis there is insufficient information to support the application.

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

(iii) Neutral view on the following application:

None.

22/133. DATE OF NEXT MEETING

Tuesday, 10<sup>th</sup> January 2023 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 9:49 pm



**APP/J1915/W/22/3301344 | Erection of four dwellings (to include one affordable unit) with associated access road and landscaping Old Station Yard, Millers View, Much Hadham, Hertfordshire.**

Appellant: Browndog Developments Ltd

Much Hadham Parish Council is against the appeal proposals. This submission is additional to that of October 2021 to the Local Planning Authority (LPA) (East Herts Council) in response to planning application 3/21/2237/FUL, all of which remains fundamental to our objection. The purpose of this submission is to update the earlier one, without repeating it, in the light of the additional claims made in the Appeal Statement.

## **1. Background**

The LPA's reasons for refusal of the application are summarised as:

- the proposal would comprise an unsustainable form of development being outside the village boundary; and
- it would have a significant adverse visual impact on the landscape character of the area.

## **2. Basis of appeal**

**2.1 Sustainable Location** – the appellant argues that the site is sustainably located, being within walking distance of basic village services and adjacent to existing housing that is within the settlement boundary. Supporting arguments in favour of sustainable development are selectively quoted from the NPPF.

**2.2 Character and Appearance** – the appellant argues (on the basis of their submitted Landscape and Visual Impact Assessment) that development would have a neutral effect on the landscape setting and a negligible impact on the visual environment and thus would preserve the landscape setting of the village.

**2.3 Planning Balance** - NPPF para 12 makes clear that the local development plan has primacy in development management decisions. “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations (*emphasis added here*) in a particular case indicate that the plan should not be followed.”

The appellant attempts to make the case that such a material consideration is that the district has not demonstrated a 5-year housing land supply and therefore under the NPPF the “tilted balance” is engaged, which could support development outside of the areas and hierarchy specified in Policy DPS2 The Development Strategy 2011-2033.

## **3. Rebuttal**

It is contended that the bases of the appeal are fundamentally flawed.

**3.1 - Planning Balance** - since the appeal was submitted EHC has published (November 2022) its Five Year Land Supply Position Statement, concluding that “the Council is therefore able to demonstrate a five-year land supply position of 5.8 years against the housing requirement.” It is also noteworthy that the latest Housing Delivery Test in 2021 sets out that East Herts delivered 130% of its requirement and as such “there are no planning policy consequences that apply”.

It follows that the appellant’s attempt to argue that there are material considerations – the lack of housing land supply - justifying a decision that departs from the local development plan is nullified.

**3.2 Much Hadham Neighbourhood Plan** - since the appeal was submitted the neighbourhood plan has been made and has full weight in decision making. It supports the strategic policies of the district plan but also in Policy MH H2: Village Development Boundary states:

“II. Development outside the village development boundary.....is considered inappropriate. Exceptions to this are limited to development:

a) conforming with one or more of District Policies GBR1 Green Belt, GBR2 Rural Area Beyond the Green Belt, HOU4 Rural Exception Affordable Housing Sites or HOU5 Dwellings for Rural Workers.....”

The appellant has not shown their proposal falls within one of these exceptions. As such, the whole appeal should fail and the first two bases of the appeal become redundant.

**3.3 Habitats** - it is worth drawing attention to Neighbourhood Plan policy MH LNE1: Non-



Designated Wildlife Sites and Green Corridors:

“II. Development should avoid areas coloured green or purple in the Hertfordshire Ecological Network Mapping (HEN) in Appendix E. Development which would cause significant harm to these areas should either be refused, or the mitigation

hierarchy applied.....”

The green areas represent existing habitats designated under s41 Natural Environment and Rural Communities Act. This site is firmly within the green area of the mapping (as shown) and thus development of it would not be in accordance with the development plan.

**Decision to approve this submission made at Much Hadham Parish Council’s Planning Committee meeting held on 6th December 2022.**