

MUCH HADHAM PARISH COUNCIL

Notice is hereby given that the meeting of the Much Hadham Parish Council **Planning Committee** will be held on **Tuesday, 7th October 2025**, in the **Village Hall, Much Hadham**, 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.

Victoria Mazza

Victoria Mazza, Clerk of the Council

Email: clerk@muchhadhamparishcouncil.co.uk

2nd October 2025

A G E N D A

25/97. Apologies for absence

25/98. Declarations of interest and requests for dispensations

25/99. Chair's announcements

25/100. Minutes of the last meeting held on 2nd September 2025

25/101. Decisions issued by East Herts Council

(i) Permissions granted:

3/25/1183/FUL Reroofing of the north aisle with terne coated stainless steel and replacement of rainwater goods. St Andrew's Church, Church Lane, Much Hadham

3/25/0929/ARPN Change of use of agricultural barn to five dwelling houses and associated operational development. Minges Farm, South End, Perry Green

3/25/0859/VAR Variation of Condition 2 (approved plans) pursuant to planning permission ref: 3/21/0733/FUL. St Elizabeth's Centre, South End, Perry Green

3/25/0337/VAR Variation of condition 2 (approved plans) pursuant to planning permission: 3/23/0030/FUL. The Bull Inn, High Street, Much Hadham

(ii) Permissions refused:

3/25/0607/FUL Creation of a new agricultural vehicular access and road, constructed of concrete, in order to serve both the farmland and the Anaerobic Digester Plant. Land At The Vineries, Green Tye

(iii) Applications withdrawn: none

25/102. Decisions issued by Herts County Council

(i) Permissions granted:

PL/0457/25 Construction and use of two digestate lagoons. The Vineries, Green Tye

25/103. Report on other planning activity to note

25/104. Report on outstanding matters and planning enforcement issues

25/105. Planning appeals

To note the outcome of the following planning appeal:

3/25/0438/HH New detached garage 1 Hill Head Cottages, Stansted Hill, Perry Green Appeal allowed

25/106. Residents' Comments

25/107. Current Planning Applications for Committee to consider:

3/25/1097/FUL Erection of 31 residential dwellings including affordable housing (Use Class C3), new vehicular access off Tower Hill, new outdoor educational classroom, landscaping, public open space and play space, cycle and car parking, and associated infrastructure.

Land To The Rear Of Hill House, Tower Hill, Much Hadham

3/25/1111/FUL Installation of a ground-mounted solar photovoltaic (PV) array on 6.28 hectares of agricultural land at Great Notley Field, Much Hadham, including associated infrastructure comprising underground cabling, substation cabin, temporary construction access measures, biodiversity enhancements through wildflower meadows, new hedgerow and tree planting, and provision of open wildlife corridors. Great Notley Field, Bromley Lane, Much Hadham – this item is postponed to the November meeting

3/25/1289/HH and 3/25/1290/LBC Demolition of outbuildings. Replacement windows and door, alterations to first floor windows. Alterations to the roof, erection of outbuildings attached to main dwelling and a detached pool pavilion building. Bishops Folly, Winding Hill, Much Hadham

3/25/1304/OUT Outline planning application for the erection of up to 46 dwellings, including 40% affordable housing, with associated landscaping, parking, drainage and infrastructure, with all matters reserved except for access. Little Dolan's Field, Bromley Lane, Much Hadham

3/25/1398/HH Single storey side extension, front porch and replacement of existing rear sunlounge 2 Blacksmiths Cottages, Green Tye, Much Hadham

3/25/1448/HH and 3/25/1449/LBC Refurbishment of window frames and casement windows and replacement of sashes. Park House, High Street, Much Hadham

25/108. Date of next meeting – Tuesday 4th November 2025 – Much Hadham Village Hall

3/25/1183/FUL Reroofing of the north aisle with terne coated stainless steel and replacement of rainwater goods. St Andrew's Church, Church Lane, Much Hadham

3/25/0929/ARPN Change of use of agricultural barn to five dwelling houses and associated operational development. Minges Farm, South End, Perry Green

3/25/0859/VAR Variation of Condition 2 (approved plans) pursuant to planning permission ref: 3/21/0733/FUL. St Elizabeth's Centre, South End, Perry Green

3/25/0337/VAR Variation of condition 2 (approved plans) pursuant to planning permission: 3/23/0030/FUL. The Bull Inn, High Street, Much Hadham

(ii) Permissions refused:

3/25/0607/FUL Creation of a new agricultural vehicular access and road, constructed of concrete, in order to serve both the farmland and the Anaerobic Digester Plant. Land At The Vineries, Green Tye

(iii) Applications withdrawn:

none

25/102. DECISIONS ISSUED BY HERTS COUNTY COUNCIL

(i) Permissions granted:

PL/0457/25 Construction and use of two digestate lagoons. The Vineries, Green Tye

25/103. OTHER PLANNING ACTIVITY

NOTED that a Lawful Development Certificate had been issued with respect to the commencement of approved development at The Plunge, Widford Road, Much Hadham

25/104. REPORTS ON OUTSTANDING MATTERS

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

The following updates were provided:

- land behind Mill Cottages off Windmill Way – a further application is expected following guidance given the owner by the planning officer. It is expected, therefore, that enforcement action will be paused for now.
- Field opp. Danebridge Cottage – outcome of the enforcement appeal awaited
- Jolly Waggoners – Planning Enforcement have raised a new case number following the submission of photographic evidence by the Chair of a storage facility being created.

25/105. PLANNING APPEALS

The appeals log had been circulated to councillors and the following decision was NOTED:

3/25/0438/HH detached garage at 1 Hill Head Cottages, Stansted Hill, Perry Green
Appeal allowed

25/106. RESIDENTS' COMMENTS ON CURRENT PLANNING APPLICATIONS AND APPEALS

With regard to 3/25/1097/FUL Land to the Rear of Hill House:

- There is a pressure from the government to build new homes and could this be a government directive
- The Neighbourhood Plan allocated that land so one assumes the area is a 'good place'
- concerns about traffic.
- It was acknowledged that additional housing is inevitable; however, could this result in the development being a 'trade-off' against other developments proposed in the future?
- it is inevitable that we need housing but would it be a trade off to protect other areas
- Resident expressed a particular interest in seeing more smaller dwellings
- St Andrew's Primary School is currently at full capacity, it was said, leading to concerns regarding where local children would attend school.
- It was noted that Albury Primary School is closing and that Widford already have a high intake.
- Concerns raised about existing safety issues outside the school, which residents described as already dangerous; it was felt that additional traffic could exacerbate this situation and create further congestion.
- Increase in traffic may also reduce visibility in the area
- Concerns were raised regarding potential flooding, as the nearby river is already prone to overflowing.
- The neighbourhood plan already provided for the target minimum of 54 homes, so this was unnecessary
- Another resident noted, firstly, that the corner of the site lies just outside of the designated flood plain and, secondly, the school was having to import' children
- Another resident noted that the original plans included provision for a relocated Medical Centre, these facilities no longer appear on the current proposals.

With regard to 3/25/1304/OUT Little Dolan's Field:

- There is a plethora of reasons as to why this is a bad idea, the resident listed floods, traffic increases as everyone living on the development would need to drive to access amenities. Resident raised concerns that eventually Much Hadham would be linked with Little Hadham if this went ahead

- Another resident observed this land is an agricultural field and it seems like the worst place to consider.
- Resident observed that there is a very high bank and would require a lot of landscaping at a detriment to the local wildlife.

Other matters

- Resident shared concerns that neighbouring towns like Bishop's Stortford and Harlow are encroaching on village boundaries. Affordable housing is being allocated to individuals outside the local area in which the resident felt could lead to increase in crime. Resident further noted that new housing is not being allocated to local residents thus create the same issue.

25/107. CURRENT PLANNING APPLICATIONS CONSIDERED

Pursuant to agenda item 25/98 Cllr McDonald left the meeting for applications 3/25/1097/FUL Land to the Rear of Hill House and 3/25/1304/OUT Little Dolans Field. These applications were considered consecutively and then the meeting reverted to considering applications in agenda order.

(i) Support given to the following applications:

3/25/1289/HH and 3/25/1290/LBC Demolition of outbuildings. Replacement windows and door, alterations to first floor windows. Alterations to the roof, erection of outbuildings attached to main dwelling and a detached pool pavilion building. Bishops Folly, Winding Hill, Much Hadham

Vote: all Cllrs present voted to support this application, subject to approval by the Conservation Unit

3/25/1398/HH Single storey side extension, front porch and replacement of existing rear sunlounge 2 Blacksmiths Cottages, Green Tye, Much Hadham

Vote: all Cllrs present voted to support this application

3/25/1435/VAR Variation of conditions 2 (approved plans), 7 (BNG), 20 (contamination), 21 (archaeology), 23 (parking), 26 (soft landscaping), 29 (removal of PD - plot 4), 30 (plot 3 barn), 35 (pedestrian access), 36 (management of Hopleys Gardens) & 37 (plot 4 completion) attached to pp 3/23/1329/FUL (demolition of outbuildings, erection of 2, two bedroomed dwellings, 3, three bedroomed dwellings and 2 four bedroomed dwellings, conversion of barn to dwelling. Change of use of Long Barn from Cafe/Retail (Class E) to ancillary residential use. Erection of new use class E building. Part demolition and reconstruction of front wall, with associated landscaping, parking and provision of access road (re-submission of 3/20/2375/FUL)) to allow for changes to layout and design. Hopleys, High Street, Much Hadham

After the meeting it was discovered that this item was accidentally omitted by the Chair from the published agenda but was included in the papers distributed to

councillors at the same time and hence was included in the meeting for a decision. It is understood that the decision of the meeting could be challenged for this procedural failure.

Vote: all councillors voted to support this application subject to two conditions:

- (1) the approval of the Conservation Unit
- (2) the refusal of permission for the repositioning of the kitchen window at Plot 4 to its north elevation, due to the resulting loss of privacy for neighbours opposite.

3/25/1448/HH and 3/25/1449/LBC Refurbishment of window frames and casement windows and replacement of sashes. Park House, High Street, Much Hadham

Vote: all Cllrs present voted to support this application, subject to approval by the Conservation Unit

(ii) Objection raised on the following applications:

3/25/1097/FUL Erection of 31 residential dwellings including affordable housing (Use Class C3), new vehicular access off Tower Hill, new outdoor educational classroom, landscaping, public open space and play space, cycle and car parking, and associated infrastructure. Land To The Rear Of Hill House, Tower Hill, Much Hadham

Vote: all Cllrs present voted to object to this application – see Appendix A

3/25/1304/OUT Outline planning application for the erection of up to 46 dwellings, including 40% affordable housing, with associated landscaping, parking, drainage and infrastructure, with all matters reserved except for access. Little Dolan's Field, Bromley Lane, Much Hadham

Vote: all Cllrs present voted to object to this application – see Appendix B

(iii) Neutral view on the following applications:

None

25/108. DATE OF NEXT MEETING

Tuesday, 4th November 2025 following the close of the Much Hadham Parish Council meeting in the Much Hadham Village Hall.

There being no further business the meeting closed at 9.25pm

3/25/1097/FUL Erection of 31 residential dwellings including affordable housing (Use Class C3), new vehicular access off Tower Hill, new outdoor educational classroom, landscaping, public open space and play space, cycle and car parking, and associated infrastructure. Land To The Rear Of Hill House, Tower Hill, Much Hadham

Objection for the following reasons:

The main issues for the Parish Council in deciding whether to support this application are:

1. Principle of development
2. Landscape impact
3. Affordable housing
4. Layout and design
5. Open space, PROW and school extension
6. Historic environment and conservation area
7. Highway safety
8. Other policy matters – flood risk and agricultural land

1. PRINCIPLE OF DEVELOPMENT

1.1 Development Plan

For the purposes of this application, the rules governing local development are contained within the district council's District Plan and the parish's Neighbourhood Plan. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) set national standards that must also be complied with.

Policy DPS2 of the East Hertfordshire District Plan (District Plan) sets out a development strategy for the district. The policy permits sustainable development in accordance with a hierarchy: in the first instance brownfield sites, then sites within the urban areas of the district's 5 market towns, followed by urban extensions to specific identified settlements. Development in villages is to be limited. The hierarchy does not extend to the countryside beyond the villages and towns.

Policy VILL 1 designates Much Hadham as a Group 1 Village, and within such settlements development for housing, employment, leisure, recreation and community uses are permitted. It allocates to Much Hadham village (not parish) a minimum target of 54 new homes for the period 2017-2033.

This site is largely located to the east of and outside the village development boundary, within countryside described as "the Rural Area Beyond the Green Belt" where

development is generally only permitted in specific, limited circumstances.¹ As such, the development would not comply with district policies DPS2 and VILL1

However, in such countryside locations certain types of development are permitted provided that they are compatible with the character and appearance of the rural area. Such uses are identified in Policy GBR2 Rural Area Beyond the Green Belt, which permits specific types of development, including

“(h) development identified in a neighbourhood plan”.

It is therefore necessary to consider whether the application represents development identified in Much Hadham’s Neighbourhood Plan and so is permitted under policy GBR2.

Policy MH H1 Village Housing Numbers identifies how the housing target is to be met from specific site allocations within the village boundary (plus a windfall allowance). It does not include this site as it is outside the village boundary.

Policy MH H2 Village Development Boundary states:

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

.....b) brought forward through a Neighbourhood Development Order or a Community Right to Build Order.

PolicyMH H10 Hill House and Land to the Rear (formerly Barn School) permits development coming forward as a Neighbourhood Development Order:

I. To help meet any future additional housing need for Much Hadham, the land to the rear of Hill House, outside the village boundary could be brought forward for development through a Neighbourhood Development Order.

In understanding the intention of the neighbourhood plan with this policy, it is also helpful to look at the commentary that precedes the specific policy wording. In the commentary it is stated that *“Hill House and the land to the rear (“the Barn School field”) is not an allocated site in this Plan but it is identified as a reserve site by virtue of its central location and likely availability following a change of ownership.”*

The term “reserve site” is generally understood to mean one that becomes available for development if certain conditions are met or in particular circumstances. The commentary goes on to describe such circumstances:

“The land to the rear remains in the Rural Area Beyond the Green Belt, as shown on the Policies Map, but adjacent to the village development boundary. This makes it potentially suitable for a Rural Exception Scheme providing affordable housing in

¹ The housing site is adjacent to but outside the village development boundary, as shown in Fig 4 Policies Map of the Much Hadham Neighbourhood Plan. ~60m of the proposed access road from its junction with Tower Hill is within the village boundary.

perpetuity to households which are either current residents or have an existing family or employment connection. This could come forward through a Neighbourhood Development Order and be promoted by a community land trust.”

Unfortunately, this application is not for a Rural Exception Scheme to provide affordable housing nor is it coming forward as a Neighbourhood Development Order.

Policy MH H10 goes on to say:

The (future additional housing) need must either be required or proven and supported by a parish-wide housing needs survey.

A parish-wide housing needs survey was undertaken in 2023/24 on behalf of the developer by specialist charity CDA Herts and this confirmed a demand for and need of affordable housing. It calculated a net requirement from parish residents of 17 dwellings of various tenures and sizes. It also reported: “The survey does not seek to provide data on demand for market housing, however, responses received suggested a demand for market housing for the elderly which could be included in the housing mix.”

The applicant has provided no specific evidence of a need for market housing, contrary to the policy requirement. Moreover, the progress made so far in delivering housing in accordance with the requirements of VILL1 for a minimum of 54 dwellings by 2033 demonstrates that there is no requirement for this site to be used for a speculative market-led scheme.²

It follows that the application is not for development permitted under neighbourhood plan policies MH H1 Village Housing Numbers, MH H2 Village Development Boundary and MH H10 Hill House and Land to the Rear (formerly Barn School) and thus is not an exception under district policy GBR2 Rural Area Beyond the Green Belt.

This conclusion was supported by EHC’s pre-application advice to the applicant:

“To conclude the proposal in its current form is considered unacceptable as it does not comply with the Development Plan as a whole. The principle of the development cannot currently be accepted as the site is located within the Rural Area Beyond the Green Belt. The site is outside of the village boundary and policy requires the development to go through the Neighbourhood Development Order in the first instance, as this is not an allocated site but a windfall site once all the development has been built out within the Much Hadham Neighbourhood Plan and assessing further need.”

The Neighbourhood Plan is the most up to date development plan for this area and does not support development of the kind proposed. The application is in conflict with the development plan and the strategy that underpins it.

² 25 completions to date and 14 dwellings under way (The Bull and Hopleys), leaving a minimum of 15 more to be delivered over 8 years to 2033, or 2pa.

1.2 National Planning Policy Framework

It is common ground that the Council cannot demonstrate a 5 year housing land supply and so the NPPF deems the housing supply-based policies in the district plan which are most important for determining the planning application to be out of date. Where policies are out of date paragraph 11(d) of the NPPF is engaged.

Paragraph 11d) requires, in such situations, that permission must be granted unless, inter alia, *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.....”*

Paragraph 13 includes *“.....Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies.....”*

Paragraph 14 goes on to say *“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.....”*

The Neighbourhood Plan was “made” and adopted as part of the district’s development plan on 16 November 2022. Thus, the condition in paragraph 14a) is met.

Within the Neighbourhood Plan, policy MH H1 Village Housing Numbers states that *“In accordance with Policy VILL1³ in the East Herts District Plan, Much Hadham village will accommodate a minimum of 54 new homes over the 16-year period between 1 April 2017 and 31 March 2033,”*

Policy MH H1 plans for the requirement to be delivered from these allocations:

- “a) 21 homes on Housing Site Allocation Policies MH H4 to MH H6*
- b) 7 homes on sites with planning approval Policy MH H8*
- c) 19 homes completed since 1st April 2017*
- d) 8 or more homes within the village boundary on windfall sites”*

Thus, the requirements of paragraph 13 are met with respect to policies for housing delivery. The conditions in paragraph 14b) required to avoid the application of the tilted balance described in paragraph 11d) are also met.

³ In accordance with NPPF Para 69, Policy Vill 1 is a strategic policy setting out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations

It follows that, notwithstanding EHC's lack of a five year deliverable housing land supply, the adverse impact of allowing this development, which conflicts with the Neighbourhood Plan, is likely to significantly and demonstrably outweigh the benefits. Substantial weight must be given to this.

The NPPF goes further in supporting the neighbourhood plan. The starting point for decision-making is the development plan, which includes the neighbourhood plan:

Paragraph 12 states *“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 in a particular case indicate that the plan should not be followed.”*

From the discussion so far, the planning application conflicts with an up-to-date neighbourhood plan, and permission should not be granted. An exception may be made by the planning authority if there are material considerations specific to this application or site that would justify it, but none have been presented.

2. LANDSCAPE IMPACT

2.1 Landscape Character

The site comprises 3.47 ha (gross) of arable land (including an area of woodland) adjacent to the eastern edge of Much Hadham village and within its Conservation Area. The site is bounded by public footpaths to the north and south, a quiet country lane to the east and residential development to the west, including Hill House – Grade 2 listed and the almshouses Grade 2-listed. Beyond the northern footpath is St Andrew's primary and nursery school, and a pre-school. Beyond the southern footpath is the residential development of Ash Meadow, The site generally slopes west to east, as part of the River Ash valley.

The site is located in Area 93 (Hadhams Valley from Hadham Cross to Little Hadham) of the East Herts Landscape Character Assessment Supplementary Planning Document (SPD) Sept 2007. This provides a structured assessment of the strength of the landscape character, rating it overall as Strong (it describes it as unique with prominent landform and wide visibility) and its condition as Good. The impact of built development in the area would be “high”.

The landscape strategy for the area is one of Safeguarding and Managing with a view to improving both the strength and condition of landscape character as necessary to reinforce its distinctiveness e.g. “by encouraging the reversion of arable to pasture and the management of grasslands to maximise their biodiversity potential.”

District Policy DES2 Landscape Character ensures that a consideration of the relevant Landscape Character Assessment policies is brought into the assessment of planning

applications, in order to enhance and support the landscape character. This policy, inter alia, requires development to demonstrate that it will retain, protect or enhance the character and distinctive features of the area.

The site has a high degree of sensitivity within the landscape, as its openness and central location provide a characterful backdrop to existing development along Tower Hill and helps frame views into the village from Oudle Lane and the open countryside to the east. As a buffer between the developed area of the village and the countryside, the site has a transitional function. In this it performs a role similar to that of the Recreation Ground on the opposite side of the B1004. The footpaths to the north and south provide the means by which the residents can experience the transition from the main road to the countryside. This will be lost if the site is developed, particularly on the south path, whereby visibility of the countryside would be deferred until reaching the ford at the junction of Malting Lane and Oudle Lane.

Development of this site would lead to a loss of landscape features such as the open field and would represent a significant change to what at present is largely an extensive rural landscape. It would inevitably harm its contribution to the landscape of the area by introducing built development where currently there is little. Development would urbanise the site and in doing so erode its contribution to the village's landscape setting. There would also be a loss of its semi-rural character, as enjoyed from the public footpaths along the boundaries.

Development of the greenfield site through a significant level of housing and a road network to service it would very visibly destroy the local landscape character, completely contrary to the requirements of the SPD strategy.

The development would cause harm to the landscape and would therefore conflict with Policy DES2 of the District Plan. Significant weight should be given to the destruction of landscape character.

2.2 Priority Views

The Neighbourhood Plan recognised the value of the site's role as a buffer by designating the view west from Steep Jack Hill across the River Ash valley to the site as a Priority View (PV6) under policy MH PV1. The view reveals the importance of the field to the landscape character of the Ash valley. *"The field, with its tree-laden boundaries to the east and west, contributes substantially to the unbroken continuity of the wide green corridor along the River Ash.....It is the only view in the parish to show the length and breadth of the valley and to do so with minimal visual intrusion from development over centuries. So successful has been the preservation of the natural environment in this area that the village practically disappears from view here. At the heart of that view is the Barn School field.....From this vantage point the view of the Barn School field suffers little housing intrusion, perhaps a rooftop here and there depending on the season. Indeed, Hill House itself is hidden behind mature trees."*

Policy MH PV1 paragraph II states:

New development should ensure the Priority Views are protected. Development which would affect any of these views will be permitted only in exceptional circumstances where, as part of the proposal:

a) Screening of the development by trees or hedges is included or the maintenance of existing vegetation is ensured by condition to protect the view, provided these do not in themselves obstruct it; and

b) The height of the development is restricted to minimise impact on the view

Para III states:

The planting of hedges or trees which would obstruct a Priority View is to be discouraged

The landscape visualisation of PV6 submitted with the application⁴ shows the intrusiveness of white rendered elevations, the high roof lines to the south of the site, the replacement of natural field with the access road, other paths and a small suburban park replacing open grassland. The visualisation does not show the impact of traffic and parked vehicles on the access road, so severely underplaying the damage to PV6. To emphasise the point, the introduction of traffic movement and parking into this view is uniquely harmful, being not currently visible in any direction from the viewing point on Steep Jack Hill.

The commentary in the neighbourhood plan for PV12, the view from Sidehill Wood, is:

“This pastoral landscape view from a popular walking and riding route looks up and across the eroded and glaciated moraine valley of the River Ash chalk stream and encapsulates the distant sloping green field of the former Barn School on the other side of the village ford.

Any development of the field beyond the ford, which lies outside the village boundary, would need to be hidden from or minimise any adverse impact on this scene.”

The winter landscape visualisation provided for PV12 from Sidehill Wood has been carelessly created as it does not point in the same direction as the view presented in the neighbourhood plan and therefore does not show the impact of development⁵. Even without the visualisation it is clear that the development will obliterate the view of the field beyond the ford.

The exceptional circumstances required by policy MH PV1 have not been demonstrated and even if they were to be found and the screening required under II a) above were to be achieved by condition, it cannot be said that the impact of the height of the development has been minimised e.g. with single storey dwellings throughout.

The pre-application advice concluded that *“The development has not fully demonstrated the impact of development from the priority view points and how the*

⁴ Landscape And Visual Impact Appraisal June 2025: Appendices Part 2 Photomontage (Year 1) Viewpoint 24 - Winter

⁵ Landscape And Visual Impact Appraisal June 2025: Appendices Part 3 Viewpoint 28 - Winter

landscaping would mitigate this...” and this remains the case. Significant weight should be given to the failure to protect the Priority Views required under the neighbourhood plan policies MH H10 and MH PV1.

3. AFFORDABLE HOUSING

Neither VILL1 nor the neighbourhood plan specifically require affordable housing to be provided in Much Hadham. However, of course, there is a local demand for affordable housing, as evidenced by the parish-wide housing needs survey conducted by CDA Herts and submitted with the application. Furthermore, the preamble to MH H10 makes clear that this site, which is outside the village boundary, could be used for this purpose e.g. as a Rural Exception site or a community-led project.

The point of a parish-wide survey is to identify local need but there is nothing in the application that would give preference to local people to satisfy that need. Instead, the survey has been relegated to a performative statement, without any attempt made to use it to satisfy the housing needs of local people.

4. LAYOUT AND DESIGN

The pre-application advice concluded that *“...concerns are further raised with the current layout shown and it is considered that notwithstanding the principle, the scheme would not be acceptable in its current form.”* In submitting this application, there has been little change to that considered at the pre-application stage, so the conclusion still stands: it is unacceptable.

The consultation response of 30 Sept 2025 from Landscape and Arboriculture Advice gives many detailed instances of the shortcomings of the layout of the site and these concerns are shared by the parish council. For example, the cramped curtilages with overlooked rear gardens, separated by close board fencing has no parallel in the village. The inclusion of tandem parking on a site of this size, contrary to policy MH D3 para II, is an indication of an overly constrained layout. The dominance of hard surfacing belies the intention to be “landscape-led”. There are no plans submitted for how the woodland area will be treated and managed (deer are often seen there but there will be no safe route in/out for them under the proposed layout).

5. OPEN SPACE, PROW AND SCHOOL EXTENSION

A relatively small proportion of the site, to the north, is designated as accessible open space. Reference is made to a management company being set up to manage this and other common areas but the proposal is vague. It would require a significant annual financial contribution from the site residents to maintain this area, the (unadopted) access road, woodlands and other common assets for the benefit of the whole community, which would compromise the affordability of the “affordable” housing.

A priority of the school is to re-route Public Right of Way FP22 away from the playground. This priority is not mentioned in the application, and it is unclear the extent to which the needs of the school have been identified, understood and brought into the

proposals. FP22 presents a safeguarding risk and is operationally burdensome for the school. If the open air classroom is a route to achieving this priority, then it is unclear how the aim will be delivered. The permissive path along the school's south boundary is owned by HCC and there seems to be no undertaking with them for it to be re-routed around the proposed outdoor classroom, re-designated as FP22 and the playground path to be closed.

Moreover, the need for an outdoor classroom has not been demonstrated. There are no visualisations provided of how it would look once a 1.8m high boundary has been installed but it is hardly likely to enhance the openness of views from the "open" space. It should be established whether the outdoor classroom meets an identified need of the school, or whether there are other more beneficial educational investments that could be delivered should the development to be permitted.

The application description includes a "play area" but none is included in any of the plans. As such, the description is materially misleading, and the application could be refused permission for this reason alone. Either the description should be revised so reducing the social benefits of the development, or the play area (or alternative community benefits) identified and incorporated into the plans.

6. HISTORIC ENVIRONMENT AND CONSERVATION AREA

The Strategic Environmental Appraisal prepared for the neighbourhood plan recorded that *"The site's openness is a notable feature of the village and, by extension, the conservation area.....the undeveloped character of the site forms a backdrop to a large number of properties within the conservation area and is considered to contribute to the significance of the conservation area as a whole as a result."*

With respect to the listed buildings to the north and west *"The site provides an open and rural backdrop to the listed buildings, making a substantial contribution to the significance of their respective settings."*

It is accepted by the applicant that the proposed development will result in harm to both the character and appearance of the conservation area and the setting of Grade II listed Hill House. The creep of the built environment northwards would appear to intrude into the setting of Hill House, as does the access road and all its urbanising features. It is telling that no visualisation is provided of the access road's entrance within a few meters of the property, presumably because the harm would be evident.

The scale of development at the site is a key determinant in assessing the adverse impact on the significance of the conservation area. In this case, the development is extensive, leaving only a small portion of open amenity land to the north.

The harm to the conservation area therefore weighs against the application.

7. HIGHWAY SAFETY

The proposal includes a new access and junction on to Tower Hill, eliminating 17m of kerbside parking space. This space currently makes an important contribution to the provision of school drop off and pick up facilities. It is likely that displaced vehicles will turn into and park on the new road, where ~6 spaces are to be provided (which could be unavailable if permanently occupied by site residents using it as overflow parking). There is no turning circle, so the return to the B1004 will involve highly unsatisfactory manoeuvring across the width of the road (only 5.5m) and compromise the ability of other vehicles to make progress in either direction along the access road.

The creation of a junction on the main pedestrian route to the nearby school reduces the safety of that route. Moreover, the proposed visibility splays are unlikely to be observed in practice due to the aforementioned pressure on drop off/ pick up parking. Cars exiting the new road will have to edge out on to the B1004 for lack of visibility.

For pedestrians, the plan is to cross the junction at its widest point, maximising the risk to pedestrians as cars approach from 3 directions and lacking visibility if cars have parked up to the junction. It would be safer to move the crossing point into the access road so that pedestrians only have to look left/right and not over their shoulders.

Overall, the development adversely affects highway safety in terms of increased parking stress in the area and an inadequate pedestrian visibility splay at the site access. The increased vehicular movements arising from the use of the new access road into the site combined with existing on-street parking shortages in the immediate area, will result in additional congestion and vehicular conflict at peak times. The harm arising from the access location, specifically its adverse impact upon the operational efficiency of the road to which it would connect, will be significant at these times and therefore conflict with local plan policy as stated in MH ITC1 Transport:

“II. Development that would give rise to unacceptable highway and transport impacts such as displacement parking, unsafe access / egress layouts.....will not be permitted.”

Whilst it is usual for planning officers to defer to the judgement of HCC Highways, it is striking that almost all of the 80+ local responses specifically mention the risk to drivers and pedestrians from these proposals. Those concerns should be given weight.

Without appropriate mitigation the proposal results in unacceptable levels of hazard and inconvenience at school drop-off and pick-up times. Mitigation proposals have not been made but consideration could be given to additional parking provision and improved access at the Recreation ground, and upgraded crossing facilities for a betterment in highway safety.

8. OTHER POLICY MATTERS

8.1 Flood Risk

The south-east corner of the site is in Flood Zone 2. In flood conditions it is difficult to see how construction waste will not flow into the river via flooding of Oudle Lane.

The concerns of the local lead flood authority in its consultation response of 29th Sept 2025 objecting to the development are shared. In particular, the risk of unauthorised or unclean discharges or flows into the nearby River Ash, a chalk stream, from inadequate SUDs measures need to be understood and the approval of the Environment Agency obtained.

8.2 Loss of Agricultural land

The site appears to be Grade 2 or Grade 3 quality land. This gives it potential to be ‘best and most versatile’ (BMV) land. The NPPF establishes a presumption against the unnecessary loss of BMV land where areas of poorer quality land are available and it is therefore considered that development of the site would result in negative effects in relation to ensuring the efficient and effective use of land, protecting soil quality and avoiding the loss of high-quality agricultural land.

9. CONCLUSION

The scheme does not accord with spatial strategy and by extending the built-up area of the village onto a field that currently makes a positive contribution to the rural nature of the surroundings, it would fail to respect the intrinsic character and beauty of the countryside.

The scheme would be significantly at odds with the character of the area (the Ash valley). Those familiar with the area, including users of the public rights of way, highly value the pastoral attributes of the site and the positive contribution it makes to the rural landscape. The suburbanising effect of the proposal would result in the loss of open field and its contribution to the landscape as attractive countryside, as seen from the priority views.

The use of this reserve site for a market-led development is contrary to the policies of the neighbourhood plan. Para 14 of the NPPF gives the greatest weight to supporting the neighbourhood plan. Major questions remain over the layout of the scheme, significant highway risks, the risk of contamination of the River Ash, the need for an outdoor classroom, the absence of a play area and other matters.

For all these reasons the adverse impacts of the development significantly and demonstrably outweigh the benefits.

Vote: All councillors present voted to object to this application.

3/25/1304/OUT Outline planning application for the erection of up to 46 dwellings, including 40% affordable housing, with associated landscaping, parking, drainage and infrastructure, with all matters reserved except for access. Little Dolan's Field, Bromley Lane, Much Hadham SG10 6HQ

Objection for the following reasons:

1. Introductory Comments

This outline application seeks to establish the principle of residential development. Matters such as appearance, landscaping layout, scale and so forth would be determined under a subsequent application should outline consent be granted.

The site is ~275m beyond the village boundary, in the Rural Area beyond the Green Belt. Its south-east boundary is adjacent to the Conservation Area. It sits ~2m above the level of the proposed access on Bromley Lane.

As at 7 October, 91 public comments had been received on the planning portal, with 87 objecting (3 non-residents promoted swift boxes and there was one (spoof) supporter).

A previous outline application 3/17/2112/OUT for 35 dwellings was refused permission and an appeal dismissed.

The main considerations therefore are:

- The extent to which the inspector's reasons for dismissing that appeal apply to this application
- The impact of subsequent changes in relevant planning policies.

2. Previous Application 3/17/2112/OUT and Appeal APP/J1915/W/18/3194353

Extracts from the planning inspector's report:

Character and Appearance

“The appeal site is, therefore, divorced from the built up area and the small number of nearby buildings sit within a predominately rural landscape.”

“(The) Landscape Character Assessment (LCA)..... .. goes on to refer to the small to medium scale elements within a contained, unified and generally tranquil landscape, as well as its 'good' condition and 'strong' character.”

“The vicinity of the appeal site also contributes to the setting of the Conservation Area (CA).....The CA also includes open spaces around the built up area which, together with the loosely spaced built development, provide an attractive, low-key, gentle introduction to the village.”

“By virtue of its topography, openness, field boundary planting and agricultural use, the appeal site is therefore typical of, and contributes positively to, the landscape character of the area and the setting of the CA. These considerations indicate that the site and surrounding area has high/medium landscape value and sensitivity.”

There has been no change to the landscape or the Conservation Area in the

intervening years, so these comments still apply.

With regard to the impact of development on character and appearance, the inspector reported:

“The scale and density of built development would be significantly greater than the nearby properties and the openness of that part of the site would be almost completely lost. Furthermore, the proposal would create development in depth, which would be at odds with the loose knit, linear pattern of adjoining development. As such, it would create an abrupt and incongruous introduction to Much Hadham.”

“The proposal would, therefore, result in a high magnitude of change and the landscape effect on the site would be large initially, although moderating somewhat over time as the planting matures. The same considerations indicate that proposal would also have a significantly harmful effect on the setting of this part of the CA. That said, the effect would be limited to the northern end of the CA and the harm to the heritage asset as a whole would be less than substantial.”

“For the reasons set out above, I have found that the proposal would be out of scale and character with its surroundings. It would, therefore, dominate in the view from VP1 (*view south-west across the site from the B1004*). Furthermore, given the height of the proposed buildings above Bromley Lane and the modest depth of planting on that boundary, I consider that the magnitude of change would not reduce significantly over time. As such, I find that the proposal would have a very large visual impact from VP1 and that the significance of the effect would be major. The topography of the site and the new planting would limit the visibility of many of the buildings from VP2 (*view along Bromley Lane, the northern site boundary*). However, the proposed access road would be clearly visible and would open up views into the body of the site and to part of the built development. The associated site visibility splays and any earthworks required to accommodate the change in levels between the site and Bromley Lane would add to the impact. As such, the magnitude of change would be medium/large and the significance of the effect would be moderate/major.”

“Overall, therefore, I find that the proposal would have a significantly detrimental effect on the character and appearance of the landscape and would lead to less than substantial harm to the setting of the CA. Consequently, it would conflict with Policies GBC14 and ENV1 of the LP. Together, these policies require development to be of a high standard of design which reflects local distinctiveness, complements the existing pattern of buildings, considers the loss of open land and conserves or enhances landscape features which strengthen local landscape character. Nor would it comply with LP Policy BH6 which requires development in or adjacent to conservation areas to be sympathetic to the character and appearance of the area and to respect important views into and out of the area.”(*References are to superseded Local Plan*)

“The proposal would also conflict with Policies DES2, DES4 and HA4 of the DP to the extent that they have similar aims.” (*References are to draft*

District Plan after Main Modifications)

“The proposal would also conflict with paragraphs 190, 192 and 193 of the Framework which require the desirability of sustaining and enhancing the significance of heritage assets and their settings to be taken into account and advise that great weight should be given to the asset's conservation irrespective of whether the harm is substantial or less than substantial.” *(References are to NPPF 2018)*

In the latest proposals, changes to the site layout have been made to mitigate some of these impacts by reduced density and scale at heritage sensitive edges, it is claimed.

Policy DES2 Landscape Character requires development proposals to demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district's landscape. Policy HA4 Conservation Areas permits new development in Conservation Areas provided that they preserve or enhance the special interest, character and appearance of the area. Development proposals outside a Conservation Area which affect its setting, such as this one, will be considered likewise.

NPPF para 129 requires “Planning policies and decisions should support development that makes efficient use of land, taking into account.....d) the desirability of maintaining an area's prevailing character and setting...” Para 135 requires “Planning policies and decisions should ensure that developments:.....c) are sympathetic to local character and history, including the surrounding built environment and landscape setting.....”

Contrary to these policies, the proposed built environment of 46 dwellings clearly does not conserve the landscape character, nor in the impact on its setting does it preserve the special interest of the Conservation Area, despite the attempted mitigations. Nor does it contribute to maintaining the area's prevailing character and setting.

Sustainable Travel

“I have already found that the appeal site is detached from the main built up area of Much Hadham. Whilst there is a footpath on the east side of High Street linking the site to the village, it is unlit and narrow in places. Moreover, although Much Hadham ranks quite highly for sustainability, local facilities and services are concentrated 1200m or more from the site boundary.”

“The appellant's updated Transport Statement (TS) refers to alterations to the junction of Bromley Lane and High Street in order to improve access to the existing footpath. Whilst I have no reason to doubt that this alteration would help improve pedestrian safety, it would not shorten the distance to the local facilities. In my view, given the distance and constraints involved in the route from the site, it would not be attractive or convenient for future occupiers to walk to the local facilities in Much Hadham for their day to day needs.”

“I conclude that the proposal would not be well located with regard to sustainable travel options.....”

Unsurprisingly, there have been no improvements to the footway into the village nor the distances to village facilities. In places around Spindle Bridge, the footway is barely 2 feet wide. The path is adjacent to the 40mph highway, which means in wet weather pedestrians are drenched by spray. Walking children to school would be fraught with anxiety. It is unclear what the proposals are for how pedestrians would exit the site and cross Bromley Lane

(speed limit 60mph) and then B1004 (speed limit 60mph from the north dropping to 40mph). Reference is made to a stepped path (section 3.9 D&A Statement), which would seem to preclude wheelchair access/egress.

Whilst the bus services have improved to 1/hr at the peak, the options for cycling have not. It is not correct for the application to consider the roads as broadly flat: the main route to Bishop's Stortford, for example, includes B1004 Winding Hill, steep enough for its gradient to be signposted. The neighbourhood plan notes (p49) that "There are no cycle routes connecting Much Hadham to the main settlements of Bishop's Stortford, Harlow and Ware." The inspector's conclusions remains valid: the proposal would not be well located with regard to sustainable travel options, contrary to policy TRA1.

For car drivers, the view left when exiting Bromley Lane to head south towards the village is severely compromised. Traffic on the road southwards is downhill within a 60mph zone, reducing to 40mph at the junction. It should be remembered that this is not the B1004, which is only joined at the junction with Winding Hill / New Barns Lane, but an unnamed C-road. Mention is made of improving the visibility splay at the junction but no undertakings have been given as to how this might be achieved.

The adverse comments by Highways in their submission of 9 September reflect residents' concerns and remain to be addressed satisfactorily.

3. Current Planning Policy

Planning policy changes in the intervening years since the appeal should be assessed for relevance.

The district plan was made in 2018 and the inspector had available the draft version. He referred to its policies in his findings. Those policies, in particular DES2, DES4 and HA4 and TRA1, still apply and this proposal conflicts with them.

The neighbourhood plan was made in 2022. It supports the district plan, permitting development in the rural area only in the very limited circumstances specified in district policy GBR2, none of which apply here.

It is not allocated for residential development in either the adopted district plan or the neighbourhood plan. Accordingly, it conflicts with the council's spatial strategy. In relation to the effect of the development on the rural character of the area, it would notably extend development into open countryside. The scheme would be at odds with the neighbourhood plan because of its location outside the village settlement boundary and in the rural area for planning purposes.

The current version of the NPPF was issued in December 2024 and provides the framework for assessing the planning balance.

In the planning balance, when assessed against the NPPF 2012, the inspector found:

".....bearing in mind the great weight to be attached to the proposal's harm to the setting of the CA, its significantly detrimental impact on the character and appearance of the landscape and the site's poor location in terms of sustainable travel, I find that the benefits of the proposal do not outweigh the harm."

The justification given in the planning statement for the new proposal is the lack of a 5 year housing supply and the application of the tilted balance under para 11d of the NPPF 2024:

"For decision-taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”

All of the shortcomings identified by the inspector still apply but the application of the tilted balance requires these harms to significantly and demonstrably outweigh the benefits. Three issues are relevant:

1. The site is still not in a sustainable location, contrary to NPPF para 115
2. One of the relevant policies under para 11 d) (i) is para 212, which renews the obligation to give great weight to the harm to the setting of the Conservation Area, a designated heritage asset, from development, providing a strong reason for the tilted balance not to be engaged
3. NPPF para 14 applies:

“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.....”

The neighbourhood plan was made in October 2022, less than 5 years ago and contains policies and site allocations to meet its identified housing need of 54 units over the plan period to 2033. The relevant neighbourhood plan policy MH H2 Village Development Boundary does not support development in the rural area.

The neighbourhood plan satisfies both criteria outlined in para 14 so the adverse impacts of development are *likely* to outweigh the benefits where the presumption in favour of sustainable development is triggered.

Emphasis added: “Likely” means “probably”, not possibly. “Likely” is the default assessment under the NPPF and it needs to be shown why the default does not apply if the protection of para 14 is to be set aside.

Thus, the NPPF sets a very high bar for not following the neighbourhood plan policies when the requirements of para 14a) and b) are met. It is not sufficient to simply point to the lack of a 5 year housing land supply as that is a prerequisite – a qualifying condition - in engaging para 11d and para 14. There has to be more justification for not following neighbourhood plan policies but none is provided in the Planning Statement.

Indeed, para 14 is not commented on in the Planning Statement at all and appears to have been overlooked.

4. Flooding



Bromley Lane and the Spindle Bridge junction are prone to severe flooding, as warned of by the local highway signage and evidenced by the numerous incidences of vehicles being damaged and abandoned at times of flooding. The consequence of road surface flooding for occupants of new housing would be to maroon them, cutting off access to the village and its facilities for drivers, pedestrians and cyclists.

The application is light in its plans for dealing with this, referring only to unblocking an existing culvert and extending it beyond the junction. There is no analysis of the volumes of surface water to be dealt with, culvert capacity, culvert management and whether flooding from the River Ash back towards Spindle Bridge would impede the flow from Bromley Lane. Where highway access is prone to severe flooding, as here, any housing site would seem unsuited in principle to development.

5. Conclusion

The plan would notably extend development into open countryside and the impact of the proposals on the rural setting of the village and its conservation area would be significantly adverse.

Bearing in mind the great weight to be attached to the proposal's harm to the setting of the conservation area, its significantly detrimental impact on the character and appearance of the landscape and the site's poor location in terms of sustainable travel, the benefits of the proposal do not outweigh the harm.

Vote: All councillors present voted to object to this application.