

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, 4th April 2023**, 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.

Fm Forth

Fiona Forth
Clerk of the Council

30th March 2023

A G E N D A

23/36. Apologies for absence

23/37. Declarations of interest and requests for dispensations

23/38. Chair's announcements

23/39. Minutes of the last meeting held on 7th March 2023

23/40. Reports on outstanding matters

23/41. Decisions issued by East Herts Council

(i) Permissions granted:

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

3/22/2710/HH - Single storey extension to North-East elevation; single storey extension to South-West elevation with ground floor link; first floor extension over sitting bay on South-West elevation; new first floor windows to North-West and North-East elevations; enlarged first floor windows to North-West and South-West elevations; new ground floor windows to North-West and South-West elevations; enlarged ground floor window to North-West elevation at Wheatfield Kettle Green Lane Much Hadham

3/23/0031/LBC - Internal alterations to the ground floor of the public house at The Bull Inn High Street Much Hadham

(ii) Permissions refused:

None

(iii) Applications withdrawn:

None

23/42. Report on other planning activity to note

23/43. Planning enforcement

23/44. Residents' comments on current planning applications and appeals

23/45. Planning appeals

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

23/46. Current Planning Application for Committee to consider:

3/22/1649/HH & 3/22/1650/LBC - Re-consultation: External and internal alterations to the house including roof lights, changes to the staircase to the eastern end of the main range, remodel kitchen, replace all windows, remove cement render and replace with lime render and insulation, and to re-roof the main house. Alterations to the elevations of the barn to the north of the house and the conversion to a residential outbuilding; works within the garden to form a walled garden with associated greenhouse and garden store, a hard surfaced area to the south-west of the house, and a new boundary wall with gate; addition of a tank and screening to the west of the barn at Bucklers Hall Bucklers Hall Road Perry Green

3/23/0374/FUL - Change of use of land to D2 (Assembly and leisure); erection of cricket school and creation of 17 parking spaces at Jobbers Wood Sports Pavilion Great Hadham Road Much Hadham

3/23/0380/HH - Raising of roof to home office with insertion of 2 rooflights; raising of roof to garage to create additional floor, insertion of dormer windows and rooflights to front and rear creation of external staircase at Waltons Winding Hill Much Hadham

3/23/0478/HH - Demolition of conservatory; erection of single storey rear extension incorporating 2 rooflight windows at 37 Ash Meadow Much Hadham

23/47. Date of next meeting – Tuesday 2nd May 2023 – Much Hadham Village Hall

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council Planning Committee meeting held on Tuesday, 4th April 2023, in the Much Hadham Village Hall, at 8:32 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 4 members of the public.

23/36. APOLOGIES FOR ABSENCE

None.

23/37. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

None.

23/38 CHAIR'S ANNOUNCEMENTS

The Chair highlighted his intention to comment on enforcement in relation to the lodge at Bluebell Farm later in the meeting. (Minute ref: 23/43)

23/39. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 7th March 2023 be accepted as a correct record of the proceedings and be signed by the Chair.

The Chair thanked Cllr D McDonald for chairing the last meeting.

23/40. REPORTS ON OUTSTANDING MATTERS

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

Cllr D McDonald highlighted that no progress had been made in relation to any of the outstanding matters as updates and/or decisions are awaited from East Herts Council (EHC).

Cllr B O'Neill commented that the Jolly Waggoner site was looking even more like a change of use had occurred. This was the basis of the report that had been made to EHC's Planning Enforcement for which an update was awaited.

23/41. DECISIONS ISSUED BY EAST HERTS COUNCIL

(i) Permissions granted:

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

3/22/2710/HH - Single storey extension to North-East elevation; single storey extension to South-West elevation with ground floor link; first floor extension over sitting bay on South-West elevation; new first floor windows to North-West and North-East elevations; enlarged first floor windows to North-West and South-West elevations; new ground floor windows to North-West and South-West elevations; enlarged ground floor window to North-West elevation at Wheatfield Kettle Green Lane Much Hadham

3/23/0031/LBC - Internal alterations to the ground floor of the public house at The Bull Inn High Street Much Hadham

(ii) Permissions refused:

None.

(iii) Applications withdrawn

None.

23/42. OTHER PLANNING ACTIVITY

The report on other planning activity, circulated prior to the meeting, was noted.

23/43. PLANNING ENFORCEMENT

Covered as part of outstanding matters (Minute ref: 23/40).

Lodge at Bluebell Farm

The Chair highlighted that the lodge at Bluebell Farm had been intended as temporary accommodation whilst the barn conversion was undertaken. In December 2022, East Herts Council's (EHC) Planning Enforcement were asked to investigate as it was still occupied even though the new house appeared from the outside to be habitable. In January 2023, a site visit by EHC Planning Officer identified that the new house was not in fact habitable, following which, an application was made for a Certificate of Lawful Development to allow the lodge to stay permanently on the grounds that it had been there over 4 years.

Although not a statutory consultee for this type of application, the Parish Council objected on several grounds. EHC's Planning Enforcement Plan states that the 4 year test for such

permitted development applies only for the change of use of a building to a dwelling and all other development would need to pass the 10 year test to be approved. Thus, the fact that 10 years had not elapsed in the case of this new building was one of the grounds of the objection submitted.

EHC approved the application. EHC's Planning Officer found that the relevant statute for the 4 years rule applied not only to a change of use but, in fact, to any building operations. Clearly, then, the Planning Enforcement Plan is in error in limiting the 4 year rule only to changes of use of a building.

The Chair reported that, consequently, he had written to EHC's Head of Planning expressing his dismay, pointing out the material error in the Plan and asking for it to be corrected. If the wider application of the 4 year rule had been known, it might have been the case that an approach to Planning Enforcement to remove the lodge would have been made 2/3 years earlier. The Head of Planning is investigating the issues raised and her reply is awaited.

In addition, it seems too, that EHC were collecting Council Tax on this unapproved lodge since 2017 but had not identified that it was unlawfully erected.

The Chair concluded that there is now a dwelling in a completely inappropriate rural location, that would never have got permission in normal circumstances, and which could be replaced or extended in years to come.

23/44. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS AND APPEALS

The Bull Inn

A resident sought clarification on the Parish Council's submission relating to The Bull Inn planning applications (3/23/0030/FUL and 3/23/0031/LBC) following last month's meeting, in particular, the comments seeking conditions that the houses would be "retirement homes". The resident considered that this had an impact on the value of the associated land and went further than what had been intended in the Neighbourhood Plan.

The Chair replied that the intention had always been for the properties at this site to be single level dwellings for older people. The Parish Council's submission for these planning applications had sought to tighten this intention. He also stated that the Parish Council had not had any input into the development of these planning applications as that was the responsibility of Punch Tavern.

3/23/0374/FUL - Change of use of land at Jobbers Wood

A resident expressed reservations in relation to the proposed change of use of land at Jobbers Wood to create a cricket school and parking spaces, specifically that:

- a strip of woodland was to be removed to accommodate the development;

- the development would generate more light pollution, from the proposed school itself as well as the increased vehicular activity; and
- potential harmful impact on wildlife.

23/45. PLANNING APPEALS

The Chair highlighted that there were no other planning appeals to consider nor any planning appeal decisions to note.

The Clerk reported that following the last meeting, where the existence of an appeal to the refused planning permission for the work at Chase House was noted, the official notification of the appeal had been received. This appeal is using the 'Householder Appeals Service' which means that no further comment can be made by the Parish Council in relation to this appeal.

In addition, the Clerk reported that there are still no dates for either open planning appeal (Chase House and Old Station Yard) on the Planning Inspectorate portal.

23/46. CURRENT PLANNING APPLICATIONS CONSIDERED

(i) Support given to the following application:

3/23/0478/HH - Demolition of conservatory; erection of single storey rear extension incorporating 2 rooflight windows at 37 Ash Meadow Much Hadham

Vote: all Cllrs present voted to support this application.

(ii) Objections raised on the following application:

3/22/1649/HH & 3/22/1650/LBC - Re-consultation: External and internal alterations to the house including roof lights, changes to the staircase to the eastern end of the main range, remodel kitchen, replace all windows, remove cement render and replace with lime render and insulation, and to re-roof the main house. Alterations to the elevations of the barn to the north of the house and the conversion to a residential outbuilding; works within the garden to form a walled garden with associated greenhouse and garden store, a hard surfaced area to the south-west of the house, and a new boundary wall with gate; addition of a tank and screening to the west of the barn at Bucklers Hall Bucklers Hall Road Perry Green

The basis of the objection is detailed in Appendix A.

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

3/23/0374/FUL - Change of use of land to D2 (Assembly and leisure); erection of cricket school and creation of 17 parking spaces at Jobbers Wood Sports Pavilion Great Hadham Road Much Hadham

The basis of the objection is detailed in Appendix B.

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

(iii) Neutral view on the following application:

3/23/0380/HH - Raising of roof to home office with insertion of 2 rooflights; raising of roof to garage to create additional floor, insertion of dormer windows and rooflights to front and rear creation of external staircase at Waltons Winding Hill Much Hadham

Neutral but if East Herts Council are minded to approve this application, the approval includes a condition to prevent it being used as an annexe.

Vote: all Cllrs present voted to be neutral on this application.

23/47. DATE OF NEXT MEETING

Tuesday, 2nd May 2023 at 7:30 pm at the Much Hadham Village Hall. Due to the election on 4th May, this is the only meeting being held this night. Note – this meeting will be cancelled if no planning applications received for consideration.

Prior to closing the meeting, the Chair thanked fellow Cllrs for their support over this administrative term as he would not be attending the May meeting.

There being no further business the meeting closed at 9:11 pm

3/22/1649/HH & 3/22/1650/LBC | Re-consultation: External and internal alterations to the house including roof lights, changes to the staircase to the eastern end of the main range, remodel kitchen, replace all windows, remove cement render and replace with lime render and insulation, and to re-roof the main house. Alterations to the elevations of the barn to the north of the house and the conversion to a residential outbuilding; works within the garden to form a walled garden with associated greenhouse and garden store, a hard surfaced area to the south-west of the house, and a new boundary wall with gate; addition of a tank and screening to the west of the barn at Bucklers Hall Bucklers Hall Road Perry Green

Much Hadham Parish Council Planning Committee objects to these applications. The basis of the objection is detailed below:

The property, which is in the rural area, comprises 3 principal detached buildings: a two storey Grade II listed cottage which dates to at least the 17th century, a Grade II listed Barn and another outbuilding used for storage purposes. There is also a curtilage-listed barn recently converted to an annexe.

Policy HA1 Designated Heritage Assets requires that development proposals for listed buildings should preserve and where appropriate enhance the historic environment. There should be no harm to the heritage significance of the property.

Policy HA7 Listed Buildings requires proposals not to have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting, and respect the scale, design, materials and finishes of the existing building(s) and preserve its historic fabric.

This application proposes a raft of substantial changes to and re-development of a significant listed property. There is much to be said for the proposal in respecting the scale, design, materials etc of the historic fabric, whilst the additional buildings hold true to those features too. However, the cumulative or collective impact amounts to a significant change to the heritage setting, contrary to policy. Whilst ultimately, the views of the Conservation Unit will be determinative, the parish council considers that in total the application is contrary to HA1 in not enhancing the historic environment and contrary to HA7 in that the effect on the setting of the listed buildings is adverse.

This is a multi-faceted application, so taking each aspect in turn:

1. Changes to the listed cottage: there are many internal changes proposed, including to the historic building. Externally, the rendering will be replaced as will most windows and the roof, with new roof lights added to the rear elevation. The Conservation Unit will need to assess how appropriate these alterations are.
2. Changes to the listed barn: the frame dates to the 18th century but it seems that the weatherboarding, roof frame and roof tiles are more modern. Internally a false

ceiling will be removed to reveal the full height of the barn and mezzanine floors installed on either side. Three roof lights will be added to the south elevation and there will be other window and door replacements. Whilst this will change the internal appearance the argument is made that the heritage listing centres on the barn's contribution to the group of historic buildings rather than anything intrinsically noteworthy. The Conservation Unit will need to assess how appropriate these alterations are.

3. Creation of a walled garden: A new garden wall will impact the setting of the listed buildings but the applicant contends the impact is not inappropriate, with walled gardens being a common sight on estates of this size from the 16th century onwards, reflecting the self-sufficiency associated with both higher status farmhouses/vicarages and landed estates. However, this site's history is that of a farm with numerous barns, many since lost, so the introduction of a formal walled garden as some kind of homage to the past is artificial in this context. The wall is estimated to be continuously 7ft tall, which will make it a very dominant feature and is bound to affect the setting and historic significance of the listed buildings, contrary to HA1 and HA7. A considerable area will be paved over for a patio between the house and the walled garden and it is questionable whether such a large area enhances the historic environment, as required by HA1, or diminishes it.
4. In work on a separate area of the grounds, features such as timber decking, hot tub and crazy paving are unlikely to be reflective of or compatible with the site's heritage, contrary to HA1.
To meet policy MH D4, a condition is required that the new automated gates are visually permeable. The new brick wall to its right side is acceptable as it matches the existing wall to the left.
5. Replacement of garage with a new outbuilding: the modern garage will be demolished. The scale and form of the replacement outbuildings, including a glass house, are said to be modest and subservient to the main house and to those barns which remain from the former farm use.

Decision to approve this submission made at the Much Hadham Parish Council Planning Committee meeting on 4th April 2023.

3/23/0374/FUL | Change of use of land to D2 (Assembly and leisure); erection of cricket school and creation of 17 parking spaces at Jobbers Wood Sports Pavilion Great Hadham Road Much Hadham

Much Hadham Parish Council Planning Committee objects to this application. The basis of the objection is detailed below:

A parallel application 3/23/0399/FUL has been submitted to demolish the existing cricket centre on Green Belt at Tharbies Farm, Rook End, High Wych (outside the parish of Much Hadham). This means that the arguments about detriment to the Green Belt, transport sustainability etc are now made in the context of losses/harm from this development offsetting gains from cessation there, to leave a net benefit / neutral position overall. Much Hadham Parish Council does not accept that the assessment of benefits and losses should be netted across the two applications – each should be considered on its own merits.

The NPPF (2021) rules that the essential characteristics of Green Belts are their openness and their permanence. “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt....and should not be approved except in very special circumstances.....”

Exceptions to this include “the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.....” *[It is unclear whether a replacement must be in the same location.]*

“‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

Even if it is in policy terms acceptable as a principle to offset the two locations’ harms and benefits, there are two further problems. Firstly, the demolition at Tharbies Farm does not mean the restoration of openness and greenfield. The proposal is to replace it with housing / barn conversions, so there will not be a neutral impact on the openness of the Green Belt. Secondly, there is no undertaking that links the two applications: approval for the demolition of the cricket centre and for a replacement elsewhere does not mean that both events will take place. It is conceivable that demolition is not undertaken (or even be approved) even though the build of the new cricket centre proceeds.

The Parish Council accept that the business model would be improved with relocation, that the site is more easily accessed and that the design is acceptable. The Parish Council could also anticipate that the efforts to hide it from public view from the B1004 would be largely successful so that, in practice, there is little impact on the openness of the Green Belt. However, these gains could accrue from locations outside the Green Belt.

Policy MH LNE1 Non-Designated Wildlife Sites and Green Corridors applies. The proposal includes removal of some trees which appear to be in an undesignated wildlife site, as mapped in the Neighbourhood Plan Appendix E.

It is noted too that greatest use of the new site is expected to be in the winter months, which means that car headlights and lighting around the car park and building will be disruptive for the natural environment, including in Jobbers Wood, which is a designated wildlife environment so Policy NE1 applies.

Moreover, the fact that the existing site will not revert to permanent openness, nor is there any undertaking to ensure demolition of the existing centre in the event of this application being successful means that it appears to be fundamentally flawed. Additionally, it is not demonstrated that the harm that comes from the proposal is clearly outweighed by other considerations, such that the hurdle of “Very special circumstances” for development in the Green Belt is met.

Decision to approve this submission made at the Much Hadham Parish Council Planning Committee meeting on 4th April 2023.