

## DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 15 APRIL 2026

<b>Application Number</b>	3/25/1097/FUL
<b>Proposal</b>	Erection of 31 residential dwellings including affordable housing (Use Class C3), new vehicular access off Tower Hill, landscaping, public open space and play space, outdoor education space (Use Class F1), cycle and car parking, and associated infrastructure
<b>Location</b>	Land To The Rear Of Hill House Tower Hill Much Hadham SG10 6DL
<b>Parish</b>	Much Hadham
<b>Ward</b>	Much Hadham

<b>Date of Registration of Application</b>	13 August 2025
<b>Target Determination Date</b>	6 November 2025
<b>Reason for Committee Report</b>	Major Application
<b>Case Officer</b>	James Mead

### **RECOMMENDATION**

That planning permission be **GRANTED** subject to a S106 legal agreement and the conditions set out at the end of this report.

#### **1.0 Summary of Proposal and Main Issues**

1.1 This application seeks full planning permission for the erection of 31 dwellings (use class C3), together with a new vehicular access from Tower Hill, internal access roads, landscaping works, drainage features, car parking areas and cycle storage facilities. The scheme would also provide an area of public open space, which would incorporate pedestrian routes and two small informal areas for play. In addition, the proposal includes the change of use of a parcel

of land along the northern site boundary to education purposes (use class F1). It is intended for this land to be transferred to the adjacent school.

- 1.2 The application site measures approximately 3.47 hectares in area and is predominantly made up of an undeveloped field and small pockets of woodland. The site is not allocated for development in the East Herts District Plan (2018). However, the Much Hadham Neighbourhood Plan (2022) identifies this site as a reserve housing site. The land sits largely outside of, but adjacent to, the village boundary of Much Hadham. This village is categorised as a group one village in the East Herts District Plan (2018), and is therefore one of the most sustainable villages in the District. The location of most of the site beyond the village boundary of Much Hadham means that the land is part of the Rural Area Beyond the Green Belt.
- 1.3 This scheme proposes the delivery of 31 new homes, with these dwellings intended to be located on the southern and central parts of the site. A new vehicular access would be created from Tower Hill (B1004), which is the primary route running through Much Hadham. An internal access road would run eastwards from Tower Hill (B1004) and into the site to serve this housing development. To the south of this main internal access road, it is intended to construct 25 new homes. Whereas, directly to the north of this access road, and in the central area of the site, a cluster of 6 houses is proposed.
- 1.4 The majority of the dwellings to the south of the main internal access road would be accessed via one of three southward extending secondary roads within the development. The other houses in this part of the site would be served by separate vehicular accesses directly from the main access road. Access to the cluster of 6 houses in the centre of the site would be achieved via driveways running north off the main access road.
- 1.5 To the north of the housing development, and on the northern side of the site, it is proposed to create an area of public open space. This open space would contain pedestrian routes and an existing public right of way could be diverted through this area (Much

Hadham 022). In addition, two small informal areas for play would be installed within this open space. A parcel of land to the north of this open space, and along the northern site boundary, would be transferred to St Andrews C of E Primary and Nursery School, as an outdoor area for the school. This land would be separated from the housing scheme and incorporated into the school grounds.

- 1.6 Two attenuation ponds are proposed to be created on the eastern side of the site and these would hold surface water when required. One of these ponds would be located to the east of the central cluster of 6 houses, whilst the second pond would be in the south-eastern corner of the development. Around these ponds it is proposed to plant new trees. It also intended to plant groups of trees along the main internal access road and adjacent to the existing areas of woodland. Further tree planting would be incorporated into the street layouts for the housing development. Across the southern site boundary shrubbery and hedging is intended to be planted, with three separate pedestrian links provided along this boundary and onto an adjacent public right of way (Much Hadham 025). The existing pockets of woodland on the western side of the site are proposed to be retained.

- 1.7 The proposed site layout for the scheme is shown in the image below.



- 1.8 Most of the new buildings would be of two storey height, with a small number of dwellings being single storey. A variety of housing sizes would be delivered across the site, ranging from one-bedroom flats through to five-bedroom houses. The overall housing mix is set out in the table below.

Housing Type	Number of Dwellings
One-Bedroom Flats	6
Two-Bedroom Houses	8
Three-Bedroom Houses	10
Four-Bedroom Houses	4
Five-Bedroom Houses	3

- 1.9 The scheme proposes to provide 12 affordable dwellings, which represents 40% affordable housing. Within this affordable housing provision, 83% of the total affordable units would be for affordable rent tenure (10 dwellings), whilst the remaining 17% would be delivered as shared ownership units (2 dwellings). The affordable units would be either one-bedroom flats, two-bedroom houses or three-bedroom houses. The overall affordable housing mix is outlined in the table below.

Size of Affordable Unit	Affordable Rent	Shared Ownership
One-Bedroom Flats	6	0
Two-Bedroom Houses	3	1
Three-Bedroom Houses	1	1

- 1.10 The application documents and plans submitted for approval are listed below. All of these have been considered in the preparation of this report.

Drawing Title	Drawing Number
Location Plan	152-PS-100
Proposed Layout – Floor Plan	152-PS-101 Rev No: B
Proposed Layout – Roof Plan	152-PS-102 Rev No: B
Proposed Layout (Coloured)	152-PS-103 Rev No: B
Proposed Layout (Coloured With Key)	152-PS-104 Rev No: B

Proposed Layout – Tenure Plan	152-PS-120 Rev No: B
Proposed Layout – Materials Plan	152-PS-121 Rev No: C
Proposed Layout – Adopted Roads Plan	152-PS-122 Rev No: B
Proposed Layout – Parking and Cycling Plan	152-PS-123 Rev No: B
Proposed Layout – Refuse Collection Plan	152-PS-124 Rev No: B
Proposed Layout – Building Heights Plan	152-PS-125 Rev No: B
Landscape Illustrative Section AA	GUA-XX-XX-DR-L Revision P03
Landscape Illustrative Section BB	GUA-XX-XX-DR-L Revision P02
Landscape Illustrative Section CC	GUA-XX-XX-DR-L Revision P03
Landscape Masterplan	GUA-XX-XX-DR-L-0001 Revision P06
Illustrative Landscape Masterplan	GUA-XX-XX-DR-L Revision P07
Hard Landscape and Boundary Treatment Proposals	GUA-XX-XX-DR-L-1001 Revision P04
Hard Landscape and Boundary Treatment Proposals	GUA-XX-XX-DR-L-1002 Revision P04
Hard Landscape and Boundary Treatment Proposals	GUA-XX-XX-DR-L-1003 Revision P03
Hard Landscape and Boundary Treatment Proposals	GUA-XX-XX-DR-L-1004 Revision P05
Hard Landscape and Boundary Treatment Proposals	GUA-XX-XX-DR-L-1005 Revision P03
Soft Landscape Proposals	GUA-XX-XX-DR-L-2001 Revision P04
Soft Landscape Proposals	GUA-XX-XX-DR-L-2002 Revision P04
Soft Landscape Proposals	GUA-XX-XX-DR-L-2003 Revision P03
Soft Landscape Proposals	GUA-XX-XX-DR-L-2004 Revision P05
Soft Landscape Proposals	GUA-XX-XX-DR-L-2005 Revision P03
Planting Schedules	GUA-XX-XX-DR-L-3001 Revision P07
Plots 1 – 2 Plans and Elevations	152-PS-201

Plots 3 – 4 Plans and Elevations	152-PS-202 Revision B
Plots 5 Plans and Elevations	152-PS-203 Revision A
Plot 6 Plans and Elevations	152-PS-204
Plots 7 Plans and Elevations	152-PS-205 Revision A
Plot 8 Plans and Elevations	152-PS-206
Plots 9 Plans and Elevations	152-PS-207 Revision A
Plots 10 Plans and Elevations	152-PS-208 Revision A
Plots 11 Plans and Elevations	152-PS-209 Revision A
Plots 12 and 13 Plans and Elevations	152-PS-210
Plots 14 Plans and Elevations	152-PS-211 Revision A
Plots 15 Plans and Elevations	152-PS-212
Plots 16 Plans and Elevations	152-PS-213 Revision B
Plots 17 – 18 Plans and Elevations	152-PS-214
Plots 19 Plans and Elevations	152-PS-215 Revision B
Plots 20 Plans and Elevations	152-PS-222 Revision B
Plots 21 Plans and Elevations	152-PS-217
Plots 22 Plans and Elevations	152-PS-218 Revision B
Plots 23 Plans and Elevations	152-PS-217 Revision A
Plots 24 – 25 Plans and Elevations	152-PS-219
Plots 26 – 27 Plans and Elevations	152-PS-220
Plots 28 – 31 Plans and Elevations	152-PS-221
Site Sections	152-PS-300 Revision A
Visibility Splays	KMC23024 / 002
Vehicular Swept Paths Analysis Using 8.2m Fire Tender (Sheet 1 of 2)	KMC23024 / TR05 (1)
Vehicular Swept Paths Analysis Using 8.2m Fire Tender (Sheet 2 of 2)	KMC23024 / TR05 (2)
Proposed Site Access Vehicular Swept Paths Analysis Using 12.1m Refuse Vehicle	KMC23024 / TR06

Surface Water Drainage Strategy	23-041-005 Rev F
Foul Water Drainage Strategy	23-041-002 Rev D

- 1.11 The documents submitted in support of this application are listed below. All of these have been considered in the preparation of this report.

<b>Document</b>
Accurate Visual Representations (AVR) Revision B (Prepared by: Andy Maw Design, Dated: 11th October 2025)
Acoustic Report (Prepared by: Abbey Consultants, Dated: June 2025)
Addendum and Response to LLFA Comments Rev B (Prepared by: Charles and Associates, Dated: December 2025)
Air Quality Assessment (Prepared by: Redmore Environmental, Dated: 23rd May 2025)
Arboricultural Implications Report (Prepared by: SJA Trees, Dated: May 2025)
Archaeological Desk-Based Assessment (Prepared by: GHC Archaeology & Heritage Ltd, Dated: May 2025)
ASHP Noise Assessment (Prepared by: Abbey Consultants, Dated: 7 November 2025)
Biodiversity Gain Assessment (Prepared by: BSG Ecology, Dated: 9 December 2025)
Biodiversity Questionnaire (Dated: 13/06/2025)
Built Heritage Statement Version 3 (Prepared by: Pegasus Group, Dated: 28.05.2025)
Design and Access Statement (Prepared by: Hill Residential)
Ecological Impact Assessment 2025 (Prepared by: BSG Ecology, Dated: 13 June 2025)
Energy and Sustainability Statement (Prepared by: Abbey Consultants, Dated: June 2025)
Energy and Sustainability Statement Addendum (Prepared by: Abbey Consultants, Dated: October 2025)
Flood Risk Assessment, Surface and Foul Water Drainage Strategies Rev D (Prepared by: Charles and Associates, Dated: December 2025)
Geoenvironmental Report and Land Contamination Revision B (Prepared by: Enzygo Geoenvironmental Ltd, Dated: April 2025)

Great Crested Newt Technical Note (Prepared by: MKA Ecology, Dated: 14 July 2025)
Heritage Note (Prepared by: Pegasus Group, Dated: 08/10/2025)
Landscape and Visual Impact Appraisal (Prepared by: Guarda Landscape, Dated: October 2025)
Legal Opinion (Prepared by: Stephanie Hall, Kings Chambers, Dated: 4th November 2025)
Lighting Impact Assessment Issue 2 (Prepared by: QODA, Dated: 30.05.2025)
Market and Affordable Housing Need Statement (Prepared by: Savills, Dated: June 2025)
Planning Statement (Prepared by: Savills, Dated: June 2025)
Proposed Visualisations (Drawing Number: 152-PS-301 Rev No: C)
Proposed Visualisations (Drawing Number: 152-PS-302 Rev No: C)
Report on the Much Hadham Affordable Housing Needs Survey (Prepared by: CDA Herts, Dated: 07/08/2024)
Reptile Survey Version 3.0 (Prepared by: MKA Ecology, Dated: 18 July 2025)
Reptile, Great Crested Newt and Badger Report (Prepared by: BSG Ecology, Dated: 4 June 2025)
School Extension Outline Landscape Proposals (Drawing Number: GUA-XX-XX-DR-L-4001 Revision P04)
School Extension Sketch Proposals (Drawing Number: GUA-DR-L-001 Revision P08)
Statement of Community Involvement (Prepared by: Cratus Group, Dated: June 2025)
Statutory Biodiversity Metric (Dated: 29 May 2024)
Transport Statement Issue 2 (Prepared by: KMC Transport Planning, Dated: June 2025)
Travel Plan Statement Issue 2 (Prepared by: KMC Transport Planning, Dated: June 2025)

- 1.12 The main planning issues for consideration relate to the balance between the benefits of the scheme (for example, housing delivery and affordable housing provision), weighed against any negative aspects arising from the proposed development. When assessing the proposed development on this site, regard must be had to the interaction between the policies within the Much Hadham

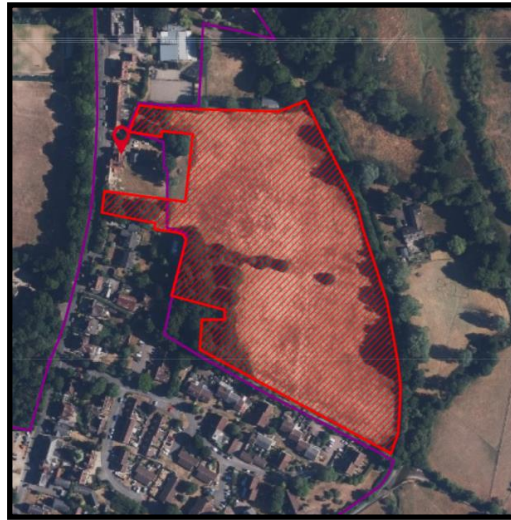
Neighbourhood Plan (2022) (MHNP), the East Herts District Plan (2018) (DP) and the National Planning Policy Framework (2024) (NPPF).

1.13 The key issues for consideration are:

- Principle of Development;
- Affordable Housing and Housing Mix;
- Design Quality;
- Landscape Character and Visual Impacts;
- Impacts on Heritage Assets;
- Neighbouring Amenity;
- Access, Highways and Transport;
- Trees, Biodiversity and Ecology;
- Flood Risk, Drainage and Water Environment;
- Sustainable Design and Climate Change;
- Pollution, Land Contamination and Other Matters;
- Infrastructure Requirements; and
- Conclusion and Planning Balance.

## **2.0 Site and Surroundings**

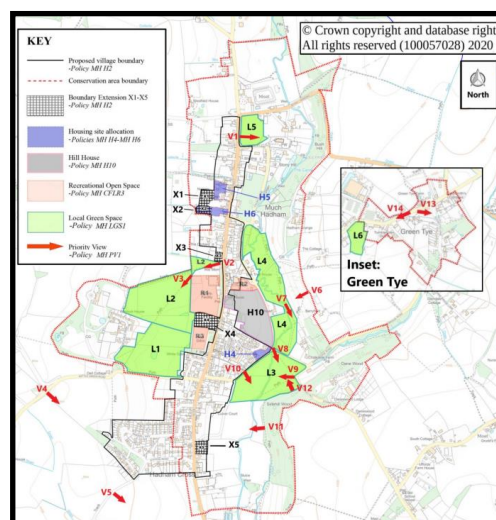
2.1 The application site measures approximately 3.47 hectares in area and is predominantly made up of an undeveloped field, together with small pockets of woodland. This field is situated to the east of Much Hadham, which is designated as a group one village in the East Herts District Plan (2018). The site is largely outside of, but adjacent to, the village boundary of Much Hadham. However, a small area of woodland on the western side of the site falls within the village boundary. The location of the majority of the site beyond the village boundary means that most of the land is within the Rural Area Beyond the Green Belt. The image below shows the application site hatched in red and the village boundary marked in purple.



- 2.2 This field is largely comprised of overgrown grassland, with a few small, scattered trees present in the central area. It is understood that this field is not actively farmed or used for any agricultural purposes. Towards the south-western corner of the site there is a small area of woodland, as well as some dilapidated sheds. There are also two further small pockets of trees present along the central part of the western site boundary. The eastern site boundary is heavily lined by mature trees and vegetation, which runs alongside Oudle Lane. In the south-eastern corner of the site there is a historic gated access into the field. The land levels on site generally slope away to the east and south-east, with the lowest point found in the south-eastern corner.
- 2.3 The site is located to the east of Tower Hill (B1004), which is the main route running through Much Hadham. The field is however set-back from this road, as it sits to the rear of several properties that front onto Tower Hill (B1004). Directly to the south of the site is a public footpath (Much Hadham 025) and beyond this there are houses on Ash Meadow, as well as several protected trees. St Andrews C of E Primary and Nursery School neighbours the field to the north, with a narrow footway separating the site from the main areas of this school. There is a further public footpath close to the north-western corner of the site (Much Hadham 022), which is shown to begin at Tower Hill (B1004), before running north-eastwards through the school grounds.
- 2.4 To the east the site is bound by Oudle Lane, which is an unclassified and narrow rural road. The field sits at an elevated land level, in

relation to Oudle Lane. The land further to the east of Oudle Lane is generally characterised by open countryside, blocks of woodland and small scattered groups of buildings. The River Ash is a short distance to the east of the site, with an associated ford found directly opposite the gated access in the south-eastern corner of the field. The majority of the site is within Flood Zone 1, however Flood Zone 2 extends over a small part of the field in the south-eastern corner.

- 2.5 The site is within the Much Hadham Conservation Area (CA) and sits relatively centrally within this designated heritage asset. There are various listed buildings in the vicinity. Directly to the west is the grade II listed Hill House (The Barn School). The application site has historically been associated with Hill House and is often referred to as the Barn School field. In addition, close to the north-western corner of the site there are grade II listed almshouses. A historic building at the adjacent school is also grade II listed, while there is a grade II listed telephone kiosk on Tower Hill a short distance to the west. There are numerous other listed buildings further afield within Much Hadham and in the nearby countryside. The site is also in an Area of Archaeological Significance.
- 2.6 The application site is not allocated for development within the East Herts District Plan (2018). However, the adopted Much Hadham Neighbourhood Plan (2022) identifies the site as a reserve site to help meet future additional housing need in Much Hadham. The policies map from the Much Hadham Neighbourhood Plan is shown below, with the application site highlighted in grey and labelled H10.



2.7 The Strategy underpinning the Neighbourhood Plan sets the aim to *“deliver the housing requirement for the village as set out in the East Herts District Plan. The minimum target has been viewed positively, recognising that appropriate housing will allow younger residents to stay or move into the village, and will allow downsizers to scale down, releasing larger houses to growing families might otherwise be forced to move away from the parish to meet their housing needs”*.

### **3.0 Planning History**

3.1 There is no relevant planning history for this site.

3.2 The applicant has however engaged with officers through the Council’s pre-application service, with three pre-applications submitted relating to the development of this site between 2024 and 2025 (references: M/24/0013/MPREAP, M/24/0023/MPREAP and M/25/0001/MPREAP).

3.3 The initial 2024 pre-application submission proposed the delivery of 34 new homes on the site. The site layout for that pre-application is shown in the image below. Officers questioned several elements of this pre-application scheme, including the density of the development, the lack of landscaping, potential impacts on views, possible effects on heritage assets, the materiality, the roof forms and the number of accessible homes. In addition, officers commented on the principle of development, given that the site is outside the village boundary and within the Rural Area Beyond the Green Belt, but is allocated as a reserve housing site in the Much Hadham Neighbourhood Plan (2022).



3.4 Within their submitted Design and Access Statement and Planning Statement the applicant has sought to explain how the scheme has evolved throughout the pre-application process. In addition, these documents set out how, in the applicant's view, the final scheme responds to the comments made by officers at pre-application stage.

#### 4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (2024) (NPPF), the adopted East Herts District Plan (2018) (DP) and the adopted Much Hadham Neighbourhood Plan (2022) (MHNP).

<b>Main Issue</b>	<b>NPPF Chapters</b>	<b>DP Policies</b>	<b>MHNP Policies</b>
Principle of Development	2, 5, 9, 11 and 15	INT1, DPS1, DPS2, DPS3, GBR2, VILL1, ED2, TRA1, CFLR7 and CFLR10	MH H1, MH H2 and MH H10
Affordable Housing and Housing Mix	5	HOU1, HOU3 and HOU7	MH H3
Design Quality	8, 11, 12 and 15	GBR2, HOU2, HOU7, DES3, DES4 and DES5	MH D1, MH D2, MH D4, MH D5 and MH CFLR1
Landscape Character and Visual Impacts	12 and 15	GBR2, DES2 and DES3	MH PV1
Heritage Assets	16	HA1, HA2, HA3, HA4 and HA7	MH D2 and MH HA2
Neighbouring Amenity	12	DES4 and EQ2	
Access, Highways and Transport	9	TRA1, TRA2, TRA3 and	MH D2, MH ITC1 and MH

		CFLR3	CFLR1
Trees, Biodiversity and Ecology	15	DES3, NE1, NE2, NE3 and NE4	MH LNE1 and MH LNE3
Flood Risk, Drainage and Water Environment	14 and 15	WAT1, WAT3 and WAT5	MH LNE2
Sustainable Design and Climate Change	12 and 14	DES4, ED3, CC1, CC2 and WAT4	MH D1 and MH ITC2
Pollution and Land Contamination	12, 15 and 17	EQ1, EQ2, EQ3 and EQ4	
Infrastructure Requirements	4, 8 and 9	DPS4, TRA1, CFLR1, CFLR3, CFLR7, CFLR9, CFLR10, DEL1 and DEL2	MH SP1

4.2 A revised NPPF was recently out for consultation, with the consultation closing on 10 March 2026. This draft national policy includes specific and separate plan-making and decision-making policies. The revised NPPF is proposed to be more directive of decision-making in support of appropriate housing and commercial developments. The consultation document explains that the amended NPPF is underpinned by three principal objectives, as noted below:

- To ensure that national planning policy is accessible and understandable for everyone who uses it;
- To establish a comprehensive suite of national policies on general planning matters which will apply across the country; and
- To make the policy which it contains more 'rules-based' and certain.

- 4.3 While the revised NPPF is noted for information, very limited weight is currently given to this document, in light of its draft status. The current NPPF, the adopted DP and the adopted MHNP continue to contain the policies most important for the assessment of this application.
- 4.4 Other relevant issues and relevant guidance are referred and considered in the 'Considerations of Issues' sections below.

## **5.0 Equality Act 2010**

- 5.1 Section 149 of the Equality Act (2010) confirms that a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equality considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic, and local) and any relevant supplementary guidance. The policies and guidance referred to in this committee report have all been subject to an Equalities Impact Assessment (EqIA), and therefore the planning policy framework is considered to meet the first stage in the process. Officers have duly considered the equalities impacts on protected groups in the context of the development proposals.

## **6.0 Summary of Consultee Responses**

*Note: East Herts District Council (EHDC) and Hertfordshire County Council (HCC).*

- 6.1 HCC Highway Authority: Do not wish to restrict the grant of permission, subject to a financial contribution of £300,111 (index linked by SPONS March 2024) being secured towards the Local Cycling and Walking Infrastructure Plan in the vicinity. Conditions are also recommended regarding the vehicular access, visibility splays and a Construction Traffic Management Plan.
- 6.2 The Highway Authority considers that the bellmouth junction off Tower Hill is appropriate, given the site's proximity to a school.

Prioritising vehicular access, in this case, assists with reducing potential conflicts. This consultee acknowledges that parked vehicles would be present near to the access, including within visibility splays. However, guidance advises that this is quite common, and given the generally low vehicles speeds in this area, this is not considered a significant safety concern. The internal road network is considered to meet relevant standards. The pedestrian crossings, swept path analysis and visibility splays are acceptable.

- 6.3 This consultee notes the Transport Assessment, which estimates 16 two-way trips (11 out) in the AM peak and 16 two-way movements (5 out) in the PM peak. It is not considered that the capacity of the proposed site access/Tower Hill junction would be exceeded. There would not be a severe impact.
- 6.4 The Highway Authority outlines that there have been no recorded accidents within the vicinity of the access in the past 5 years. This junction has visibility splays in both directions that meet the technical standards.
- 6.5 This consultee considers the site to be sustainable in highways terms for a rural location. This is because the site is within achievable walking or cycling distance from a bus stop, primary school, small convenience store and leisure facility. The bus that serves the village is the 35 and 35C. The 35 is the most frequent route which serves Hertford to Bishop's Stortford every hour.
- 6.6 HCC Ecology: No objection, subject to significant biodiversity net gains being secured in a Section 106 legal agreement. Conditions are also recommended regarding a Construction Environmental Management Plan (CEMP), a lighting strategy and wildlife enhancements.
- 6.7 The Ecology Officer outlines that there are no records of notable ecological interest from this site. However, the potential presence of bats, breeding birds, reptiles, great crested newts, grass snakes and mammals is noteworthy. The submitted Ecological Report concludes that with mitigation and habitat creation, no significant adverse

ecological effects are anticipated. The Ecology Officer considers that there is no reason to disagree with this outcome.

- 6.8 This consultee recommends that the CEMP secured via condition includes details of repeat surveys for mammals, measures to prevent animals becoming trapped, a non-licensed method statement for great crested newts, vegetation clearance, repeat surveys for reptiles, retention of trees that may support bat roosts and a sensitive lighting strategy. A lighting strategy for the operational stage of the development should also be required via condition.
- 6.9 The Ecology Officer explains that the application would be automatically subject to the general biodiversity gain plan condition. This consultee notes that the submitted metric and biodiversity net gain assessment indicate that a net gain of 16.19% in habitat units and 10.22% in hedgerow units can be delivered on site. The trading rules are considered to be met. It is advised that the measures to achieve the net gain should be secured in a legal agreement. A Habitat Management and Monitoring Plan should form part of the legal agreement and this should describe how the net gain will be achieved, monitored and maintained for a 30-year period.
- 6.10 HCC Fire and Rescue Service: No objection, subject to a condition requiring the provision and installation of fire hydrants.
- 6.11 HCC Growth and Infrastructure: No objection, subject to the following financial contributions being secured:
- Secondary Education Contribution (£280,088 index linked to BCIS 1Q2024 and BCIS Regional Factor);
  - Childcare 0 – 2 years Contribution (£5,897 index linked to BCIS 1Q2024);
  - Childcare 5 -11 years Contribution (£358 index linked to BCIS 1Q2024);
  - Special Educational Needs and Disabilities (SEND) Contribution (£52,735 index linked to BCIS 1Q2024 and BCIS Regional Factor);

- Library Service Contribution (£7,842 index linked to BCIS 1Q2024);
- Youth Service Contribution (£5,330 index linked to BCIS 1Q2024);
- Recycling Centre Contribution (£697 index linked to BCIS 1Q2024);
- Waste Transfer Station Contribution (£4,627 index linked to BCIS 1Q2024)
- Fire and Rescue Service Contribution (£13,305 index linked to BCIS 1Q2024)
- Monitoring Fee (each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024).

6.12 The Growth and Infrastructure Team advises that they are supportive of the proposal to provide a new public right of way to divert the existing public right of way. This should be legally defined as 3 metres wide.

6.13 HCC Historic Environment: No objection, subject to a condition securing a programme of archaeological work.

6.14 The Historic Environment Team advises that the site is within an Area of Archaeological Significance, which denotes the historic core of the settlement of Much Hadham, dating from at least the late Anglo-Saxon period and may have earlier origins. It also includes notable sites such as The Lordship, Moor Place, Much Hadham Hall and the once separate settlement of Hadham Cross. The site is positioned in close proximity to notable sites, including the medieval parish church of St Andrew, the medieval moated site and later house known as The Lordship.

6.15 The Historic Environment Team do not agree with the recommendations of the submitted desk-based assessment. It is considered that there is definitive potential for remains dating to at least the medieval period. Furthermore, the historic environment record notes archaeological evidence in the area, including the projected course of a Roman road, as well as a Neolithic axe.

Therefore, the proposal should be viewed as likely to impact on heritage assets of archaeological interest.

- 6.16 HCC Local Lead Flood Authority (LLFA): No objection, subject to conditions securing: the final detailed design of the surface water drainage system, the management and maintenance arrangements, a verification report, a Construction Phase Surface Water Management plan and compliance with the Flood Risk Assessment.
- 6.17 The LLFA initially objected to the proposal, due to concerns regarding: the location of the discharge point to culvert, discrepancies with calculations, missing information on plans, off-site flood risk, finished floor levels, lack of drawings for drainage features, absence of maintenance details and the omission of a construction management plan. Following this, the applicant submitted an updated Flood Risk Assessment, Surface Water Drainage Strategy and Foul Water Drainage Strategy, including revised drainage plans. The LLFA reviewed the updated documents and subsequently withdrew their objection.
- 6.18 HCC Minerals and Waste: No objection, subject to a condition securing a Site Waste Management Plan.
- 6.19 The Minerals and Waste Team confirm that the proposal does not have the potential to unacceptably sterilise mineral resources. It is not considered necessary to investigate the potential for prior extraction of mineral resources at the site. While prior extraction is not necessary, the Minerals and Waste Team encourage opportunities for opportunistic extraction to be considered.
- 6.20 EHDC Conservation and Design: Raises no objection to the proposals. However, the Conservation and Design Officer has identified less than substantial harm to the setting of the grade II listed Hill House and the significance of the Much Hadham Conservation Area. In addition, this consultee suggests that several improvements could be made to the scheme.

- 6.21 The Conservation and Design Officer notes that the setting of the grade II listed almhouses is informed by their location on the main road, their rear gardens and the nearby school. The site is considered to contribute little to the setting or significance of this heritage asset. In any case, this consultee explains that the proposed layout, with the northern edge of the site being undeveloped, ensures that there would be any impact on the setting or significance of the almhouses.
- 6.22 The Conservation and Design Officer notes that the site does contribute to the setting and significance of the grade II listed Hill House, both historically due to the former association, but also visually allowing views of the rear of the house. The proposal would impact on this area of land, including its openness, verdant character, as well as the views. This consultee also considers the existing green gap to the south of Hill House to be of significance to the setting of this listed building. This gap allows Hill House to be visually prominent within the street scene by creating separation from other development. The proposed access would therefore affect the listed building's architectural interest, due to the loss of the gap, greenery and separation, as well as the introduction of vehicular movements.
- 6.23 This consultee acknowledges that the site is not identified in the Conservation Area Character Appraisal as an 'important open space to be protected'. However, the open and green nature of the site relates to the characteristics of the Conservation Area, which includes numerous areas of green space. The site also contributes to the Conservation Area through allowing views over this land from the footpath to the south, which is an approach to the village. The Conservation and Design Officer notes that the creation of backland development would impact the significance of the Conservation Area.

*Design*

- 6.24 The Conservation and Design Officer outlines the provision of three pedestrian connections to the south is supported. The overall layout is considered acceptable and responds to the surrounding

development. The 'farmyard' character for the northern part of the housing development responds to the setting. It is also considered that the proposed building heights respect the surrounding development, being maximum two storey.

- 6.25 This consultee notes there is repetition in design. The lack of variety in window designs and proportions is also raised as a concern. Further comments are made in connection with other recommended improvements including advice on materials, the suggestion to reorientate the entrances to plots 3 and 4, potential for single storey blocks on the eastern side and suggested alternative boundary treatments. It is recommended that permitted development rights are restricted.
- 6.26 EHDC Environmental Health (Air Quality and Contamination): No objection, subject to conditions regarding unexpected contamination, electric vehicle charging points and gas-fired boilers.
- 6.27 EHDC Environmental Health (Noise and Light): No objection, subject to the noise levels from air source heat pumps, as set out in the Noise Report, being met.
- 6.28 EHDC Housing: Raises no objection to the proposals. The Housing Officer supports the level of affordable housing provision and the proposed tenure split, however raises concern with the size of affordable units.
- 6.29 This consultee considers the overall provision of 40% affordable housing to be acceptable. In addition, the tenure split of 83% affordable rent and 17% shared ownership is supported. However, the Housing Officer notes that the mix of units, in terms of size, does not meet requirements. The latest evidence indicates a high need across the District for one-bedroom flats, two-bedroom houses, three-bedroom houses and some four-bedroom houses. The scheme contrasts this need with 60% of the affordable units being one-bedroom flats and 10% being three-bedroom houses.

- 6.30 The Housing Officer provides further advice regarding the need to meet the Technical Housing Standards – Nationally Described Space Standard. In addition, this consultee notes that double bedrooms should be capable of accommodating two single beds and M4(3): Category 3 Wheelchair User Dwellings should show circulation routes for wheelchair use. A proportion of the affordable units should meet M4(3) standards. The affordable units should be integrated into the open market housing using design methods, such as tenure blind and ‘pepper potting’.
- 6.31 EHDC Landscape Officer: Raises no objection to the proposals. However, this consultee does identify some landscape and visual harm, and also suggests that some improvements could be made to the scheme. In the event of the scheme being supported, the Landscape Officer recommends conditions securing a methodology for restoration of woodland and hedgerows, as well as a Landscape and Ecological Management Plan.
- 6.32 This consultee has not challenged the conclusions of the submitted Landscape and Visual Impact Assessment (LVIA). The most significant views from the landscape to the east are from a section of permissive footpath, represented by viewpoints 23, 24 (also representative of Neighbourhood Plan priority view 6) and 25. The Landscape Officer broadly supports the retention of the upper areas of the site as open space, as these are the most visibly sensitive parts of the site in these views. However, this consultee notes that there are still available views into the heart of the development. It is recommended that open spaces must be sufficient to accommodate trees that will provide maximum visual mitigation.
- 6.33 The Landscape Officer acknowledges that LVIA viewpoints 12, 13 and 14 along Tower Hill experience a significant change, owing to their proximity to the site and the access point. In addition, LVIA viewpoints 15 and 16 from along the public footpath (Much Hadham 025) experience a significant change, with direct views into the southern side of the site.

- 6.34 This consultee notes that the access road is located in a visually sensitive area. There is concern that parking spaces off this road and the movement of vehicles along the road would have a negative impact on LVIA viewpoint 24. It is also considered that the outdoor education space, including associated equipment and structures, is likely to be visible in LVIA viewpoint 24.
- 6.35 This consultee considers that space for street trees and structural planting is currently lacking in the southern part of the development. The LVIA recommends the addition of street trees throughout, however the Landscape Officer notes that this has not been realised within the final Landscape Masterplan. It is suggested that opportunities to reduce the extent of hard surfacing and add street trees should be explored.
- 6.36 The Landscape Officer considers that Plots 16 – 31 contain inaccessible small gardens and appear dense and cramped. The consultee suggests that the layout could be improved.
- 6.37 This consultee supports the retention, enhancement (gapping up) and long-term management of the existing hedgerow along Oudle Lane. Importantly, the hedgerow should be extended to block up the current site access and provide additional mitigation of views. A methodology for this restoration could be secured via condition.
- 6.38 The Landscape Officer supports the retention and enhancement of existing woodland. It is questioned whether this should include removal of the structures in the woodland. A methodology for restoration and management of the woodland could be secured by condition.
- 6.39 EHDC Section 106 Officer: No objection, subject to the following financial contributions being secured:
- Allotments Contribution (£5,487 index linked to RPI all items from May 2020 to payment trigger date);
  - Bowls Contribution (£7,466 index linked to RPI all items from May 2020 to payment trigger date);

- Children's Play and Provision for Young People Contribution (£66,562 index linked to RPI all items from May 2020 to payment trigger date)
- Fitness Gyms Contribution (£7,886 index linked to RPI all items from May 2020 to payment trigger date);
- Monitoring Contribution (£5,100 index linked to RPI all items from date of resolution to payment trigger date);
- Natural and Semi Natural Green Space Contribution (£12,865 index linked to RPI all items from May 2020 to payment trigger date).
- Outdoor Tennis Contribution (£5,115 index linked to RPI all items from May 2020 to payment trigger date);
- Parks and Gardens and Amenity Green Space Contribution (£30,559.00 index linked to RPI all items from May 2020 to payment trigger date);
- Playing Pitches Contribution (£16,275 Index linked to RPI all items from May 2020 to payment trigger date);
- Recycling and Refuse Contribution (£2,256 index linked to RPI all items from October 2008 to payment trigger date)
- Sports Hall Contribution (£17,745 index linked to RPI all items from May 2020 to payment trigger date);
- Studio Space Contribution (£3,258 index linked to RPI all items from May 2020 to payment trigger date);
- Swimming Pool Contribution (£18,146 index linked to RPI all items from May 2020 to payment trigger date); and
- Village Hall and Community Centre Contribution (£21,479 index linked to RPI all items from May 2020 to payment trigger date).

6.40 EHDC Sustainability Officer: Raises no objection to the proposals. Conditions are recommended to secure a Site Waste Management Plan, Construction Management Plan and details of lighting. Several other queries are outlined.

6.41 The Sustainability Officer requests further clarification regarding the water efficiency calculations and suggests that the applicant should consider installing solar panels on the new dwellings. It is questioned whether rainwater harvesting goods will be provided.

- 6.42 This consultee queries the location of the visitor parking spaces and also suggests that more street trees should be planted, along with play along the way features. Swift bricks, bat boxes, hibernacula and hedgehog highways should be provided. It is also outlined that attenuation ponds should not be fenced and should have an appropriate gradient. The positioning of electric vehicle charging points should be clarified and sufficient space should be provided for refuse storage.
- 6.43 EHDC Waste Services: No objection.
- 6.44 Active Travel England: No comments to make.
- 6.45 Affinity Water: No objection. Advice is provided regarding groundwater pollution, water supply and the potential of water mains running near to the site. It is also recommended that the development includes water efficient fixtures and fittings.
- 6.46 Cadent Gas: No objection. An informative is recommended advising the applicant to provide details to Cadent Gas prior to commencement of works.
- 6.47 Environment Agency (EA): No objection. An informative is recommended regarding a Flood Risk Activity Permit. The EA advises that parts of the site are within fluvial Flood Zones 2 and 3, but all of the built development is located within Flood Zone 1.
- 6.48 Health and Safety Executive: No comments to make.
- 6.49 Historic England: No comments to make.
- 6.50 Natural England: No objection, subject to a financial contribution of £540.07 per dwelling being secured to mitigate the impact of the development on the Hatfield Forest Site of Special Scientific Interest and National Nature Reserve. This contribution would go towards Strategic Access Management and Monitoring (SAMM) measures for the Hatfield Forest.

- 6.51 NHS Hertfordshire and West Essex Integrated Care Board: No request for financial contributions.
- 6.52 Thames Water: No objection, in relation to foul water network capacity. An informative is recommended regarding the need for a Groundwater Risk Management Permit.
- 6.53 UK Power Networks: No objection. Advice is provided regarding the presence of underground cables running within close proximity to the proposed development.

## **7.0 Town/Parish Council Representations**

- 7.1 Much Hadham Parish Council objects to the application, as they consider the scheme to be in conflict with the Neighbourhood Plan and spatial development strategy for the District. In addition, the Parish Council objects on the basis of: landscape impacts, effects on priority views, inadequate affordable housing provisions, unacceptable design, concern regarding management arrangements, lack of clarity on diverted public right of way, uncertainty on outdoor area for the school, absence of play space, impact on heritage assets, concern with highway safety, effects on the River Ash and loss of agricultural land. The Parish Council's comments are further summarised below.

### *Principle of Development*

- The Parish Council consider the development to be contrary to DP Policies DPS2 and VILL1, as the site is outside the village boundary.
- The Parish Council note that MHNP Policy MHNP MH H1 does not list the site as being required to meet the housing target for the village.
- The Parish Council explain that MHNP Policies MH H2 and MH H10 refer to development coming forward through a neighbourhood development order. However, these

representations note that unfortunately this application is not a rural exception scheme, nor has it come forward through a neighbourhood development order.

- The Parish Council explain that MHNP Policy H10 expects the development of this site to be required or proven and supported by a parish-wide housing survey. It is accepted that a survey has been undertaken, however the Parish Council highlight that the survey does not provide any evidence of a need for market housing, contrary to the policy requirement.
- The Parish Council conclude that the application is not for development permitted under MHNP Policies MH H1, MH H2 or MH H10, and therefore the proposals do not satisfy DP Policy GBR2. On this basis, the Parish Council consider that the proposal conflicts with the development plan.
- The Parish Council consider that Paragraph 14 of the NPPF should be given substantial weight. In the Parish Council's view, the adverse impact of allowing development that conflicts with the Neighbourhood Plan should significantly and demonstrably outweigh the benefits of the proposal. The criteria of Paragraph 14 of the NPPF are considered to be met, as the Neighbourhood Plan is less than five years old and allocates sites to meet the identified housing requirement.
- The Parish Council highlight that the applicants submitted Counsel Opinion has not considered Paragraphs 29 -31 of the NPPF.
- In response to the Counsel Opinion, the Parish Council explain that MHNP Policy NH H2 does not restrict the application process solely to a neighbourhood development order, as it also allows the scheme to come forward through a community right to build order or as a rural exception scheme.
- The Parish Council consider that the draft NPPF supports the Neighbourhood Plan approach, as Policy S5 of this revised

national policy refers to developments outside of settlement boundaries coming forward via neighbourhood development orders, community right to build orders or as rural exception sites.

- The Parish Council accepts that the housing target of 54 homes for the village is a minimum. However, it is noted that the site is outside the village boundary. The Parish Council outline that a policy permitting more than 54 new dwellings within the village boundary should not be used as a justification for supporting a proposal outside the village boundary.

#### *Landscape Impact and Priority Views*

- The Parish Council consider that this development would result in loss of a buffer between the village and the countryside, meaning that the transition would be lost.
- The Parish Council consider would harm landscape character and urbanise the site by adding built development, where there currently is little.
- The Parish Council consider that there would be loss of semi-rural character, as viewed from the public footpaths along the boundaries.
- The Parish Council consider that the development would harm the landscape, contrary to DP Policy DES2.
- The Parish Council consider that the applicant's visualisation of priority view 6 shows the intrusiveness of the development. It is noted that the visualisation does not show the impact of traffic and parking on this view. This is considered to be uniquely harmful, as vehicles are not currently evident in this viewpoint.
- The Parish Council comment that the applicant's winter visualisation of priority view 12 does not point in the same direction as the view presented in the Neighbourhood Plan.

- The Parish Council consider that the development would significantly harm priority view 12.
- The Parish Council consider that the exceptional circumstances required to allow development that impacts on views, as set out by MHNP MH PV1, have not been demonstrated.
- The Parish Council consider that the height of the development has not been minimised, as single storey buildings could have been provided.
- The Parish Council consider that significant weight should be given to the failure to protect priority views and the conflict with MHNP Policies MH H10 and MH PV1.

#### *Affordable Housing*

- The Parish Council consider that there is nothing within the application that prioritise affordable housing for local residents.

#### *Design and Layout*

- The Parish Council consider that the layout has not changed since pre-application and remains unacceptable.
- The Parish Council has concerns regarding cramped curtilages, overlooked gardens, close boarded fencing and excessive hard surfacing.
- The Parish Council considers tandem parking to be an indication of an overly constrained layout and contrary to MHNP Policy MH D3.

#### *Open Space, Public Rights of Way and School Extension*

- The Parish Council consider that there are no plans for how the woodland would be treated and managed.

- The Parish Council considers that management fees have the potential to compromise the affordability of the affordable housing.
- The Parish Council consider that the re-routing of the public footpath (Much Hadham 022) is not mentioned in the application.
- The Parish Council consider that the need for outdoor space for the school has not been demonstrated.
- The Parish Council consider that there are no visualisations to show the appearance of the outdoor space for the school.
- The Parish Council consider that no play area is included in the scheme.

*Historic Environment and Conservation Area*

- The Parish Council consider that housing development and access road would intrude into the setting of the grade II listed Hill House.
- The Parish Council consider the development to be extensive, leaving only a small portion of open land. This is considered to cause harm to the Conservation Area.

*Highways Safety*

- The Parish Council note that on-street parking on Tower Hill, which is used for school drop-off/pick-up would be lost.
- The Parish Council suggest that vehicles attending the school for drop-off/pick-up may turn into the new road and use parking spaces.
- The Parish Council consider that there is no suitable turning circle.

- The Parish Council consider that the creation of the access point reduces the safety of the pedestrian footways on Tower Hill.
- The Parish Council consider that visibility splays from the access point could be blocked by parked vehicles.
- The Parish Council suggest that the crossing point at the access should be re-positioned further into the site.
- The Parish Council consider that the development would adversely impact highways safety, with parking stress increased, congestion created and potential for vehicular conflict elevated. In the Parish Council's view, the proposal would be contrary to MHNP Policy ITC1.

#### *Other Matters*

- The Parish Council consider that in flood conditions construction waste would be likely to flow into the River Ash.
- The Parish Council has concerns regarding discharges and flows into the River Ash.
- The Parish Council consider that the proposal would result in loss of high quality agricultural land.

## **8.0 Summary of Other Representations**

- 8.1 The application has been advertised by neighbour consultation with notification letters sent to local residents. Press notices have been posted in a local newspaper and a site notice has also been displayed.
- 8.2 All comments received from local residents, third parties and other interested persons/groups have been fully considered in the preparation of this report.
- 8.3 Across three rounds of consultation, 94 responses have been received from local residents and other third parties. 83 of these

comments object to the application, whilst 10 comments are neutral and 1 comment in support of the proposal has been received. These representations are summarised below.

### Objection

#### *Principle of Development, Housing Provision and Infrastructure*

- The proposal conflicts with the Neighbourhood Plan.
- The Neighbourhood Plan already meets housing need in Much Hadham.
- The submitted legal opinion conflates housing need.
- The provision of 31 new homes is a disproportionate enlargement of the village.
- The housing mix is inappropriate, as smaller properties are required for downsizing.
- Sufficient affordable housing has not been provided.
- There is no mechanism to ensure affordable units are available to local residents.
- There would be increased stress on infrastructure and services.
- The adjacent school does not have capacity.
- There is concern regarding the capacity of health services.
- The scheme makes no provision for re-building health centre.

#### *Character, Appearance, Heritage and Visual Impacts*

- The development would urbanise the rural setting.
- The density of the development is too high.
- The development would adversely impact priority views from the Neighbourhood Plan.
- Views across the countryside would be lost.
- The historic character and appearance of Much Hadham would be harmed.
- Single storey development would be preferable.
- The proposals would result in less than substantial harm to the setting of the grade II listed Hill House and almshouses.
- The impact on heritage assets of archaeological interest is not clear.

#### *Neighbour Amenity and Noise*

- There would be increased overlooking to neighbours.

- There would be increased levels of noise.
- Air source heat pumps would generate inappropriate noise.
- There would be disruption during construction.

#### *Highways and Parking*

- There is concern regarding increased traffic.
- Increased traffic would lead to air pollution.
- There are highways safety concerns, given the position of the site close to a school.
- Visibility from the access would be restricted by parked cars.
- Vehicular access should be provided from Oudle Lane or Ash Meadow.
- The access is not safe for use by refuse vehicles.
- There is concern regarding emergency vehicle access.
- The swept path analyses use incorrect vehicle sizes.
- There are no turning areas within the site.
- The creation of the access would result in the loss of on-street parking spaces.
- There are issues with parking in Much Hadham.
- Parking layouts and provision are inadequate.
- It is questioned whether a car park would be provided for visitors.
- There would be highway safety and traffic concerns during construction.
- There are concerns regarding damage to roads and dispersal of mud on the carriageway.

#### *Flood Risk and Drainage*

- Pollution of the River Ash would occur during operational and construction phases.
- There are concerns that the proposals would increase flood risk off-site, particularly to the east and on Oudle Lane.
- There are concerns with capacity of the foul water network.
- There are concerns with potential for increased instances of sewage flooding.

#### *Trees, Ecology and Biodiversity*

- There would be unacceptable loss of trees.

- More trees should be planted.
- Biodiversity net gain has not been clearly demonstrated.
- Wildlife would be harmed.
- No mitigation is proposed for impacts on habitat and wildlife.
- Sufficient mitigation to avoid impacts on reptiles has not been provided.

#### *Other Matters*

- The development would impact the Green Belt.
- The new public open space is not required.
- It is not clear what the outdoor space for the school would contain.
- The outdoor space for the school is not sufficient.
- There is concern with the proposal to manage the site via a management company.
- The housing would not be affordable, if residents have to contribute towards management company fees.
- There is concern regarding air pollution from chimneys.
- It is not clear what is proposed for existing buildings on site.
- There is concern regarding how waste would be dealt with.
- Private views would be lost.
- Local house prices would be impacted.
- Public engagement from the developer has been inadequate.
- There has been no public engagement from the developer.

#### Neutral

- This site has been accepted as suitable for development, being listed as a reserve site.
- This is the most suitable site in the village for housing.
- There is a need for more affordable housing in the village.
- The development would have little visual impact on the village.
- The public open space could be beneficial for wildlife.
- It is considered that the Parish Council should take responsibility for management of the public open space.
- The management provisions for the open space are questioned and it is not clear whether the whole village can use this space.
- The public footpath network would be improved.
- A new footway along the eastern boundary would be desirable.

- It is doubtful that increased traffic could constitute a valid reason for refusal, on planning grounds.
- The proposal would not add to traffic issues at school drop-off/pick-up times, as children living on this development would walk to school.
- It is questioned whether solar panels and air source heat pumps would be provided.
- Swift bricks should be required in all new homes.
- Section 106 contributions could be of great benefit.

#### Support

- This application provides all that is required in the Neighbourhood Plan, including affordable housing.
- The Section 106 Agreement should ensure that Much Hadham residents have first refusal on affordable homes.
- This is the only site in the village that is sustainable for this number of houses.

### **9.0 Consideration of Issues**

9.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be made in accordance with the development plan, unless there are material considerations that indicate otherwise.

9.2 A number of appeal decisions have concluded that the Council cannot currently demonstrate a five year housing land supply (5YHLS). It is estimated that the Council's current 5YHLS stands at between 3.4 and 3.7 years. The consequence of not having a 5YHLS is that the 'presumption in favour of sustainable development' and the 'tilted balance' are engaged in the decision-making process. These relate to Paragraph 11(d) of the NPPF, which outlines that where the policies that are most important for determining the application are out of date (such as when a 5YHLS cannot be demonstrated) the application should be approved, unless:

- (i) the application of policies within the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF 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.

9.3 In this context, the policies that are considered to be out of date include those relating to the development strategy and the delivery of housing, which are referred to in this report. The out-of-date housing policies also extend to those supply based policies in the MHNP which form a part of the development plan. This means that the weight given to these policies across the development plan must be tempered and full weight cannot be applied at this current time to these policies.

### **Principle of Development**

#### Development Strategy

- 9.4 DP Policy DPS1 identifies the need to deliver new housing growth in the District, with a minimum of 18,458 new homes (839 new homes per year) required over the plan period (2011 – 2033). However, this figure is currently out of date and has been increased under the NPPF's revised standard methodology for calculating housing need. The spatial development strategy for the District, at DP Policy DPS2, outlines that housing need will be met following a hierarchy, which refers to sustainable brownfield sites, sites within urban areas, urban extensions and limited development in villages.
- 9.5 The proposed development does not comprise limited development in the village of Much Hadham and would not be on a brownfield site, within the main urban areas, or be an urban extension to the main towns, or to Stevenage, Welwyn Garden City or Gilston Area. It is considered therefore the proposals would not be in accordance

with the locational hierarchy of development set out in DP Policy DPS2.

- 9.6 The development is situated within and adjacent to Much Hadham which comprises a group 1 village. The DP sets out that group one villages will be expected to accommodate a minimum 10% increase in housing stock over the plan period. For Much Hadham this constitutes a need for a minimum of 54 new homes (expressed as households within the Policy) up to 2033. DP Policy VILL1 encourages group one villages to prepare Neighbourhood Plans, which allocate land to address this housing target. DP Policy VILL1 sets out that new housing development 'within the group 1 villages' will be permitted subject to the criteria set out in part VII of the policy. This requires that all development should:
- a) Relate well to the village in terms of location, layout and connectivity;
  - b) Be of a scale appropriate to the size of the village having regard to the potential cumulative impact of development in the locality;
  - c) Be well designed and in keeping with the character of the village;
  - d) Not represent the loss of a significant open space or gap important to the form and/or setting of the village;
  - e) Not represent an extension of ribbon development or an addition to an isolated group of buildings;
  - f) Not unacceptably block important views or vistas and/or detract from the openness of the countryside;
  - g) Not be significantly detrimental to the amenity of neighbouring occupiers.
- 9.7 The application site is predominantly located outside of, but adjacent to, the village boundary of Much Hadham, and therefore most of the site is within the Rural Area Beyond the Green Belt.
- 9.8 The development within the settlement/village boundary comprises part of the access road and footway connecting the site to Tower Hill. It is considered the development works are limited within the village

and so the principle of these minor development works (within the settlement boundary) would be acceptable and in accordance with the criteria set out in DP Policy VILL1 (part VII).

9.9 The proposed housing and remaining development works, including the works within the extended school outdoor area and the new public open space and footway are located within the Rural Area Beyond the Green Belt where DP Policy GBR2 is applicable. DP Policy GBR2 states that: in order to maintain the Rural Area Beyond the Green Belt as a valued countryside resource, the following types of development will be permitted, provided that they are compatible with the character and appearance of the rural area (inter alia):

(b) facilities for (inter alia) outdoor recreation

(h) development identified in an adopted Neighbourhood Plan.

9.10 The proposed works within the extended outdoor school area and proposed new publicly accessible open space and footway comprise facilities for outdoor recreation. These provisions will allow a greater access to this area for the public and will improve connectivity. The extended outdoor school area provides additional educational benefits. These works are considered to fall within acceptable types of development permitted in the Rural Area Beyond the Green Belt, more so as the uses are compatible with the character and appearance of the rural area.

9.11 DP Policy GBR2 is a policy of overall restraint which applies to development within the rural area. Hence, new housing development is not included as an acceptable type of development within the policy criteria. Notwithstanding this, criteria (h) does permit housing development (in principle) if it comprises 'development identified in an adopted Neighbourhood Plan'. In this case, the land rear of Hill House forms Reserve Site MH H10 in the MHNP, which is identified as a reserve site by virtue of its central location and likely availability following a change of ownership. MHNP Policy MH 10 (Part I) states: 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. The need must either be required or proven and supported by a parish-wide housing needs survey.

- 9.12 Although the overriding development strategy set out in the DP for development within the Rural Area Beyond the Green Belt is one of restraint, the principle of development 'outside of the village boundary' on the application site is permitted by virtue of the development being identified in the MHNP (subject to the other provisos of the MHNP Site Policy MH H10 being met).
- 9.13 In summary, notwithstanding the proposed development not aligning with the hierarchy in the development strategy set out in DP Policy DPS2, the principle of development is permissible under the DP Policies GBR2 and VILL1 subject to compliance with other policies in the DP and MHNP.

#### Much Hadham Neighbourhood Plan (MHNP)

- 9.14 The MHNP was prepared by Much Hadham Parish Council and adopted in 2022. It sets out the community vision for how Much Hadham will develop between 2019 and 2033. The adopted plan sits alongside the DP and forms the development plan to guide development in the parish. The Policies set out in the MHNP are in general conformity with the strategic policies in the DP. It must not conflict with the NPPF.

- 9.15 Of relevance to the proposed development is the introductory paragraph 1.4 (sustainable development) in the NP which states:

*The Neighbourhood Plan aims to provide housing that meets the needs of Much Hadham into the future whilst preserving its heritage and rural setting, and importantly minimising consequences for traffic volumes and on-street parking.*

- 9.16 The Development Strategy set out in the NP identifies a range aims and objectives which form the basis for the policies in the Plan.

1) *Protect the pleasing character of the built environment and rural landscape setting.*

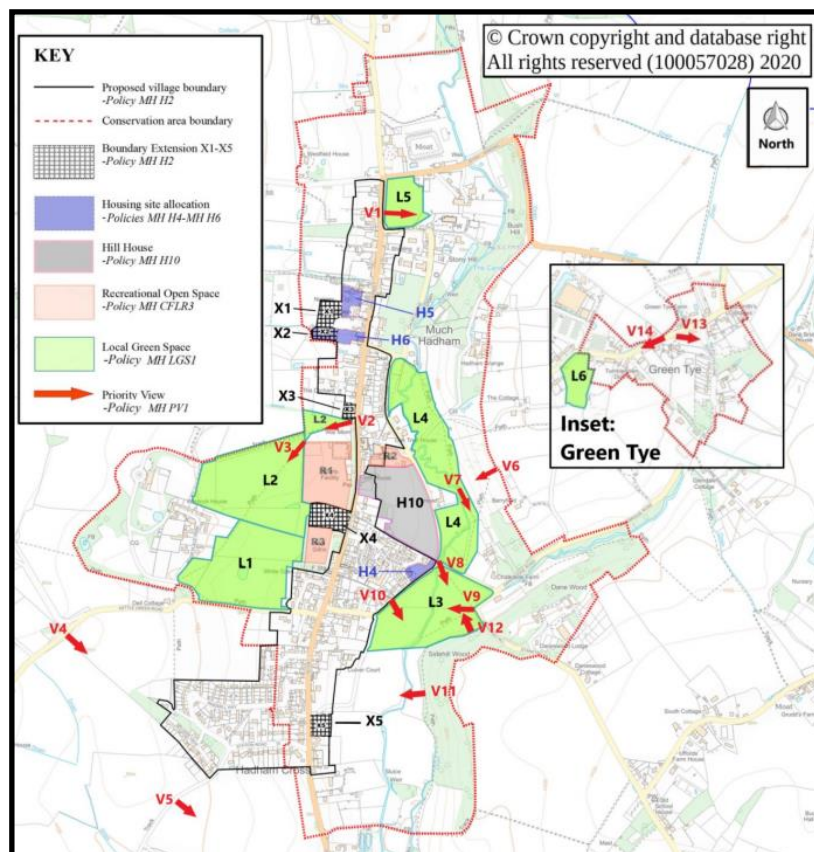
- 2) *Help maintain a strong community spirit by supporting sustainable development close to the centre of the village.*
- 3) *Ensure that new building minimises damage to rural views and historic building views.*
- 4) *Ensure that new building meets high sustainability standards.*
- 5) *Ensure that new building has generous provision for on-site parking and, as far as possible, encourages walking and cycling to the main village facilities.*
- 6) *Meet agreed housing targets and needs, with a new housing mix that is predominantly 1-, 2- and 3- bedroom homes, and encourage affordability through good building design and practices.*
- 7) *Ensure that new building does not add to the flood risk of the locality, nor does it infringe upon the flood plain.*
- 8) *Encourage and enable existing and prospective leisure facilities and business ventures which are appropriate in the village and its rural context.*
- 9) *Ensure footpaths, cycle routes and bridleways are protected, interconnected and extended where possible.*
- 10) *Preserve and enhance woodlands, green spaces and green corridors, and the River Ash. Protect and promote biodiversity when considering new development.*
- 11) *Support the creation of a multi-disciplinary/integrated health centre should the opportunity arise.*

9.17 The development strategy in the MHNP recognises that the DP allocates to each of those group 1 villages a requirement to deliver growth of new homes of at least 10% of the housing stock in the 2011 census over the period 1 April 2017 to 31 March 2033. For Much Hadham village this means a requirement to develop a minimum of 54 new homes (in Much Hadham – within the village boundary).

9.18 For development in Much Hadham Parish (outside the village boundary), the MHNP supporting text references the district policy (which): continues to be of restraint on development in the rural area, so that new building is considered inappropriate other than for certain exceptional circumstances such as to support the rural economy or for limited infilling.

9.19 The MHNP plans to deliver the housing requirement for the village (as set out above) and notes it is a core requirement for the development to be in sustainable locations, very close to village facilities. The MHNP seeks to preserve the attributes that make the village special such as the rural scale and atmosphere (namely through policies MH LGS1 – designation of Local Green Space) and MH PV1 (Priority Views).

9.20 The MHNP Proposals Map identifies the key Local Green Space designations, Housing Site Allocations and other site-based policies (including the land rear of Hill House subject to this application).



9.21 The MHNP contains Policy MH H1 Village Housing Numbers which allocates sites to deliver a minimum of 54 homes between 2017 and 2033. Site Allocations are listed with supporting text and images under policies MH H4, H5, H6 and H8. MH H1 includes the provision of 19 homes which were completed since 2017 and 8 or more homes within the village boundary on Windfall Sites.

- 9.22 MHNP Policy MH H1 does not allocate the Hill House site as contributing towards the minimum housing provision, which is identified from the site allocations. Notwithstanding this, the supporting text to the policy identified that land at Hill House could become available for development during the NP period, under a Neighbourhood Development Order. Given it was understood that Hill House was a potentially suitable site for development in the future (but within the plan period), the MHNP sets out the criteria and requirements in the event it did come forward.
- 9.23 MHNP Policy MH H10 states that:
- '1. 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. The need must either be required or proven and supported by a parish-wide housing needs survey.'*
- 9.24 This application is accompanied by an Affordable Housing Needs Survey (covering the whole Parish) in accordance with the requirement of MHNP Policy MH H10. This reveals a demand for 17 affordable units in the Parish. As such, the need for affordable housing has been proven. The proposals include provision of 12 affordable homes which would address the future housing need.
- 9.25 The proposed development also includes provision for 19 market homes. Although the Housing Needs Survey does not cover the need for market housing, officers consider it is well established that there is a need for market housing in the District, as there would be in Much Hadham. The Council is currently unable to demonstrate a 5YHLS with the supply sitting between 3.4 to 3.7 years, meaning that there is a general housing supply deficit in the area. The provision of 19 market homes (from the development) would address the needs in Much Hadham and the District. It would also serve as an enabler to ensure the 12 affordable housing units are delivered.
- 9.26 The housing need nationally is also well known, with Section 5 of the NPPF maintaining the objective of 'significantly boosting the supply of

homes' and various recent Written Ministerial Statements emphasising the government's aim of building 1.5 million homes this parliament. The housing demand evidenced through the submitted Affordable Housing Need Survey, taken together with the clear housing need at both District and national level, means that the housing need is 'required' and proven', in line with MHNP Policy MH H10.

9.27 MHNP Policy MH H10 also requires that:

- II. *Any proposal must preserve the Priority Views V6 and V12, preserve the tranquillity of Oudle Lane, and ensure that there would be minimum adverse effects on the landscape, the conservation area and the historic environment.*
- III. *Any proposal must include the retention and maintenance of the wooded area on the western boundary, situated between the rear boundary of Elm House and footpath 25.*
- IV. *Proposals should consider making provision for some or all of the following features:*
  - a permissive path or public right of way (PROW) along the boundary with Oudle Lane to connect the footpath network at the ford on Malting Lane with the undesignated footpath network at the southern boundary of St Andrew's School*
  - the creation of accessible green space, which could include planting, nature trail and/or allotments*
  - a children's structured activity area*
  - improvements to the biodiversity of the site e.g. through a wet nature reserve or a wild meadow area*
  - the improvement of the green boundaries to the site*
- V. *Mitigation, compensation and enhancement measures will be required to achieve an overall net gain for biodiversity.*

9.28 Subject to the compliance with MHNP Policy MH H10 being demonstrated, the principle of development outside the village is therefore permitted by the Much Hadham Neighbourhood Plan.

9.29 In coming to a view on this, officers have also given due regard to the policy tests set out in MHNP Policy MH H2 (Village Development

Boundary) which explains (in Part II of the Policy) that development outside the village boundary is normally considered inappropriate, unless it meets one of the specified exceptions. Development that conforms with DP Policy GBR2 is identified as one of these exceptions. DP Policy GBR2 lists several types of development that can be acceptable in the Rural Area Beyond the Green Belt, provided they are compatible with the character and appearance of the rural area. Included as one of these forms of development is (h) 'development identified in an adopted Neighbourhood Plan'.

- 9.30 The purpose of the village development boundary policy is recognised that it is one of restraint. However, it is also considered to be consistent with the DP Policy GBR2 which has been considered earlier in this report. Notwithstanding this, and subject to the provisions of MHNP Policy MH H10 being met, it is considered that through the identification of the site as a 'reserve site' in the Neighbourhood Plan, it is understood that the application of MHNP Policy MH H2 is secondary to the application of the primary policy for the site set out in MH H10. In summary, if development meets the requirements of MH H10, development is 'in principle' acceptable outside the village boundary (and permitted under policy MH H2). Officers consider that the proposals are in accordance with the Much Hadham Neighbourhood Plan in respect to the principle of development.

#### Much Hadham Parish Council Representations and Responses

- 9.31 Notwithstanding Much Hadham Parish Council's role in preparing the Neighbourhood Plan, the Parish Council has submitted a number of detailed objections to the proposed development (identified in this report in Section 7.1). The Parish Council has interpreted the MHNP policies differently from officers above. It is necessary therefore to establish where the Parish Council asserts a different interpretation and for officers to provide a response to assist the decision maker in coming to an overall view.
- 9.32 The detailed representations are set out in this report, but a summary of Much Hadham Parish Council's comments (relating to the NP) are noted below. The substance of the above objections are

substantively addressed in the preceding paragraphs. However, officers summarise brief responses to these points below:

<b>MH PC Comment:</b>	<b>EHDC Officer Response</b>
<p>MHNP Policy MH H10(I.) has not been met, as the survey undertaken by the applicant has not demonstrated a need for market housing.</p>	<p><i>The need for market housing is established due to the shortfall in the whole of East Herts, which currently can only demonstrate between 3.4 to 3.7 years supply of housing land. The policies relating to the supply of housing in the Development Plan (DPS1, DPS2 and VILL1 of the District Plan and MH H1 of the NP) are out of date and therefore less weight must be afforded to these supply-based policies. The requirement of MHNP Policy MH H10(I.) which requires a housing need to have been demonstrated has been satisfactorily met.</i></p>
<p>Policy MH H2 and MH H10 refer to development coming forward under a Neighbourhood Development Order (NDO). MH H2 allows scheme to come forward by way of NDO, or a Community Right to Build or as a rural exception site (MH H10 supporting text states this could include affordable housing) – the scheme comprises neither a rural exceptions site and has not come forward by a NDO.</p>	<p><i>The NP policy wording (in MH H2 and MH H10) does not prevent the site coming forward under other processes, for example through a planning application. Therefore, the submission of this planning application for the development of the site does not result in MHNP Policy MH H10 being breached.</i></p> <p><i>Neither wording in NP Policy MH H2 or MH H10 requires the development to come forward as a rural exception site with affordable housing.</i></p>

<p>Policy MH H1 does not require this site to meet the Village Housing Needs when it has made sufficient housing provision through the allocations set out in the NP which is less than 5 years old. Reference to minimum should not be used to justify the development.</p>	<p><i>Policy MH H1 sets out a <u>minimum supply</u> and not a maximum – the policy allows additional housing to come forward in Much Hadham (or outside the village boundary) above the minimum target, subject to other policy compliance. This policy must be afforded less weight as the 10% housing target increase relies on an out-of-date District Plan requirement. Due to the out-of-date-ness of the District Plan, it follows that the NP supply policy MH H1 is also out-of-date.</i></p>
<p>Development does not comply with Policies MH H1, MH H2 and MH H10, and therefore does not comply with DP Policy GBR2 and conflicts with the Development Plan.</p>	<p><i>Officers have set out a justification in the above paragraphs which demonstrates how the development is in general conformity with Policies MH H1, MH H2 and MH H10, and DP Policy GBR2. The non-compliance with the locational hierarchy within the DP is given limited adverse weight given the out-of-date nature of the above supply-based policies.</i></p>
<p>Para 14 of the NPPF should be given substantial weight. Adverse impact of allowing development that conflicts with the NP significantly and demonstrably outweighs the benefits.</p>	<p><i>Para 14 of the NPPF is not triggered as the proposals are considered to accord with the Neighbourhood Plan</i></p>
<p>MH PC consider Applicant's Counsel opinion does not consider Para 29-31 of the NPPF;</p>	<p><i>This is noted. However, the absence of any comment does not indicate any conflict with the NPPF in this</i></p>

<i>instance.</i>
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### Principle of Development Summary

- 9.33 The above evaluation of the key planning policies set out in the development plan, relating to the principle for development at the site have been given careful consideration in regard to the housing supply and development strategy policies set out in both the District Plan (2018) and the Much Hadham Neighbourhood Plan (2022).
- 9.34 Critically, the MHNP Policy MH H1 does not specifically preclude development of this site. As such, there is no conflict with this policy. Furthermore, officers have already concluded that this proposal would address a 'required' and 'proven' housing need in Much Hadham and the District, and therefore the scheme can come forward under the site policy MHNP Policy MH H10.
- 9.35 MHNP Policy MH H10 lists other criteria, which any development of this site should seek to address. In addition, DP Policy GBR2 requires development permitted in the Rural Area Beyond the Green Belt to be compatible with the character and appearance of the rural area. These policy requirements relate to design, layout, landscape, visual impacts, heritage and biodiversity. These are not matters associated with the principle of development. Therefore, consideration of these requirements is not carried out here, and instead is undertaken in the relevant sections of this report. In addition, the conclusion of this report includes a full assessment of the scheme against all the criteria of MHNP Policy MH H10.
- 9.36 In summary, whilst the proposal does not fully align with the locational hierarchy in the development strategy set out in the DP Policies DPS2 and VILL1, the strategic policies which set the minimum housing need in group one villages is out of date, as is the 10% minimum housing requirement adopted by the MHNP Policy MH H1. This site is identified as a reserve site at MHNP Policy MH H10 to help meet future housing need for Much Hadham. This policy allows the site to come forward if there is a 'required' and 'proven' housing need. The demand for affordable housing (as evidenced in the applicant's Affordable Housing Needs Survey), taken together with

the current 5YHLS deficit in the District, means that there is a 'required' and 'proven' housing need in Much Hadham. This scheme would address this housing need, and therefore satisfies the first key strand of MHNP Policy MH H10. This means that the proposal constitutes 'development identified in an adopted Neighbourhood Plan', and as such could be an acceptable form of development in the Rural Area Beyond the Green Belt under DP Policy GBR2(h) and MHNP Policy MH H2.

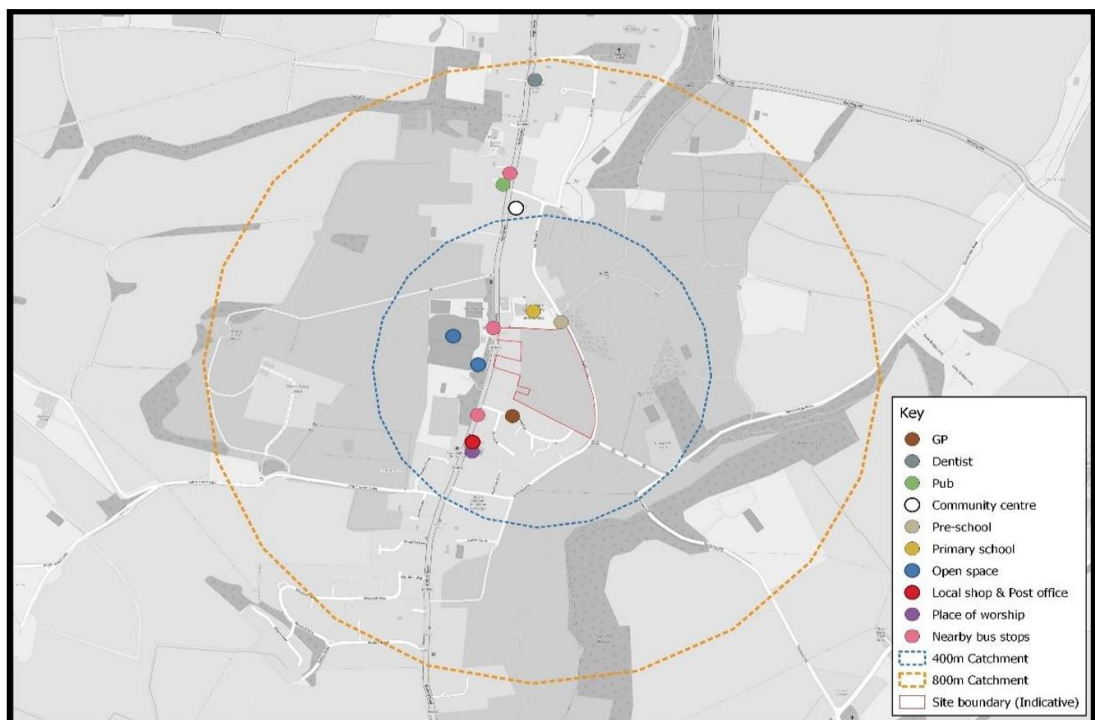
- 9.37 Therefore, overall, it is considered that the principle of development on this site is accepted and established in policy terms. The proposed scheme can come forward to meet identified housing needs in compliance with DP Policy GBR2 and MHNP Policies MH H2 and MH H10.

#### Housing Delivery

- 9.38 DP Policy DPS1 outlines that the Council will provide for a minimum of 18,458 new homes (839 new homes per year) in the District over the plan period (2011 – 2033). However, this figure is currently out of date and has been increased under the NPPF's revised standard methodology for calculating housing need. In addition, Section 5 of the NPPF sets out that government maintains the objective of 'significantly boosting the supply of homes'.
- 9.39 This proposed scheme would supply 31 new homes, and therefore could make a meaningful contribution towards the overall housing targets in the District. In addition, this housing delivery would assist the Council in addressing the 5YHLS deficit and the current housing supply shortfall in the District. Noting the modest scale of this development (in the context of major schemes), and given that this is a full planning application with relevant details provided, officers consider that all the 31 new homes could be delivered on site within the next 5 years. This means that the proposal would contribute towards housing delivery in the short-term and would boost the Council's 5YHLS figures over the current five year period. This housing provision is a substantial benefit of the scheme, which attracts support from Section 5 of the NPPF, and should be assigned significant positive weight in the overall planning balance.

### Access to Services and Facilities

- 9.40 DP Policy TRA1 outlines that developments should be primarily located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction. Paragraph 110 of the NPPF notes that significant developments should be focused on locations which are, or can be made, sustainable through limiting the need for travel and offering a genuine choice of transport modes.
- 9.41 The site is situated adjacent to Much Hadham, which is categorised as a group one village in the DP. Group one villages are the most sustainable villages in the District, as they contain some services and facilities. Within Much Hadham there is a primary school, doctors surgery, dental surgery, village hall, convenience store, post office, public house and a recreation ground. The location of these facilities, in relation to the site, is shown in the below image from the applicant's Transport Statement.



- 9.42 This image shows that a number of the facilities in Much Hadham are within 400 metres of the site, whilst others are slightly further away, but still within 800 metres. All these services and facilities would be within walking or cycling distance of the development.

- 9.43 The Development Strategy within the MHNP states that it is a core requirement that: *“new housing supported by this Neighbourhood Plan must be in sustainable locations, very close to village facilities. The benefits of this are in reduced car usage and greater support for local business and community services. Where landowners have proposed sites that are beyond the village development boundary and would elongate the village, these have been rejected as unsustainable due to the additional car usage they would generate. Development brought forward under this Neighbourhood Plan must not harm the quality of the built environment.”*
- 9.44 The overall strategy for boundary management as set out in the NP Housing Chapter 4: *“is to discourage further longitudinal (north/south) expansion of the village and, where a need for expansion is demonstrated, to prefer lateral expansion east/west. This helps to reduce car journeys to access the village’s core facilities and services and encourages walking and cycling”.*
- 9.45 The scheme proposes to provide a footpath alongside the new internal access road, which would connect to the footway on Tower Hill (B1004). Three new pedestrian connections are also proposed onto the right of way to the south (Much Hadham 025), whilst a further pedestrian link would be created onto the right of way close to the north-western corner of the site (Much Hadham 022). The occupiers of the development could utilise these pedestrian connections, and then walk along the footways on Tower Hill (B1004), to reach the services and facilities within the village. In addition, cycling along the internal access road, and then Tower Hill (B1004), would be a further option that could be used to access the nearby facilities.
- 9.46 It is clear from the above that the future occupiers of the development could access some services and facilities via walking or cycling. However, there is no secondary school or large supermarket in Much Hadham. Furthermore, employment opportunities in the village are very limited and there is no train station in the immediate locality. Therefore, the occupiers of the development would have to

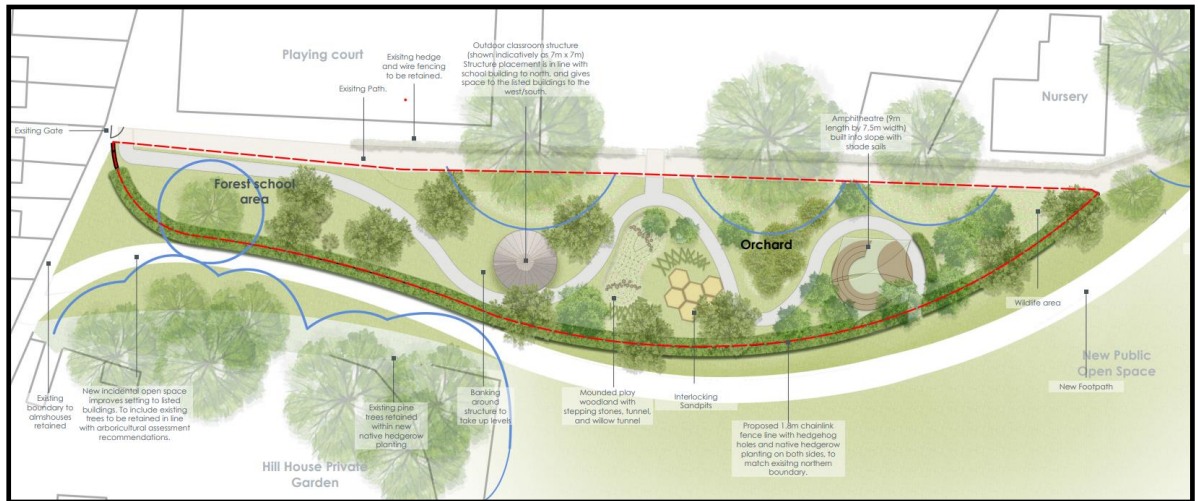
travel outside the village for essential journeys to access secondary education, larger shops, employment and rail travel.

- 9.47 There are bus stops within Much Hadham, including those directly to the west of the site on Tower Hill (B1004). These bus stops provide access to the 35 bus route, which runs on a roughly hourly basis in the week, with eastbound services travelling to Bishop's Stortford and westbound services running to Ware and Hertford. This service also operates on a Saturday, with a bus stopping in Much Hadham generally every 2 hours. As such, there would be some scope for the future occupiers of the development to access facilities in larger settlements via this form of public transport. However, it is not considered that the bus services in Much Hadham are of such frequency that the future occupiers would use this mode of transport as the main means of reaching larger settlements.
- 9.48 The potential to access facilities in the village via walking and cycling, taken together with the scope to use bus services to reach larger settlements, is noted and is consistent with the strategy and core requirement for new housing (to be in sustainable locations) as set out in the MHNP. However, Much Hadham lacks some key facilities (e.g. secondary schools, supermarkets and employment land) and the frequency of bus services in the village is modest. As such, the future occupiers of the development would rely on the private vehicle for some daily journeys. The generation of these vehicular trips and unsustainable journeys means that the scheme would result in some minor conflict with DP Policy TRA1 and Section 9 of the NPPF. This attracts negative weight in the balance.
- 9.49 The submitted Transport Statement estimates that the development would generate a total of 144 two-way vehicular trips across the day. This would include 16 two-way vehicular journeys in the AM peak and 16 two-way vehicular trips in the PM peak. Officers consider this to be a modest number of new vehicular journeys in connection with 31 new dwellings. In addition, the scheme would make a financial contribution of £300,111 towards local cycling and walking infrastructure in the locality. This financial contribution, and the associated upgrade of walking and cycling infrastructure in the area,

should further encourage residents to use these active modes of travel for some journeys, instead of the private vehicle. Given the modest number of vehicular trips generated by the development, officers consider that the creation of unsustainable journeys and the associated emissions should be assigned limited negative weight in the final planning balance.

#### Education Land

- 9.50 DP Policy CFLR7 provides in principle support for proposals that would deliver new or enhanced uses of land for public or community use. DP Policy CFLR10 sets out that proposals for new or extended education facilities should be accessible, well-designed, and where appropriate, enable community use. MHNP Policy MH H10 (the reserve site policy) requires any development of this site to consider providing a 'children's structured activity area'. Paragraph 100 of the NPPF outlines that great weight should be given to the need to create or expand schools.
- 9.51 This scheme proposes for a parcel of land along the northern site boundary to change use to education purposes (use class: F1). This land measures approximately 1,375 square metres in area. The land would be transferred to St Andrews C of E Primary and Nursery School and it is intended that this area would be used as an outdoor space for the school. This land would be incorporated into the school grounds and would be separated from the proposed housing development. Outline landscape proposals for this new school area have been submitted with this application and these suggest that the space could include a forest school, outdoor classroom in a pergola type structure, play equipment, sandpits and an amphitheatre. The outline landscape proposals are shown in the image below. It is understood that this part of the scheme has been informed by discussions with both the school and HCC.



9.52 Officers consider that the provision of this land to the school would be a notable community and public benefit of this scheme. This additional land would enable further outdoor learning at the school, whilst also providing new facilities for play and elevated opportunities for children to partake in outdoor recreation. As such, it is considered that this element of the scheme would enhance the education offer at St Andrews C of E Primary and Nursery School to the benefit of children attending the school and would make an effective use of the land (currently it is unused). The creation of this outdoor area and the enhancement of facilities at the school is supported, in principle, by DP Policies CFLR7 and CLFR10, as well as Section 8 of the NPPF. It is considered that this public benefit of the scheme should be assigned moderate positive weight in the final planning balance.

9.53 The outline proposals for the new education area, as presented in this application, have the potential to be of high quality and flexible design, as required by DP Policies CFLR7 and CLFR10. The submitted details suggest that a variety of facilities and equipment could be provided in this space, allowing varied and flexible use. In addition, suitable spacing is shown between the structures, meaning that the area would not be overly intensive for this edge of village setting. A significant level of landscaping and planting is also shown on the illustrative plans and this would ensure that this area is softened, so to integrate appropriately into this locality. While the indicative proposals could be acceptable in design terms, full details of this new education space have not yet been supplied. Therefore, officers

consider that a condition is necessary to secure final details of the outdoor education area. Through this condition, it can be ensured that the final proposals are high quality in terms of their useability, whilst also being compatible with the character of the adjacent village and the rural area.

9.54 The applicant has agreed to deliver the outdoor education area on behalf of the school, and also to transfer the land to the school. This approach can be secured in the Section 106 Agreement. Therefore, the transfer of the land to the school is listed in the recommended Heads of Terms.

#### Loss of Agricultural Land

9.55 DP Policy ED2 outlines that where a proposal results in the loss of an agricultural or employment use in a rural area, evidence will be required to demonstrate that the current use is no longer needed or viable. Paragraph 187 of the NPPF explains that the economic and other benefits of the best and most versatile agricultural land should be recognised. Footnote 65 of the NPPF notes that where significant development of agricultural land is necessary, areas of poorer quality land should be preferred to those of higher quality.

9.56 The application site largely consists of undeveloped and unused grassland, together with small pockets of woodland. It is understood that this land has not been actively farmed, or used for agricultural purposes, for a number of years. The land is also not part of any wider agricultural enterprise. Available mapping from Natural England indicates that the site is grade 3 (moderate to good quality) agricultural land.

9.57 The proposed scheme would result in the loss of this grade 3 agricultural land, as following the development it would not be possible to use the site for agricultural purposes. This loss of moderate to good quality agricultural land means that there would be some conflict with Section 15 of the NPPF and this attracts negative weight in the balance.

9.58 While the above is noted, the site is a field of modest size (approximately 3.47 hectares in area), meaning that the loss of agricultural land is limited. Furthermore, the site has not been actively farmed for numerous years, and as such makes no contribution towards agricultural productivity or the rural economy in the area. Given these observations, officers consider that the loss of agricultural land should only be attributed very limited negative weight in the final planning balance.

### **Affordable Housing and Housing Mix**

#### Housing Mix

- 9.59 DP Policy HOU1 requires housing developments to deliver an appropriate mix of housing tenures, types and sizes, taking into account the latest Strategic Market Housing Assessment (SHMA) and any up-to-date evidence. MHNP Policy MH H3 notes that to meet the needs of younger people and downsizers, preference will be given to schemes that comprise entirely of one-bedroom, two-bedroom and three-bedroom homes. This policy outlines that schemes containing any homes with more than three-bedrooms should demonstrate local need for larger homes.
- 9.60 DP Policy HOU7 expects housing developments to meet Building Regulations Requirement M4(2) 'Accessible and Adaptable Dwellings'. This policy also requires major schemes to provide a proportion of dwellings that comply with Building Regulations Requirement M4(3) 'Wheelchair User Dwellings'. These policy requirements should be met, unless it is demonstrated that it is not practically achievable or financially viable.
- 9.61 This scheme would provide a mix of unit sizes, ranging from one-bedroom flats up to five-bedroom houses. The overall housing mix is illustrated in the table below. The SHMA sets out that the highest general housing need in the District is for three-bedroom houses, with a significant demand also identified for two-bedroom and four-bedroom houses.

<b>Housing Type</b>	<b>Number of Dwellings</b>
One-Bedroom Flats	6
Two-Bedroom Houses	8
Three-Bedroom Houses	10
Four-Bedroom Houses	4
Five-Bedroom Houses	3

- 9.62 The proposal would directly address the most pressing housing need in the District, as specified in the SHMA, by prioritising the delivery of three-bedroom houses and providing a good number of two-bedroom houses. Some one-bedroom flats, as well as four-bedroom and five-bedroom houses, are also proposed. Officers consider that the provision of some flats and family sized homes would be acceptable, as it would ensure that a variety of dwellings sizes would be supplied across the site. This would assist in ensuring choice in the housing market, and would support the creation of a mixed and balanced community. Through prioritising the housing need from the SHMA, but also providing a mix of homes, the scheme would comply with DP Policy HOU1. An appropriate mix of housing types and sizes would be delivered.
- 9.63 MHNP Policy MH H3 seeks to promote developments that consist of solely smaller units (one-bedroom – three-bedroom). This proposal would include some larger homes (four-bedroom/five-bedroom), and therefore would not fully align with the aims of MHNP Policy MH H3. However, the scheme prioritises the delivery of smaller units, as 77% of the proposed dwellings (24 units) would be provided as either one-bedroom, two-bedroom or three-bedroom homes. Therefore, officers consider that the proposed development would comply with the thrust of MHNP Policy MH H3, which is to encourage the provision of smaller homes.
- 9.64 MHNP Policy MH H3 also requires schemes containing larger homes to demonstrate that there is local need for these housing sizes. No information has been submitted with this application to evidence a local need for four-bedroom or five-bedroom homes. While this is noted, there is a well established need for four-bedroom houses in the area, with the SHMA identifying this housing size as the second

most in demand property type in the District. As such, it is appropriate for this scheme to deliver some four-bedroom homes to address this District-wide need. The overall number of larger homes across the scheme has been limited to 7 (23% of the total units), and therefore whilst the need for these housing sizes has not been fully evidenced, officers are satisfied that the scheme meets the wider aim of MHNP Policy MH H3, which is to prioritise the delivery of smaller homes. Therefore, in officers view, an acceptable housing mix is proposed, which would address both Parish-wide and District-wide needs.

9.65 The submitted Design and Access Statement confirms that 29 of the proposed homes would be capable of complying with M4(2) 'Accessible and Adaptable Dwellings' standards, in accordance with DP Policy HOU7. This provision can be secured via condition. The only 2 units that would not meet M4(2) requirements would be the first floor flats. These flats would have their living accommodation at first floor level and would be accessed via a staircase, meaning that they would not meet M4(2) standards. Officers accept that it would not be financially viable or realistic to expect a lift to be installed for just 2 flats. Therefore, this minor under provision of M4(2) units is justified and there would be no conflict with DP Policy HOU7.

9.66 The applicant has confirmed that 2 units (5% of the total housing provision) would be designed to meet M4(3) standards. Therefore, in accordance with DP Policy HOU7, a 'proportion' of the new homes would be provided to M4(3) standards. This provision of M4(3) homes can be secured via condition.

#### Affordable Housing

9.67 DP Policy HOU3 seeks to secure 40% affordable housing provision on schemes of 15 or more dwellings. This policy expects developments to incorporate a mix of tenures, taking into account the Council's most up-to-date evidence. This policy also outlines that affordable units should be integrated into the open market housing using appropriate design methods (i.e. tenure blind and pepper potted). MHNP Policy MH H3 notes that preference should be given to

schemes that address affordability challenges facing young people locally.

- 9.68 This scheme would deliver 40% affordable housing (12 units), in accordance with DP Policy HOU3. Within this affordable housing provision, it is proposed to supply a tenure split of 83% affordable rent (10 units) and 17% shared ownership (2 units). This tenure split closely aligns with the affordable housing need, outlined in the DP. Therefore, the Housing Officer supports this tenure split, which would comply with DP Policy HOU3. Officers consider that this delivery of affordable homes, which addresses identified tenure requirements, should attract significant positive weight in the overall planning balance, particularly given the current unmet demand for affordable units in the District. The delivery of these affordable homes can be secured in the Section 106 Agreement.
- 9.69 The affordable housing provision would comprise of a mix of one-bedroom flats, two-bedroom houses and three-bedroom houses, as set out in the below table.

<b>Size of Affordable Unit</b>	<b>Affordable Rent</b>	<b>Shared Ownership</b>
One-Bedroom Flats	6	0
Two-Bedroom Houses	3	1
Three-Bedroom Houses	1	1

- 9.70 The Housing Officer has raised concerns with the sizes of the proposed affordable dwellings. This consultee notes that within the District the highest demand, in terms of affordable homes, is for three-bedroom houses, followed then by two-bedroom houses and one-bedroom flats. This scheme proposes a high proportion of one-bedroom flats, and therefore the Housing Officer does not consider that this proposal would deliver the size of affordable units most required in the District.
- 9.71 Whilst the above is noted, MHNP Policy MH H10 (the reserve site policy) outlines that this site could come forward to 'help meet any future additional housing need for Much Hadham'. This policy also explains that the housing need should be 'supported by a parish-

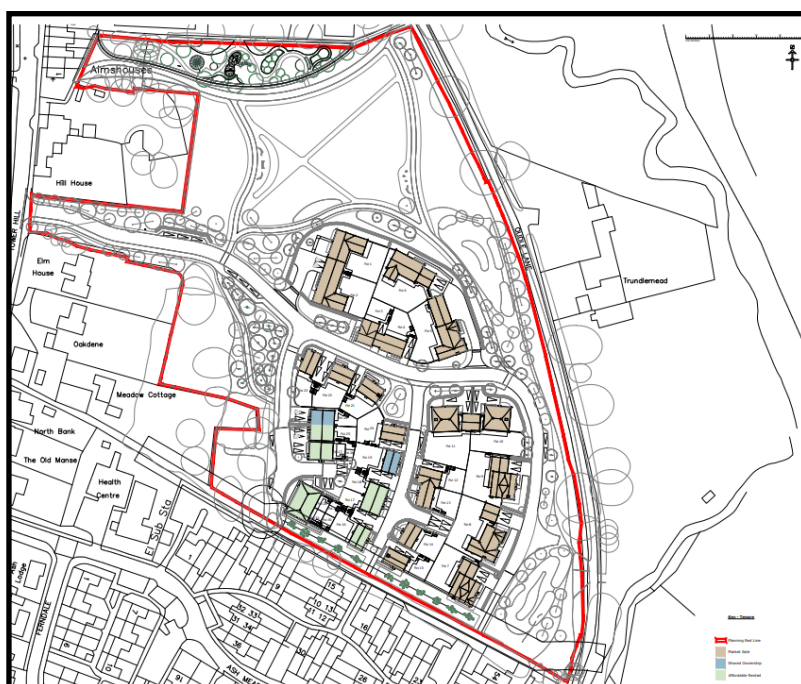
wide housing needs survey'. This application is accompanied by an Affordable Housing Needs Survey, undertaken in 2023 – 2024, which reveals a demand for 17 affordable units in the Parish. Included within this demand is 6 one-bedroom flats, 4 two-bedroom flats/houses and 2 three-bedroom houses, as well as sheltered and adaptable homes. The proposed affordable housing mix within this scheme directly addresses the need identified in the Affordable Housing Needs Survey. Therefore, the proposal would help meet future additional housing need for Much Hadham, in accordance with MHNP Policy MH H10. It should be noted that none of the development in Much Hadham over the plan period has delivered any affordable housing secured through the planning applications.

- 9.72 Officers acknowledge that the Housing Officer suggests that the scheme would provide too many affordable one-bedroom flats, whereas the Affordable Housing Needs Survey identifies one-bedroom flats as the most in demand type of affordable housing in the Parish. As such, there is a tension between the Housing Officer comments and the outcome of the Affordable Housing Needs Survey.
- 9.73 In this instance, it is considered that the requirements of the MHNP, and specifically MHNP Policy MH H10, should be attributed greater weight, as the MHNP requires up-to-date local evidence to support the housing mix. This is also because MHNP Policy MH H10 sets out that the reserve site being brought forward is contingent on the future needs being met through this development. MHNP Policy MH H10 requires any scheme on this site to deliver the type of affordable housing identified as being in demand through the Affordable Housing Needs Survey. Therefore, it is acceptable, in this particular case, to deviate from the Housing Officer comments and the District-wide (affordable housing) requirements, and instead secure the type of affordable housing noted in the Affordable Housing Needs Survey.
- 9.74 Much Hadham Parish Council and local residents consider that there is nothing within this application that would give local residents preference on the affordable homes. The new affordable homes

would be allocated in accordance with the Council's allocation policies and the relevant nominations agreement entered into by the Council and a Registered Provider. The current location of potential occupiers and their income capacity are factors in the allocations process.

9.75 The submitted elevation drawings show no distinction, in terms of design quality between the affordable and market homes. Therefore, officers are confident that the scheme would be genuinely 'tenure blind'. Through the imposition of a condition securing external material details, officers can ensure that the tenure blind approach is adopted through the scheme, in accordance with DP Policy HOU3.

9.76 The below image shows that the proposed affordable homes would be clustered in the south-western corner of the development. Therefore, the affordable units would not necessarily be 'pepper-potted' across the site, as required by DP Policy HOU3. While this is acknowledged, officers accept that Registered Providers generally prefer affordable units to be grouped together, as this assists with management arrangements. Furthermore, through a modest scale major housing scheme, such as this, there is limited scope to spread the affordable homes. Therefore, officers are content that the affordable units would be appropriately located within the site.

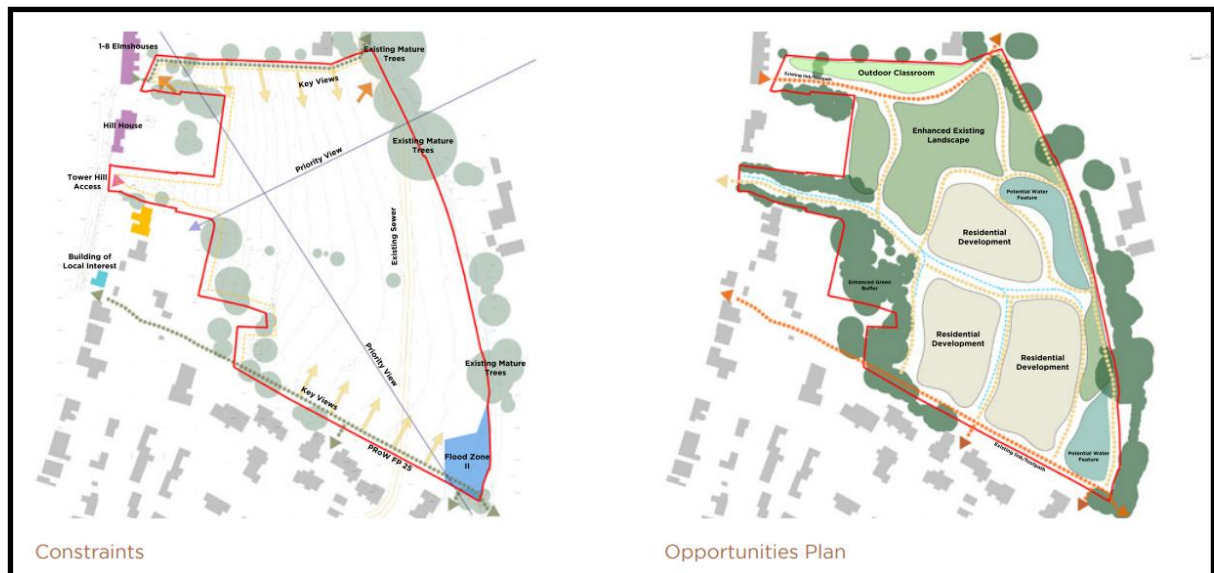


## **Design Quality**

- 9.77 DP Policy DES4 outlines that developments must be of a high standard of design and layout to reflect and promote local distinctiveness. This policy explains that proposals will be expected to make the best possible use of the available land by respecting or improving upon the character of the site and the surrounding area, with reference to scale, height, massing, orientation, siting, layout, density, materials, landscaping and design features. DP Policy HOU2 notes that housing schemes should make efficient use of land and should demonstrate how density has been informed by the character of the local area.
- 9.78 MHNP Policy D1 sets out that proportionate evidence should be provided to demonstrate that a comprehensive design process has been carried out to achieve sustainable high-quality design. MHNP Policy MH D2 requires developments to harmonise with the surroundings. This policy lists a set of design guidelines, which relate to local distinctiveness, styles, proportions, building heights, materials, roof designs, boundary treatments and hardstanding.

## **Design Approach and Evolution**

- 9.79 This application is supported by a Design and Access Statement (DAS). This document outlines how the scheme has evolved since the applicant's initial indicative proposals for the site in 2023 through to registration of the planning application in August 2025.
- 9.80 The DAS explains how the site constraints and opportunities, as well as the context and local character of Much Hadham, have fed into the design of the final scheme. The below image from the DAS illustrates the applicant's interpretation of the constraints and opportunities on the site.



- 9.81 From the initial process of identifying the site constraints, the applicant was able to develop a list of key opportunities that they consider any scheme should address to achieve high quality design. The DAS sets out this list of key opportunities and aims, which includes a need to provide connections to nearby neighbourhoods, create character that integrates with Much Hadham, reflect architecture of the village, incorporate existing landscaping and create a new accessible open space.
- 9.82 The applicant then developed some indicative concept layouts for the development. These were presented to Council officers in 2024 through the pre-application process. Officers provided feedback on the initial proposals, including suggestions to reduce density, increase distance between buildings and site boundaries, and evolve the architectural approach. In addition, it is understood that around this time the applicant collected feedback from local residents at a public exhibition, which further informed the design. This included alterations to the layout to provide additional parking spaces for public use at school drop-off and pick-up times, as well as incorporating one-bedroom homes into the scheme to address local demand.
- 9.83 The applicant engaged with Council officers further through additional pre-application meetings in late 2024, with amended layouts presented. Again, officers provided feedback, including suggestions to loosen up the layout, incorporate further planting and

develop a farmstead arrangement for buildings on the northern side of the development.

9.84 The final pre-application meeting was held in March 2025, where the applicant presented a number of amendments to the scheme. This included a reduction in the number of units from the originally proposed 34 down to 31, the provision of additional planting and alterations to the architectural approach. The scheme presented to officers in March 2025 is similar to the current proposals, however it is evident that the applicant has made several changes to the layout, since this final pre-application meeting. In addition, a number of design alterations have been secured through the process of this application, in order to respond to comments from the Design Officer and Landscape Officer.

9.85 The submitted DAS demonstrates that the proposals for the site have undergone an extensive design evolution. This has been informed by feedback from the public (at the public exhibition), officer comments at pre-application and application stage, as well as meetings with the Parish Council, HCC and St Andrews C of E Primary and Nursery School. The evolution of the proposals is clear from the below images, which show the initial indicative layout for the site and the currently proposed layout. Therefore, officers are content that sufficient evidence has been provided to demonstrate that a comprehensive design process has been carried out, as required by MHNP Policy MH D1.





### Layout and Density

- 9.86 The scheme seeks to position the proposed housing development on the southern and central parts of the site. The main internal access road would run eastwards into the site from Tower Hill (B1004). To the south of this access road, it is proposed to deliver 25 of the new homes. Whereas, directly to the north of the access road, and in the central part of the site, a cluster of 6 houses is proposed. The northern area of the site would be provided as an area of public open space, incorporating pedestrian routes and play equipment.
- 9.87 The majority of the new dwellings to the south of the main internal access road would be located along, and front onto, one of the three secondary roads that would extend southwards within the development. However, a small number of houses in this part of the site would be orientated to face onto the main internal access road. The cluster of dwellings in the central area of the site, and to the north of the main internal access road, would be positioned in a roughly circular formation.
- 9.88 The development would overall be built out at a low density of approximately 21.8 dwellings per hectare. This density is lower than other parts of Much Hadham (for example the adjacent Ash Meadows development). Therefore, it is considered that the layout

would appear well spaced out and the development would not be overly dense for the village setting. A density, below other parts of the village, is also considered appropriate, in this instance, as it would reflect the edge of village location and assist with the transition to the countryside to the east. As such, officers consider that the scheme has struck the appropriate balance between respecting the semi-rural setting and ensuring that the density would make efficient use of the land.

9.89 On the southern side of the main internal access road the development would be of suitably low density, with notable gaps provided between buildings. A number of the new buildings would be positioned to follow the curve or angle of the southward extending secondary roads. Officers consider that the spacing between built development, coupled with the curved building lines, would ensure that the scheme would have an appropriately organic and informal layout. This arrangement of buildings would relate well to the semi-rural location and avoid the creation of continuous or straight building lines, which would be more akin to an urban setting. The new buildings would also generally be positioned at set-back locations from the roads, often behind hedging. This is considered appropriate, as it would ensure that buildings would not appear overbearing in the street scenes. When viewed from further away, the grouping of built form and rooflines would not be overbearing within the viewpoints tested within the LVIA, including the MHNP priority views 6 and 12.

9.90 The Landscape Officer has suggested that the layout in the south-western corner of the development would appear cramped. However, the block of flats in this part of the site (Plots 28 – 31) would be well separated from the adjacent buildings to the north (Plots 26 and 27) and east (Plot 16). In addition, there would be roughly 7 metres between this block of flats and the southern site boundary. This separation to neighbouring buildings and the site boundary, would ensure that this part of the site would not appear unduly cramped or dense.

9.91 The cluster of 6 houses in the centre of the site would be laid out in a roughly circular formation, in order to mimic the arrangement of a farmyard. This layout was developed throughout the pre-application process, with input from the Design Officer. It is considered that this layout would facilitate the creation of a rural character for this part of the site, which would reflect the location of the site adjacent to countryside. The buildings would all be of differing footprints, whilst being orientated to face outwards in different directions. This variety in footprint and orientation would assist with creating an informal arrangement of buildings, which would be compatible with the semi-rural setting.

9.92 The spacious and low density layout would enable the incorporation of generous levels of planting. The front of the houses would generally be lined with hedging, with 24 street trees also planted in the street scenes. In addition, a significant number of trees would be planted directly to the east and west of the housing development, and also along the main internal access road. The Landscape Officer has suggested that further street trees could be planted. However, in officer's view, the proposed level of street tree planting, coupled with the new hedging and the substantial planting around the edges of the housing development, would result in a scheme that would be suitably softened and greened. The below image of the Illustrative Masterplan demonstrates how well greened the development would be.



Scale, Architectural Approach and Materiality

- 9.93 The building heights on site would be limited to two storeys. The majority of the proposed dwellings would be of two storey height, however a pair of semi-detached houses on the northern part of the development would be single storey. The restriction of building heights to two storeys would ensure compliance with MHNP Policy MH D2. In addition, these buildings heights would respect the scale of development in Much Hadham, meaning that the new buildings would not appear unduly large or bulky for the village setting.
- 9.94 The scheme includes a mixture of detached and semi-detached houses, as well as one small block of flats. Much Hadham contains a variety of detached, semi-detached and terraced housing. Officers consider that the provision of predominantly detached and semi-detached houses would be appropriate and would not be out of keeping with the types and styles of properties within the village. In addition, the omission of terraced housing from the scheme is supported, in the interests of delivering a spacious development of low density that would respect the semi-rural setting.
- 9.95 The proposed dwellings have been largely designed with pitched roofs, although a small number of buildings would have hipped roofs. These roof designs would relate well to the built form in the village, which includes buildings of pitched roof form, as well as some hipped roof properties.
- 9.96 Varying roof ridge heights would be incorporated into the built development, with several of the proposed dwellings also having forward projecting gable ends. In addition, a number of the houses would include details such as porches, chimney stacks or chimney breasts. The DAS explains how the proposed designs have been directly influenced by the characteristics of specific buildings within Much Hadham. Officers consider that the proposed house types appropriately respect the character of the village, with a good range of building proportions, massing and design features incorporated to provide visual interest and variety. As such, it is considered that the housing designs would be high quality.

9.97 A mix of external materials and finishes would be used across the development, including different coloured brickwork, render, boarding and a range of tiling. Officers consider that this mix in materials would reflect the village of Much Hadham, which includes buildings of varied materiality. In addition, the scheme seeks to incorporate materials of rural style, particularly on the northern part of the housing development, where black boarding and red brick plinths would be used, as shown in the below elevation drawings. These materials would assist in creating a farmyard character for this area of the site, whilst also ensuring that the scheme would assimilate appropriately with the countryside beyond. A condition is recommended to secure final details of materials to ensure that high-quality materiality is used.



9.98 The Design Officer suggests that there is some repetition of housing design on the southern side of the development. This comment is acknowledged, and whilst officers note that some similar house types would be positioned adjacent to each other, it is considered that the use of differing materials would ensure that the street scenes would include an appropriate mix of housing styles. This is evident from the below section drawings, where the incorporation of different materiality would provide variety to the street scenes.

9.99 The Design Officer has also questioned whether sufficient variation in fenestration would be provided. Most of the new buildings would have white coloured windows, however some black fenestration would also be included in the housing designs, as can be seen in the below section drawings. Officer consider that a suitable balance has been struck between using white coloured windows to reflect the character of Much Hadham, whilst also incorporating some black windows to provide a variety in fenestration. The scheme would include an appropriate mix of window sizes, with larger fenestration installed in the buildings on the northern side of the development to reflect the barn-style character and more typically sized windows installed in other house types.



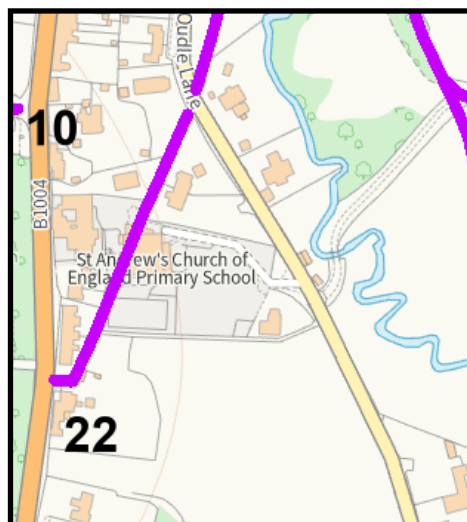
### Permeability and Open Space

9.100 To the north of the housing development it is proposed to create an area of public open space measuring roughly 0.9 hectares in area. This open space would incorporate pedestrian routes, play equipment and benches. Officers consider that this would be a

generously sized open space for a development of this scale, which would provide opportunities for recreation, play and exercise. The applicant has confirmed that this open space would be publicly accessible, and therefore the new open space would benefit the existing community in Much Hadham, as well as the residents of the new development. Long-term public access to the open space can be secured in the Section 106 Agreement.

9.101 The pedestrian routes within the open space would run in an east-west or north-south direction. The north-south routes would extend from close to the northern site boundary, through the public open space and then into the housing development. Three pedestrian connections would then be provided from within the development directly onto the public footpath to the south of the site (Much Hadham 025). Officers consider that these routes would appropriately encourage north-south pedestrian movements and permeability, which is supported in the interests of promoting active travel. In addition, this would be an alternative and safer north-south route, when compared with Oudle Lane, which is a narrow rural road with no footway. As such, this scheme would supply an improved north-south connection for the local community.

9.102 Close to the north-western corner of the site there is a public footpath (Much Hadham 022). Right of way mapping shows this footpath extending north-eastwards from Tower Hill (B1004) and directly through the school grounds, as shown in the below image. There is also currently a permissive footpath between the site and the school, which is narrow in nature.



9.103 An east-west footway is proposed along the northern site boundary, which would connect Tower Hill (B1004) and Oudle Lane. The applicant has suggested that this footway could (subject to agreement between HCC and the landowner) accommodate a diversion of public footpath Much Hadham 022. Whilst the diversion of this public footpath would not be secured through this application, this scheme would, nonetheless, provide a publicly accessible route between Tower Hill (B1004) and Oudle Lane. This footway would be higher quality and significantly more useable than either the current public footpath route or the permissive footpath. Therefore, it is considered that the proposals would enhance east-west pedestrian movements to the benefit of the local community and connectivity in an around the school.

9.104 A condition is recommended to secure the provision of these pedestrian connections, prior to first occupation of the development. In addition, limited details of the play provision in the open space have been provided with this application, and as such a condition is necessary to secure details of the play equipment. Subject to these conditions, officers consider that the scheme would provide a generously sized and high quality public open space, incorporating enhanced publicly accessible pedestrian routes. This is a notable benefit of the scheme that should be assigned moderate positive weight in the final planning balance.

9.105 Local residents have questioned the management arrangements for the public open space and pedestrian routes. The applicant has confirmed that the residents of the new development would be required to pay a management fee, which would be used to maintain the open space and associated footpaths. Officers have no concerns with this approach, which would be secured as part of the Section 106 Agreement.

#### Quality of Accommodation

9.106 DP Policy DES4 notes that all new residential developments should ensure that internal rooms are of an appropriate size and dimension, so that the intended function of each room can be satisfactorily achieved. In addition, the Technical Housing Standards – Nationally

Described Space Standards (NDSS) provides guidance on the minimum internal floor area requirements for new dwellings.

9.107 All of the proposed homes would be laid out with appropriately sized rooms, which would comfortably allow the function of the spaces to be carried out, in accordance with DP Policy DES4. In addition, the dwellings would all have gross internal floor areas that would meet or exceed the standards of the NDSS. Therefore, the homes would be of appropriate internal dimensions, providing good living conditions for the future occupiers.

9.108 The proposed dwellings have all been designed to be dual-aspect, providing the future occupiers with appropriate levels of light, adequate outlook and opportunities for cross ventilation. All the homes would be served by suitably sized garden spaces, ensuring that the the future occupiers would have access to a private outdoor space. The Landscape Officer has questioned the useability of the garden spaces for Plots 29 and 30, given that these gardens are not directly accessible from these upper floor flats. Whilst these comments are noted, it is not a necessity or policy requirement for these one-bedroom flats to be supplied with any outdoor space. Therefore, in officer's view, the provision of the garden areas for these flats would be a benefit to the future occupiers.

#### Design Conclusions

9.109 In summary, this scheme has undergone a comprehensive design process through the design evolution, pre-application discussions with EHDC and engagement with other bodies. This process meets the requirements of MHNP Policy MH D1 and has resulted in the creation of a scheme of high quality design.

9.110 A low density and informal layout has been adopted, which allows appropriate greening of the development. This is a sensitive approach, which respects the village edge location and assists with the transition to the countryside beyond. In addition, the restriction of building heights to two storey would ensure that the proposals would respect the scale of built form in Much Hadham. The housing designs would be high quality, incorporating design and architectural

features that reflect the character of buildings in the village. The proposed materiality would relate well to both the village and the semi-rural location. The scheme would also deliver publicly accessible open space and pedestrian routes to the benefit of the existing community and new residents within the development.

9.111 Therefore, overall, officers consider that the scheme would be of high quality design. The proposals would be compatible with the character and appearance of the site, the surrounding area, the village and the wider rural area. As such, in design terms, the proposals would comply with DP Policies GBR2, VILL1, HOU2, DES4 and CFLR1, MHNP Policies D1 and D2, as well as Sections 8, 11 and 12 of the NPPF.

### **Landscape Character and Visual Impacts**

9.112 Paragraph 187 of the NPPF requires that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan, and recognising the intrinsic character and beauty of the countryside. The site is not located within a valued or protected landscape policy under the development plan or the NPPF, thereby Paragraph 187(a) does not apply. In this instance, the proposals must be considered as to whether they 'recognise the intrinsic beauty of the countryside (Paragraph 187 (b)).

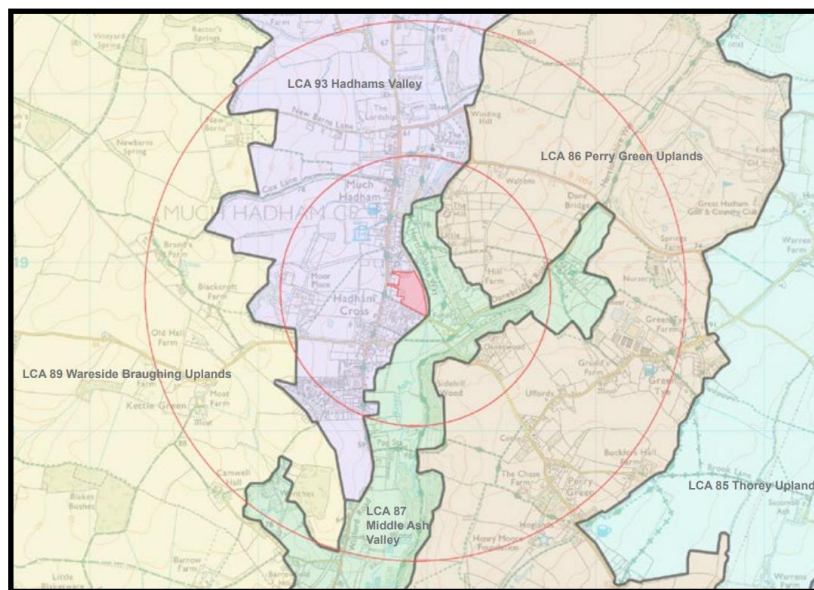
9.113 DP Policy DES2 notes that proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the District's landscapes. This policy outlines that, where appropriate, proposals should have regard to the Landscape Character Assessment SPD. MHNP Policy MH H10 (the reserve site policy) requires any development of this site to ensure that there would be minimum adverse effects on the landscape.

#### **Landscape Character**

9.114 The application site consists of an open field, together with small pockets of woodland. The land levels on site are at their highest point

to the west, adjacent to Tower Hill (B1004). To the east the land levels drop away, with the lowest point of the site being in the south-eastern corner. The village of Much Hadham lies directly to the west of the site, with the Ash Meadow development also present to the south. The River Ash is to the east and beyond the river are the eastern river valley slopes, which rise up steeply. The site is situated on the western valley side of the River Ash.

9.115 The Landscape Character Assessment SPD identifies that the site is within Landscape Character Area (LCA) 93 – The Hadhams Valley. This LCA is noted as containing a ‘deep, wide, distinctive river valley with notable ancient settlements at crossing points’. Much Hadham is identified as one of these ancient settlements. Oudle Lane forms the boundary to LCA 93, and the land to the east of this road is within LCA 87 – The Middle Ash Valley. A key characteristic of LCA 87 is said to be the ‘narrow flat valley floor contained by steep side slopes’. Both these LCAs are of relevance, given that the River Ash valley landscape is clearly evident from the site.



9.116 In accordance with DP Policy DES2, this major application is supported by a Landscape and Visual Impact Appraisal (LVIA), which considers the impact of the proposal on local landscape character, with particular regard had to land use, topography and vegetation. The LVIA also judges the overall resulting landscape effects on LCAs 87 and 93.

- 9.117 In terms of the landscape baseline, the LVIA explains that the use of the field as undeveloped grassland currently reinforces the settlement edge, retaining a degree of openness between the village and the Ash Valley floor. The LVIA also outlines that the sloping topography reflects the role of this site as part of the valley-side setting of Much Hadham. The native hedgerows and mature trees lining the existing field are said to be typical of the field structure of the Ash Valley. From these observations, it is clear that the site contributes to landscape character and fulfils a transitional function between the village and the River Ash. The LVIA therefore notes that there is landscape sensitivity.
- 9.118 The scheme would result in some of the existing grassland and rural land cover being replaced with built development, access roads and domestic curtilages. The LVIA accepts that in land use terms there would be a substantial change to the character and function of part of the land. While this is acknowledged, the LVIA notes that the development is laid out with the northern part of the site provided as open grassland, ensuring that an undeveloped component on the site would be maintained. This also provides a sense of space and openness to the setting of the grade II listed Hill House. Given the retention of this open land, the LVIA concludes that, in terms of land use, there would be a 'moderate adverse' landscape impact rather than a significant effect.
- 9.119 The development would also result in the topography and natural flow of the land being altered, with interrupted and stepped landforms and buildings introduced. While the LVIA acknowledges this, it is outlined that the overall slope direction on site would remain. On this basis, the LVIA concludes that there would be a 'minor to moderate adverse' landscape impact, in relation to the topography of the western valley side of the River Ash.
- 9.120 The scheme proposes to largely retain notable trees and hedgerows (as shown in the below landscape masterplan), ensuring that the enclosure of the site provided by existing vegetation would be retained (this would enable the landscaping to adhere to the requirements of DP Policy DES3). Furthermore, it is intended to

increase tree cover on site, with a significant level of new planting proposed. Due to the elevated level of planting, the LVIA explains that the scheme would enhance landscape structure in the long-term, with a *'minor beneficial'* landscape impact arising, in terms of vegetation cover.



9.121 In regard to the wider impact on LCA 93, the LVIA notes that the new built development would be perceptible within this landscape. However, it is highlighted that the development would create a new settlement edge that would be read with the modern Ash Meadows development to the south. In addition, the LVIA explains that over time the new planting would assist with visually integrating the development into the landscape. Noting these observations, and given that the effects would be localised within the wider LCA, the LVIA concludes that there would be a *'minor adverse'* impact on the landscape character of LCA 93.

9.122 It is also accepted within the LVIA that the impacts of the development would be perceptible from elevated locations within the neighbouring LCA 87. However, the LVIA explains that from LCA 87 the development would appear alongside existing built form (i.e. the Ash Meadows development) and the new buildings would be positioned within a partially enclosed and well-treed setting. The LVIA

concludes that LCA 87 would continue to retain a strong sense of rural continuity, with the new development perceived as a minor element in a broader rural panoramic. On this basis, the LVIA suggests that LCA 87 would be affected by 'negligible to minor adverse' landscape impacts.

9.123 From the above paragraphs, it is evident that the LVIA considers that the proposals would result in landscape impacts ranging from minor beneficial to moderate adverse, in terms of their significance. An important observation is that the proposals would result in the loss of open and rural land, which currently plays a transitional landscape role between Much Hadham and LCA 87. The Landscape Officer has not specifically disputed any of the conclusions from the LVIA. Officers generally agree with this position of the Landscape Officer, however it is considered that the LVIA may have slightly underestimated some landscape impacts. For example, the sloping nature of this part of the western valley side of the River Ash is likely to be notably impacted by the built development. This means that the landscape impacts, relevant to topography, could be considered 'moderate adverse', rather than minor to moderate adverse. Furthermore, due to the proximity of the site to, and relationship with, LCA 87, the landscape impacts on this overall LCA could be upgraded to 'minor adverse', instead of negligible to minor adverse.

9.124 Nonetheless, officers consider the LVIA to be a reasonable and well-informed interpretation of the landscape impacts of the proposals. It is considered that the overall landscape impact of the development can be judged to be 'minor to moderate adverse'. This reflects slightly greater weighting applied to the adverse landscape impacts resulting from the loss of this rural land between the village and the River Ash. However, through the provision of additional landscaping within the site notably the significant additional tree and hedgerow planting, vegetation cover and boundary treatment it is considered the proposals will mitigate the landscape impact and enhance parts of the site given the opportunities.

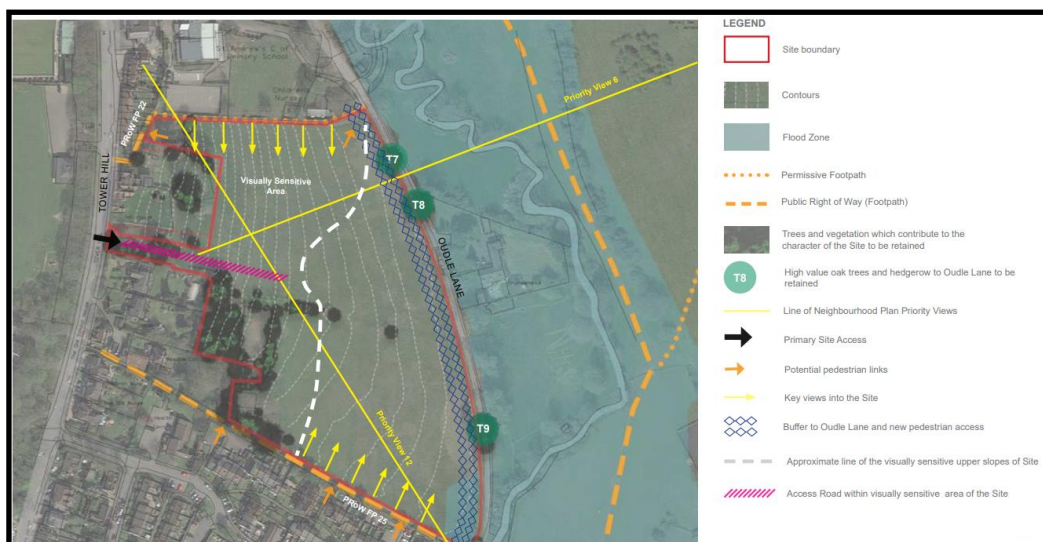
9.125 Officers do not consider that there would be material conflict with MHNP Policy MH H10 (Part II), as it has been demonstrated that the

proposals have been designed to 'minimise adverse effects' on the landscape character through the detailed design and landscaping scheme. This conclusion, in terms of MHNP Policy MH H10, is considered appropriate, as by identifying this land in the MHNP as a reserve site for housing, it was accepted that some adverse landscape impacts would arise. This is because any housing development on this site would be likely to result in some adverse landscape impacts. In officers view, the landscape character impacts have been minimised, through the design as required by and in accordance with MHNP Policy MH H10 and DP Policy DES2.

### Visual Impacts

9.126 MHNP Policy MH PV1 lists priority views in the Parish and sets out that these views should be protected. This policy also explains that development affecting these views will only be permitted in exceptional circumstances, taking into account screening and height of buildings. MHNP Policy MH H10 (the reserve site policy) specifically requires any development of this site to preserve priority views V6 and V12.

9.127 The LVIA considers the priority views within the attached diagram which also indicates to the west of the white dotted line the visually sensitive area, the location of high value trees, trees and vegetation which contribute to the character, views into the site, Oudle Lane buffer, the nearby public rights of way and the line of the priority views.



9.128 The submitted LVIA has considered the visual impact of the proposed development from numerous viewpoints in the locality. This includes near and mid distance views from roads, public rights of way and permissive footpaths. The LVIA also includes an assessment of the impacts on MHNP priority views V6 and V12. In total, the LVIA has considered 28 viewpoints. The location of the assessed viewpoints is shown in the below images.



*Near Viewpoints*

9.129 Viewpoints 1 and 2 are taken from the and a stretch of permissive footpath to the north-west of the site. From these positions, there

are currently views possible across the application site. The proposals would introduce built development into these views, altering the openness currently experienced. However, the LVIA notes that an area of public open space would be provided between these viewpoints and the built development, limiting the magnitude of the visual change in the long-term to 'moderate to minor adverse or neutral'.

9.130 Visibility along Oudle Lane is represented by viewpoints 3 – 8. The site is located at an elevated position, in relation to this road. The boundary with Oudle Lane is made up of established hedgerows and trees, meaning that there are currently only glimpsed views possible into the site through gaps in vegetation. This scheme would provide additional planting close to the eastern site boundary, which would reinforce and boost the screening along Oudle Lane, as it matures. Due to this, the proposed development would be well screened from Oudle Lane in the long-term. As such, the LVIA concludes that there would be a 'negligible adverse' visual impact on these views.

9.131 There are currently views possible across the site from the public footpath to the south (Much Hadham 025) and these are represented by viewpoints 9 – 11. The LVIA explains that the built development would be clearly visible from this footpath, being in close proximity to this route. As such, there would be a notable change to these views, with the perception of openness lost. The LVIA considers that following development there would be 'moderate to major adverse' visual impacts on these views. However, it is suggested that this could reduce to 'moderate adverse' visual impacts, as planting matures along the site boundary and provides some screening at eye level.

9.132 Visibility from Tower Hill (B1004) is represented by viewpoints 12 – 14. In most views from Tower Hill (B1004) the proposed development would not be visible as it would sit behind, and be screened by, existing buildings along this route. The most prominent change to views along Tower Hill (B1004) would be as a result of the construction of the new access. However, the LVIA claims that this would not represent a significant positive or negative visual shift. In

addition, the LVIA notes that views into the site through the access point would largely be screened by new planting, particularly as it matures in the long-term. Therefore, it is concluded in the LVIA that there would be a 'neutral' impact on views from Tower Hill (B1004).

9.133 Viewpoints 15 and 16 are taken towards the site from the adjacent Ash Meadow development to the south. There is currently visibility from Ash Meadow across the site, including private views from the houses directly to the south. The LVIA accepts that the perception of openness currently experienced in views from Ash Meadow would be lost, with built development replacing the undeveloped field. Whilst this would notably change these views, the LVIA concludes that the visual impact would only be 'minor adverse'. This conclusion may have been reached, as several of the views from Ash Meadow are private and it is well established that impacts on private views are not a material consideration for a planning application. Therefore, the LVIA may have applied lesser significance to these views, meaning that a lower visual impact has been identified.

9.134 To the east of Oudle Lane there is a public footpath (Much Hadham 023), which runs in a north-south direction. Viewpoints 17 – 20 are taken from this PROW towards the site. There are small blocks of woodland and trees between these viewpoints and the site, which provide screening. Due to this, there are only minimal glimpses of the site from this PROW through gaps in vegetation. The LVIA concludes that this existing screening, coupled with the additional screening afforded by new planting on the site, would result in there being limited long-term views of the development from this PROW. Therefore, the LVIA considers that the visual impact on these viewpoints would be 'negligible adverse'.

9.135 Viewpoints 21 and 22 are taken from a public footpath (Much Hadham 024), which runs eastwards from Much Hadham 023. The site is largely screened from this PROW by the presence of intervening vegetation. However, some limited visibility of the northern end of site is possible from these viewpoints. The LVIA notes that the northern end of the site would be mostly made up of public open space. Therefore, there would be limited built

development on this part of the site. Given this, and noting the existing screening and additional screening through new planting, the LVIA concludes that there would be a *'neutral'* visual impact on these views in the long-term.

9.136 Viewpoints 23 – 25 are taken from the permissive footpath at the top of Steep Jack Hill, which is to the east of Oudle Lane. This permissive footpath runs south from PROW Much Hadham 024. These viewpoints face westwards towards the site. From this permissive footpath, there are long-range views available across the Ash Valley, with the application site visible in the foreground. Viewpoint 24 is representative of MHNP priority view 6 and the photo of this view from the LVIA is provided below.



9.137 The completed development (i.e. at Year 1) would appear as a new band of built form in Viewpoints 23 – 25, extending the settlement edge of Much Hadham onto the valley slopes. However, the LVIA suggests that the development would be viewed in the context of the existing village edge and the Ash Meadows scheme. Given this, the LVIA concludes that at Year 1 there would be a *'moderate to minor adverse'* visual impact on general westwards views from the permissive footpath, while there would be a *'moderate adverse'* visual impact on MHNP priority view 6, depicted by Viewpoint 24.

9.138 The LVIA accepts that at Year 15 the development would remain visible in Viewpoints 23 – 25. However, it is suggested that over this period new planting would have matured to soften the impact and provided further screening. Due to this, the LVIA concludes that in the long term there would be **'minor adverse'** visual impacts on these views from the permissive footpath.

9.139 Viewpoint 26 is taken from public footpath Much Hadham 025, which runs south-east from the site to meet Stansted Hill. Vegetation along Oudle Lane largely screens visibility of the site from this viewpoint. However, there are some glimpses towards the site available through gaps in vegetation. The LVIA explains that as the new planting matures additional screening would be afforded, resulting in there being limited views of the development. On this basis, the LVIA concludes that the long-term visual impact on this view would be **'negligible adverse'**.

9.140 A further footpath is present to the south of the site (Much Hadham 027). This PROW runs in an east-west direction. Viewpoint 27 is representative of a view from this PROW. The LVIA notes that from this viewpoint the development would be seen in conjunction with houses on Ash Meadow. Due to this, and given that additional screening would be provided by new planting, the LVIA concludes that there would be 'no effect' on the view from this location.

9.141 The final views considered in the LVIA are Viewpoints 28 and 28A. These views are taken northwards towards the site from a bridleway (Much Hadham 028) that runs through Sidehill Wood. Viewpoint 28 is representative of MHNP priority view 12 and the photo of this view from the LVIA is provided below.



9.142 The LVIA notes that the completed development (i.e. at Year 1), particularly rooflines and upper elevations, would be visible in this view. However, it is explained that the development would be viewed in conjunction with houses on Ash Meadow. On this basis, the LVIA concludes that there would be a **'minor adverse'** visual impact on this view at Year 1.

9.143 It is accepted in the LVIA that at Year 15 there would still be some visibility of the development from Viewpoint 28. However, the LVIA suggests that views from this bridleway would be softened and screened by new planting over time. Therefore, the LVIA concludes that at Year 15 there would be a **'minor to negligible adverse'** visual impact on this viewpoint.

#### *Visual Impact Conclusions*

9.144 The above paragraphs have summarised the conclusions of the submitted LVIA with the long term visual impacts set out in the table below.

<b>LVIA Viewpoint No.</b>	<b>Location</b>	<b>Long Term Impact</b>
<i>Near Viewpoints</i>		
1-2	Public footpath (Much Hadham 022)	Moderate to Minor Adverse
3-8	Oudle Lane	Negligible Adverse
9-11	Public footpath to the south (Much Hadham 025)	Moderate Adverse
12-14	Tower Hill (B1004)	Negligible
15 & 16	Ash Meadow	Minor Adverse
<i>Mid Distance Viewpoints and MHNP Priority Views</i>		
17-20	East of Oudle Lane there is a public footpath (Much Hadham 023)	Negligible Adverse
21 & 22	Public footpath (Much Hadham 024), eastwards from Much Hadham 023	Neutral
23-25	Permissive footpath at the top of	Minor Adverse

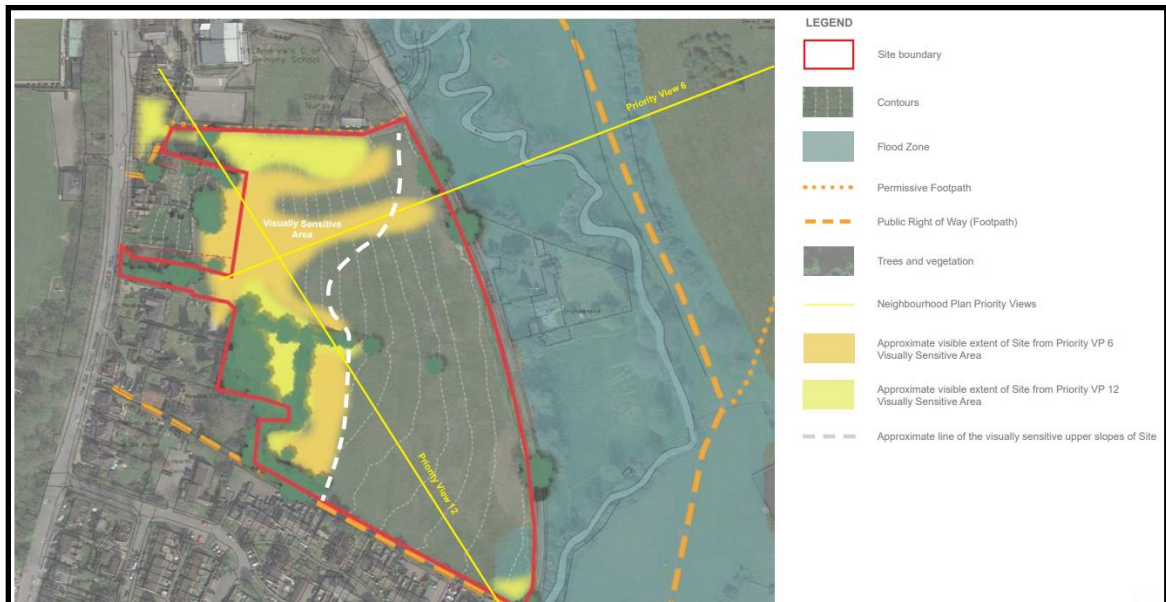
	Steep Jack Hill, east of Oudle Lane	
24	<b>NP Priority View 6</b> Permissive footpath at the top of Steep Jack Hill, east of Oudle Lane	Minor Adverse
26	Public footpath Much Hadham 025, south-east from the site to Stansted Hill.	Negligible Adverse
27	Footpath south of the site (Much Hadham 027)	No effect
28 & 28A	<b>NP Priority View 12</b> Bridleway (Much Hadham 028) that runs through Sidehill Wood	Minor to Negligible Adverse

9.145 In terms of the near viewpoints, the LVIA has identified visual impacts ranging from neutral up to moderate adverse at Year 15. The Landscape Officer has reviewed the LVIA and has not specifically questioned any of these assessments. However, this consultee has suggested that there could be a notable change to views from Tower Hill (Viewpoints 12 – 14) and the public footpath to the south of the site (Viewpoints 9 - 11). Therefore, the LVIA may have slightly underestimated the visual impact on these viewpoints. The adverse visual impacts on these views could be upgraded to ‘minor adverse’ (Viewpoints 12 – 14) and ‘major to moderate adverse’ (Viewpoints 9 – 11).

9.146 The mid-distance views considered in the LVIA are identified as being affected by visual impacts ranging from ‘no effect to minor adverse’ at Year 15. The Landscape Officer has again not disputed these conclusions. Officers generally agree with these assessments, however the visual impact on the MHNP priority views is further discussed below.

9.147 The MHNP priority views have been plotted within the LVIA in order to inform the proposed layout of the development. The requirement of MHNP Policy MH H10 is for the priority views to be preserved and for landscape character impacts to be minimised. The recommendations from the LVIA are set out in the Landscape

Strategy Plan below. This plan indicates the parts of the site where the priority views fall within the visually sensitive areas. The northern area at the rear of Hill House is free from development on the basis that it lies with the most visually sensitive area.



9.148 The sensitive areas are generally kept free from built development. However, there are parts of the site which would still be seen in the priority views.

9.149 In relation to MHNP priority view 6 (Viewpoint 24), the LVIA concludes that at Year 15 there would be a 'minor adverse' visual impact. The LVIA is accompanied by visual representations, which seek to illustrate how the development would be seen in MHNP priority views 6 and 12. The relevant representations for MHNP priority view 6 at Year 15 are shown below.





9.150 Officers consider that in the summer the development would nestle into the landscape, with predominantly only roofs visible above tree lines. Notable screening from existing and new planting would be present during the summer. Therefore, it is agreed that in the summer the visual impact would be minor adverse. However, there would be less screening available in the winter, meaning that the development would be more visible at this time of year. Given this, officers consider that a moderate adverse visual impact would affect this view in the winter. As such, overall, it is considered that there would be a ***'minor to moderate adverse'*** visual impact on MHNP priority view 6. This reflects minor adverse impacts in the summer and moderate adverse impacts in the winter.

9.151 The Landscape Officer and the Sustainability Officer have both questioned the positioning of the access point and parking spaces in a visible part of MHNP priority view 6. In addition, Much Hadham Parish Council have suggested that the presence of vehicles in this view would be an alien feature in the landscape. Whilst these comments are acknowledged, the relevant parking spaces are identified as being for visitors. Therefore, vehicles would not be parked in these spaces permanently. Furthermore, the transient nature of vehicular movements through the access means that this would not result in permanent visual impacts. Given these observations, it is not considered that the location of the access point or visitor parking spaces would alter officers above conclusions, in relation to the impact on priority view 6.



moderate adverse visual impact on MHNP priority view 6, whilst there would be a negligible to minor adverse visual impact on MHNP priority view 12. The identification of some harm to MHNP priority view 6 means that the development would not preserve the view and this conflicts with MHNP Policy PV1 and part of policy MH H10 (II).

9.155 The proposed development of the land would result in the introduction of built form to an open site which would not preserve the priority view 6 (in its current state) as required by MHNP Policy MH H10. Notwithstanding this, the scheme has been designed to minimise adverse impacts on this and other views, with notable screening provided by new planting (including additional tree planting), from the design of development and appropriate use of materials and by retaining the northern side of the site which is left undeveloped and open. The design and layout of the development have substantially followed the landscape recommendations within the Strategy Plan in the LVIA.

9.156 Officers consider that the proposals have been prepared with due consideration of the requirements of DP Policy DES2. The submitted LVIA (including Landscape Strategy) and detailed landscape masterplan demonstrate how the development would conserve, enhance and strengthen the character and distinctive features of the landscape. It is considered the LVIA fulfils the key requirements of this policy as the document has duly considered how impacts, mitigation and enhancement opportunities from the development could be addressed. Secondly, appropriate mitigation measures (including the strengthening of planting around the site boundaries and planting new trees between buildings) have been taken into account when considering the effect of development on landscape character/landscaping. The LVIA evidences how the development proposals have regard to the District Council's currently adopted Landscape Character Assessment SPD and how overall the extent of change is limited to a minor adverse impact. In summary, any moderate - major adverse impacts are limited and are minimised through the design and provision of the landscape scheme.

- 9.157 Turning to the importance placed upon the priority viewpoints set out in the MHNP, officers have duly considered the impacts across all views in the LVIA in concluding the extent of harm. In addition, officers consider that it would not be possible to develop this site without there being some impact on the priority views (particularly priority view 6) and it is inevitable that there would be a degree of change to the views. Officers consider by identifying this land as a reserve site for housing in the MHNP, it was accepted that there would be a level of impact on these views and that some priority would be given to the provision of new housing providing for future housing need in Much Hadham (over the preservation of the views). Given this, officers consider it would be reasonable to apply a pragmatic interpretation of this element of the MHNP policy noting that the LVIA concludes there are limited impacts on longer range views and that there are no other statutory landscape designations which elevate the site to a 'valued landscape' in the context of Paragraph 187(a) of the NPPF. A NP Priority View does not elevate the status of the land to that of a valued landscape in the context of 187(a) of the NPPF, although officers recognise it is important locally.
- 9.158 For the reasons set out above, officers therefore advise that the weight attributed to the conflict with this element of the MHNP Policy MH PV1 and part II of MH H10 should be tempered although it is concluded that the submission has demonstrated how the development has been designed to recognise the intrinsic character and beauty of the countryside in accordance with relevant requirements set out in Paragraph 187(b) of the NPPF.

### **Impacts on Heritage Assets**

- 9.159 DP Policy HA1 outlines that development should preserve, and where appropriate, enhance the historic environment. Section 16 of the NPPF relates to the historic environment and Paragraph 212 explains that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

9.160 DP Policy HA4 sets out that developments in CAs should preserve or enhance the special interest, character and appearance of the area, taking into account buildings lines, layouts, materials, design details, scale, proportions, form, height and overall character. This policy also notes that regard should be had to the relevant Conservation Area Character Appraisals. DP Policy HA4 largely reflects Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

9.161 DP Policy HA7 explains that proposals should preserve the setting of listed buildings. These policies reflect Section 66 of the Planning (Listed Building and Conservation Areas Act) 1990, which require special regard to be had to the desirability of preserving a listed building or its setting.

9.162 MHNP Policy MH H10 (the reserve site policy) notes that any development of this site should ensure minimum adverse effects on the Conservation Area and historic environment.

#### Conservation Area

9.163 The site is located centrally within the Much Hadham Conservation Area (CA). The Much Hadham Conservation Area Appraisal (MHCAA) splits the CA into three identity areas. The majority of the site is considered to be within Area B – The Ash Valley, however the proposed access point would be within Area A – Widford Road, Tower Hill and High Street. While predominantly within Area B, the close proximity of the site to Area A means that this identity area is also of relevance.

9.164 In relation to Area A – Widford Road, Tower Hill and High Street, the MHCAA states that: *'The main street consists of a variety of properties being a selection of large Georgian houses that contrast with cottages dating from the 16th and 17th centuries. In addition there are many 19<sup>th</sup> century non listed properties which make a very worthwhile historic and architectural contribution.'* The MHCAA also notes that the *'street scene is of the very highest calibre whose quality has not been significantly eroded'*.

- 9.165 The MHCAA describes Area B – the Ash Valley as *'a mixed and varied landscape consisting of gently sloping wetland, pasture and meadows in the valley bottom between the edge of the built up area and the River Ash'*.
- 9.166 This application is supported by a Built Heritage Statement (HS). This document outlines that the significance of the CA is principally derived from the variety of architecture and representations of architectural periods. However, the HS also notes that the rural context of the CA makes some contribution to the significance of the heritage asset. The Conservation Officer considers that the rural setting of the CA is of key significance, as it relates to the historic development of the village.
- 9.167 In terms of architecture, the proposal has restricted the scale of built development to two storeys. These building heights would respect the scale of built form within the CA. Therefore, the proposed buildings would not appear as out of proportion or dominant built additions to the CA. The house designs have also been influenced by the CA, with design and architectural features incorporated that reflect the character of historic buildings within the heritage asset. The mix of materiality relates well to the heritage asset, given the variety of materials evident in the CA. Officers consider that the development would, overall, comprise of high quality buildings that would be sympathetic to the CA. Therefore, from a design and architectural perspective, the scheme would not detract from the character, appearance or significance of the heritage asset.
- 9.168 The creation of the access point would result in a change to the character and appearance of a street scene within Area A of the CA. The HS notes this, however explains that there are other access roads running off Tower Hill and High Street (B1004). Given this, the HS concludes that the new access would not be an out of keeping or incongruous feature within the CA. The Conservation Officer has not disputed this assessment or raised any concern with the provision of this new access point. On this basis, officers are content that this part of the development would not harm the character, appearance or significance of the CA.

- 9.169 While the above conclusions are noted, officers are conscious that the rural setting is also of significance to the CA. The Conservation Officer notes that there are numerous areas of open and green rural land within the CA. This consultee explains that some of these green spaces are set along the road, whilst others are located behind frontage buildings. The Conservation Officer considers that these spaces contribute positively to the significance of the heritage asset, being a strong reminder of the rural setting of the CA.
- 9.170 The MHCAA does not identify the site as being an 'important open space to be protected'. However, the open and green nature of the land, coupled with the position directly adjacent to the built part of the village, means that the site clearly contributes to the rural setting of the heritage asset. The proposed scheme would result in a loss of openness and a diminishing of the green character of the site, with built development replacing undeveloped grassland. Therefore, the proposals would detract from the rural character, appearance and setting of the heritage asset, causing harm to the significance of the CA. This adverse impact would be evident from the public footpaths along both the northern and southern site boundaries.
- 9.171 The HS acknowledges that there would be some harm to the significance of the CA, resulting from the loss of open land. However, this document notes that the omission of built development from the northern part of the site and the associated creation of public open space would enable the retention of some open aspect. Due to this, the HS concludes that the level of harm to the rural character, appearance and setting of the CA would be reduced. The Conservation Officer has not questioned this conclusion, and therefore officers are content that this approach would minimise impacts on the significance of the CA.
- 9.172 Overall, the proposal would result in the loss of open and undeveloped grassland adjacent to the village, which is considered to contribute to the rural setting and significance of the CA. While this is noted, the retention of open land on the northern part of the site would minimise this adverse impact. In addition, this would be a

localised impact within the CA, which further limits the degree of harm to the heritage asset, as a whole. The scheme has also been designed, from an architectural perspective, to be sensitive to the CA setting and this would assist in ensuring that the scheme appropriately integrates into the historic environment.

9.173 Given the above, officers consider that the proposed scheme would result in less than substantial harm to the significance of the CA, at the lower end of this spectrum. This reflects the findings of the HS and the comments from the Conservation Officer. Therefore, the proposal would result in some conflict with DP Policies HA1 and H4, MHNP Policy D2, Section 16 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The harm which has been identified to this heritage asset (the Conservation Area) is subject to the public benefits test as required under Paragraph 215 of the NPPF.

9.174 Officers do not consider that, in terms of the CA, the scheme would result in any material conflict with MHNP MH H10. When identifying this site as a reserve site for housing the MHNP must have accepted that some harm to the CA would arise, were this site to come forward. This is because any housing scheme on this land would introduce built development onto open grassland, detracting from the rural setting of the CA. It is considered that through retaining some open land on the site and adopting a sensitive architectural approach, the scheme would result in 'minimum adverse effects' on the CA.

#### Setting of Listed Buildings

##### *Hill House (The Barn School)*

9.175 Hill House (The Barn School) is a grade II listed building, dating from the mid/late 19th century. This heritage asset was historically a house, however it was used as a school until 1998 when it was then converted back to residential use. The HS notes that the visibility from Tower Hill, the associated garden spaces, the grassland to the rear and the location within Much Hadham are all elements that contribute to the setting of Hill House.

- 9.176 The application site was under the same ownership as this heritage asset for a long period of time and the land was within the grounds of Hill House, when it was used as a school. As such, there is a historic and functional association between the site and this listed building. Both the HS and the Conservation Officer note that the undeveloped nature of the site also allows views of the rear of Hill House and enables the architectural interest of the heritage asset to be understood. Due to the historic association, the facilitation of views and the close proximity, the site is considered to contribute to the setting and significance of Hill House.
- 9.177 The proposed development would result in the loss of open and undeveloped grassland associated with Hill House. Therefore, the historic association and rural setting of this heritage asset would be diminished. In addition, the proposal would add built development into views of the rear of the listed building, taken from vantage points to the east (including long distance views). As such, the setting and significance of Hill House would be adversely impacted.
- 9.178 Whilst this is noted, the creation of open space on the northern side of the development would enable views of the rear elevation of this heritage asset to still be experienced. Furthermore, the retention of unoccupied land on the northern part of the site would enable the association between this listed building and the open grassland to still be understood. The retention of this open land would minimise impacts on the setting of Hill House.
- 9.179 The Conservation Officer has also noted that the area of land to the south of Hill House has historically been open and green. This consultee outlines that this open land provides separation between Hill House and other built development, enhancing the visual prominence of this heritage asset in the street scene. The creation of the access point would alter this setting, with further hard surfacing and vehicular movements introduced. The Conservation Officer considers that this would detract from the visual prominence and setting of Hill House.

- 9.180 Overall, the proposed development would result in the loss of open land that has a historic association with Hill House. In addition, the proposals would add built development into views of this heritage asset. The creation of the access point would also detract from the visual prominence of the listed building along Tower Hill (B1004). Therefore, the proposals would adversely impact the setting and significance of this grade II listed building, contrary to DP Policies HA1 and HA7, MHNP Policy MH H10 Section 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.181 While this position is noted, the HS outlines that the rear elevation of this heritage asset could still be experienced in views from the east, due to the provision of open space at the northern part of the site. In addition, this document explains that new planting would provide screening and a sense of enclosure between the housing and the listed building. This would allow the housing development to appear as an extension of the Ash Meadows development to the south, rather than a dominant addition to the setting of Hill House. On this basis, the HS concludes that the adverse impacts on the setting of Hill House would be minimised.
- 9.182 The Conservation Officer has not questioned the conclusions of the HS. Therefore, on this basis, officers consider that the adverse impacts to the setting of Hill House would constitute less than substantial harm to the significance of the heritage asset, at the lower end of the spectrum. This reflects the conclusions of the HS and the comments of the Conservation Officer.
- 9.183 The extended school area would also be reasonably close to the Hill House. Through the recommended condition securing details of this outdoor space, officers can ensure that any works in this area preserve the setting and significance of this listed building.
- 9.184 It is not considered that, in terms of the setting of Hill House, the scheme would result in any material conflict with MHNP MH H10. When identifying this site as a reserve site for housing the MHNP must have accepted that some harm to the setting of Hill House would occur, were this site to come forward. This is because any

housing scheme on this land would sever the historic association to Hill House, diminish the rural setting of the listed building and add built development into views of the heritage asset. Officers consider that through retaining open land at the northern end of the site and preserving views of the rear elevation, the scheme would result in 'minimum adverse effects' on the setting of Hill House.

*The Almshouses*

9.185 On Tower Hill (B1004) and close to the north-western corner of the site there are grade II listed Almshouses. The HS notes that there is understood to be no historic or functional association between the site and the Almshouses. The Conservation Officer outlines that the setting of the Almshouses is informed by their location on the main road, their rear gardens and the nearby school.

9.186 The proposed development would not impact any of the elements that the Conservation Officer identifies as contributing to the setting of the Almshouses. In addition, the proposed built development would be well separated from the listed building, being positioned on the southern and central parts of the site. This separation would ensure that the setting of this heritage asset would not be impacted. The setting and significance of this listed building would be preserved, in accordance with DP Policies HA1 and HA7, MHNP Policy MH H10 Section 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

The extended school area would be reasonably close to the Almshouses. Through the recommended condition securing details of this outdoor space, officers can ensure that any works in this area preserve the setting and significance of this listed building.

*Much Hadham St Andrew's Church of England JMI School*

9.187 To the north of the site is the grade II listed village school building. The HS suggests that the setting of this heritage asset is informed by the location on Tower Hill and the relationship with Much Hadham, the village that it serves.

9.188 The HS explains that there is no known historic or functional association between the site and the school building. In addition, the proposed built development would be well separated from this heritage asset, being located on the southern and central areas of the site. Due to this separation, there would be no impact on the setting of this heritage asset. The setting and significance of this listed building would be preserved, in accordance with DP Policies HA1 and HA7, MHNP Policy MH H10, Section 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.189 The extended school area would be reasonably close to the school building. Through the recommended condition securing details of this outdoor space, officers can ensure that any works in this area preserve the setting and significance of this listed building.

#### *K6 Telephone Kiosk*

9.190 There is a grade II telephone kiosk a short distance to the west of the site on Tower Hill (B1004). The setting of this listed structure is informed by its roadside location. The proposal would have no impact on this roadside setting. In addition, the built development would be well separated from this heritage asset. Given these observations, officers consider that the setting and significance of this heritage asset would be preserved, in accordance with DP Policies HA1 and HA7, MHNP Policy MH H10, Section 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Non-Designated Heritage Assets

9.191 DP Policy HA2 notes that where a proposal would adversely impact a non-designated heritage asset regard should be had to the scale of any harm or loss and the significance of the heritage asset. MHNP Policy MH HA2 identifies non-designated heritage assets and sets out that development causing harm to the settings of such assets will not be permitted, unless the harm is outweighed by public benefits.

9.192 The footbridge over the River Ash to the south-east of the site and a water pump on Tower Hill (B1004) are identified as non-designated heritage assets in MHNP Policy MH HA2. These non-designated heritage assets are in close proximity of the site, however the

proposals would not physically impact these structures. In addition, there would be no impact on the river setting or road-side setting of these heritage assets. As such, the significance and setting of these non-designated heritage assets would not be compromised. There would be no conflict with DP Policy HA2, MHNP Policies MH H10 or MH HA2, nor Section 16 of the NPPF.

9.193 The Conservation Officer has suggested that properties to the west of the site at Meadow Cottage and the Old School House are non-designated heritage assets. However, these buildings would not be physically impacted by the proposals. In addition, these dwellings would be screened from the development by the presence of woodland. As such, the setting of this non-designated heritage assets would not be compromised. There would be no adverse impact on the significance or setting of these non-designated heritage assets, and therefore no conflict with DP Policy HA2, MHNP Policy MH H10 or MH HA2, nor Section 16 of the NPPF.

#### Archaeology

9.194 DP Policy HA3 outlines that where development is permitted on sites containing archaeological remains, planning permission will be subject to conditions requiring appropriate investigation and recording.

9.195 The site is located within an Area of Archaeological Significance, which denotes the historic core of Much Hadham. Therefore, HCC Historic Environment Team were consulted on the application. This consultee considers that there is potential for the site to contain remains dating from at least the medieval period, given the historical setting. In addition, their comments note that there is other archaeological evidence in this area, including a projected course of a Roman road and a Neolithic axe. Therefore, this consultee concludes that the proposal should be viewed as likely to impact on heritage assets of archaeological interest. On this basis, the Historic Environment Team advises that a programme of archaeological work should be required via condition. This condition forms part of this recommendation and would ensure that appropriate provisions are made to secure any archaeological remains.

### Heritage Balance

9.196 The above paragraphs have concluded that the addition of built development onto this open site would detract from the rural setting of the CA. Therefore, the character and appearance of the CA would be harmed, with the significance of this heritage asset not preserved. In addition, the proposals would sever the historic association of the site with the grade II listed Hill House, whilst also introducing built development into views of this heritage asset and reducing the visual prominence of the listed building on Tower Hill (B1004). As such, the scheme would adversely impact the setting of the grade II listed Hill House, with the significance of this heritage asset not preserved.

9.197 Officers consider that the above adverse impacts on the CA and listed building constitute less than substantial harm to the significance of these heritage assets, at the lower end of the spectrum. Paragraph 215 of NPPF notes that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

9.198 In this instance, it is considered that the public benefits of the scheme (provision of housing, delivery of affordable housing, supply of public open space and creation of extended school space) would be of such weight that they would outweigh the less than substantial harm to the significance of heritage assets.

### **Neighbouring Amenity**

#### Residential Amenity

9.199 DP Policy DES4 outlines that proposals should avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land, and ensure that their environments are not harmed by inadequate daylight, privacy or overshadowing.

*Ash Meadow*

9.200 To the south of the site there are various properties on Ash Meadow. A public footpath (Much Hadham 025) is present between these neighbours and the application site. There would be notable separation distance between the proposed built development and the boundaries of these neighbouring dwellings (approximately 11 metres – 22 metres). Due to this separation, it is not considered that the amenity of these neighbours would be materially impacted by losses of light, overshadowing, restriction of outlook or overbearing effects.

9.201 The building in the southern-western corner of the site would contain four flats (Plots 28 – 31) and would have two first floor windows on its southern elevation. These windows would serve a landing and bathroom, and would face towards the neighbours at 5 – 9 Ash Meadow. Given that these new windows would not serve habitable rooms, and in order to limit any views towards these neighbours, it is considered reasonable to include a condition requiring these openings to be fitted with obscured glazing. No other issues of overlooking would arise for 5 – 9 Ash Meadow. Therefore, the privacy of these neighbours would be suitably protected.

9.202 Plot 16 would incorporate a south facing first floor flank window, acting as a secondary opening for a bedroom. This window would face towards the northern side elevation of 15 Ash Meadow. There are no openings on the side elevation of this neighbour, and therefore overlooking towards the windows of 15 Ash Meadow would not occur. Some views would be possible from this new window across the gardens of 10 – 15 Ash Meadow. However, visibility over gardens is to be expected in residential areas. Furthermore, these views would be significantly screened by the presence of trees along the public footpath. As such, officers are content that inappropriate overlooking across the gardens of 10 – 15 Ash Meadow would not arise. The privacy of these neighbours would not be compromised by the development. Plot 16 would be at an oblique angle to the properties at 16 – 19 Ash Meadow, and therefore invasive overlooking from the new flank window towards these neighbours would not occur.

9.203 The flank elevation of Plot 15 would also face southwards and would include a first floor window, serving as a secondary opening for a bedroom. This new window would face towards the rear elevations of the neighbours at 16 – 19 Ash Meadow. There would be sufficient separation between this new window and the built part of these neighbours (roughly 18 – 26 metres) to avoid invasive overlooking into the windows of 16 – 19 Ash Meadow. This new window would allow some views over the rear gardens of these neighbours, however, as explained above, visibility over garden spaces is common in residential areas. As such, it is not considered that such views would materially harm the privacy of these neighbours. The privacy of 16 – 19 Ash Meadow would, overall, be maintained.

9.204 Plot 7 is located towards the south-eastern corner of the site and the flank elevation of this house would face south towards the rear elevations of 20 – 23 Ash Meadow. This southern flank elevation would include a first floor window, acting as a secondary opening for a bedroom. Whilst the relationship between Plot 7 and 20 – 23 Ash Meadow is acknowledged, the new first floor flank window would be a significant distance from the boundary with these neighbours (approximately 22 metres). Due to this separation, this new window would not allow inappropriate overlooking of 20 – 23 Ash Meadow. The privacy of these neighbours would be protected.

#### *Tower Hill*

9.205 To the west of the site there are neighbours that front onto Tower Hill, including Meadow Cottage, Oakdene, Elm House, Hill House and the Almshouses. The proposed built development would be a significant distance from these neighbouring properties (approximately 22 metres – 130 metres). In addition, these neighbours would be separated from the new houses by areas of woodland or open space. Therefore, the amenity of these dwellings would not be adversely impacted by losses of light, overshadowing, restrictions of outlook, overbearing effects or overlooking. The amenity of these neighbours would be maintained.

#### *Other Amenity Considerations and Conclusions*

- 9.206 Several objections have raised concerns that there would be unacceptable disruption during the construction phase of the development. These comments are acknowledged, however through the imposition of a condition requiring submission of a Construction Traffic Management Plan (CTMP) measures can be put in place to minimise disruption for nearby residents throughout the duration of construction.
- 9.207 Some neighbours, particularly those to the south on Ash Meadow, have outlined that the development would result in the loss of views from their properties. Whilst these comments are noted, it is well established that the loss of a private view is not a material consideration for a planning application. As such, there is no basis to raise concerns with the proposals on these grounds.
- 9.208 In summary, it is considered, overall, that the amenity and living conditions of all neighbouring properties would be suitably protected through the development. Therefore, the proposed scheme would comply with DP Policy DES4.

#### Noise

- 9.209 DP Policy EQ2 requires developments to be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment.
- 9.210 The proposed housing development is not a use that, by its nature, would be noise generating. As such, from this perspective, the amenity of neighbouring properties would not be harmed by noise. While this is noted, the scheme includes the provision of air source heat pumps (ASHPs) to provide hot water and heating to the new dwellings. This equipment can create noise.
- 9.211 The application is supported by an ASHP Noise Assessment (NA), which considers possible noise generation from this equipment. This report identifies a model of ASHP that could potentially be used on site and sets out that this equipment would be installed in rear gardens enclosed by fencing or walls.

9.212 The NA explains that if the identified model of ASHP were to be installed more than 3 metres from a sensitive noise receptor (i.e. a window serving a habitable room or a garden space), then the relevant noise standards would be achieved and there would be no adverse noise impact on a residential neighbour. The Environmental Health Officer has reviewed the NA and has not disputed these conclusions. All of the proposed dwellings would be well over 3 metres from any existing properties neighbouring the site. Therefore, the separation distance set out in the NA could be comfortably provided. On this basis, officers are satisfied that noise generation from ASHPs would not compromise the living conditions of neighbouring dwellings. There would be no conflict with DP Policy EQ2. A condition is recommended requiring the ASHPs to be installed in accordance with the NA recommendations.

### **Access, Highways and Transport**

#### Trip Generation

9.213 DP Policy TRA2 explains that proposals should not result in a severe residual cumulative impact. Similarly, Paragraph 116 of the NPPF outlines that development should only be prevented on highways grounds if the residual cumulative impacts on the road network, following mitigation, would be severe. MHNP Policy MH ITC1 requires proposals to identify the realistic level of traffic generated by the development in a traffic assessment proportionate to the scale of the scheme.

9.214 This application is supported by a Transport Statement (TS), which includes a trip generation calculation. This trip generation estimate indicates that the proposed development of 31 dwellings on this site would create a total of 144 two-way vehicular trips across the day. The TS breaks this trip generation down and suggests that within the AM peak there would be 16 two-way vehicular journeys, whilst in the PM peak there would also be 16 two-way vehicular trips. This trip generation is shown in the below table.

<b>Hours</b>	<b>Two-Way Vehicular Trips</b>
AM Peak (08:00 – 09:00)	16

PM Peak (17:00 – 18:00)	16
Daily	144

9.215 The Highway Authority has reviewed the TS and has not questioned the validity of the trip generation calculations. In addition, this consultee has not objected to the scheme, on the basis that the level of vehicular trips generated by the development would result in excessive traffic or congestion on local roads. Given the comments of the Highway Authority, it is not considered that the proposal would result in a severe impact on the local highway network, in terms of free flow of traffic. As such, the proposed scheme would not be contrary to DP Policy TRA2, MHNP Policy ITC1 or Section 9 of the NPPF.

9.216 The TS also considers whether the new junction off Tower Hill (B1004) would have sufficient capacity to accommodate the vehicular movements associated with the development. Within this document, it is concluded that the new junction would operate well within theoretical capacity, meaning that the junction would be able to cater for the anticipated levels of traffic. The Highway Authority has not disputed these conclusions, and therefore it is considered that the junction would be suitable, in capacity terms, to serve the development. There would be no conflict with DP Policy TRA2, MHNP Policy ITC1 or Section 9 of the NPPF.

9.217 Various local residents have objected to the application, due to concerns with increased traffic in Much Hadham, particularly at school drop-off and pick-up times. These comments are noted, however the TS estimates that a relatively low level of vehicular trips would be generated in the AM Peak, whilst the number of journeys to/from the site at school pick-up times would also likely be limited. As such, it is not considered that the development would result in notable impacts on traffic levels at school drop-off or pick-up times. In addition, the proximity of the site to the Primary School means that the residents of the new development could walk or cycle with their children to/from school. Therefore, from this perspective, the scheme would not materially add to traffic levels at drop-off or pick-up times. Given these observations, officers are content that the

proposal would not result in a severe traffic impact at school drop-off or pick-up times.

### Access Arrangements

- 9.218 DP Policy TRA2 notes that developments should ensure safe and suitable access for all users. This policy, MHNP Policy MH ITC1 and Paragraph 116 of the NPPF outline that proposals should not result in unacceptable implications for highways safety.
- 9.219 The scheme proposes to create a new vehicular access from Tower Hill (B1004), at a position to the south of Hill House. The TS includes various tracking drawings, which demonstrate that the cars, refuse vehicles and emergency vehicles would be able to safely enter and exit the site at this access point. In addition, the Site Access Plan in the TS illustrates that appropriate visibility splays along Tower Hill (B1004) would be available from this vehicular access. The Highway Authority has reviewed the relevant drawings and has not raised any concern with this new access point. On this basis, it is considered that this new access is acceptable and would not result in adverse highway safety implications. There would be no conflict with DP Policy TRA2, MHNP Policy MH ITC1 or Section 9 of the NPPF.
- 9.220 Much Hadham Parish Council and some local residents have raised concern with the visibility from the new access, given that vehicles would, at times, be parked within the identified splays. The Highway Authority has acknowledged this, however this consultee explains that the relevant highway guidance addresses this point setting out that 'parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice'. The highway guidance goes on to advise 'where speeds are low, some encroachment may be acceptable'. In this instance, speeds are low along this stretch of Tower Hill (B1004), and therefore the Highway Authority does not consider the presence of parked cars within visibility splays to be a safety concern. Noting the position of the Highway Authority, officers are content that adequate visibility would be available from the new access point.

9.221 The suitability of the pedestrian crossing point over the new access has also been questioned by Much Hadham Parish Council. Whilst this comment is noted, the design of the access has been informed by pre-application discussions with the Highway Authority. This consultee outlines that this form of vehicular access 'helps reduce potential conflicts between vehicles and vulnerable road users'. Therefore, it is considered that the vehicular access, including the pedestrian crossing, is the optimal design in highway safety terms. Furthermore, officers note that the positioning of the crossing would allow pedestrians views along both Tower Hill (B1004) and the new internal access road. As such, it is considered that this crossing point has been positioned to maximise visibility levels for pedestrians, in the interests of minimising the potential for conflicts.

9.222 Much Hadham Parish Council and various local residents have raised general safety concerns, with the creation of a new access point close to a school. These comments are acknowledged, however the vehicular access would be roughly 100 metres from the main school entrance. In addition, as discussed above, suitable visibility would be available from the new access point and the number of vehicular movements through the access would be relatively low. Noting these observations, and given that the Highway Authority has not raised safety concerns with the proposal, officers are satisfied that the provision of a new vehicular access in this location would not result in adverse highways safety impacts.

9.223 One local resident has outlined that an access into the site from either Oudle Lane or Ash Meadow should have been explored. Whilst this suggestion is noted, officers must consider the proposal as presented in this application, which includes a vehicular access from Tower Hill (B1004). Regardless of this, Oudle Lane is a constrained and narrow rural road, and as such an access point from this route would not have been appropriate. Furthermore, it does not appear that a viable access point from Ash Meadow is available. Therefore, it is considered that the proposed access from Tower Hill (B1004) is the only viable option.

9.224 An internal access road is proposed to extend eastwards into the site from the new Tower Hill (B1004) access point. The carriageway would be 5.5 metres wide, with a footpath provided on the southern side. Three secondary roads would run south from this main internal access road to serve the new dwellings, whilst some individual driveways would also be provided directly off this access road. The TS includes a suite of tracking drawings, which show that cars, refuse vehicles and emergency vehicles could all suitably manoeuvre along the access roads and turn within the site. The Highway Authority has reviewed these drawings and has not raised any concerns. As such, officers are content that the scheme has been designed to allow all relevant vehicles to appropriately manoeuvre within the site, in accordance with DP Policy TRA2.

9.225 The Waste Services Team initially commented on the application requesting swept path analyses and information on waste collection points. Following receipt of these comments, the submitted tracking drawings and refuse collection plan were forwarded onto the Waste Services Team. This consultee has now reviewed these plans and has confirmed that they satisfy their expectations. Therefore, it is considered that refuse vehicles would be capable of entering the site, manoeuvring along access road and collecting bins.

#### Car and Cycle Parking

9.226 DP Policy TRA3 notes that vehicle parking should be assessed on a site-specific basis, taking into account the Supplementary Planning Document (SPD) 'Vehicle Parking Provision at New Development'. This SPD contains the Council's parking standards. MHNP Policy MH D3 sets standards for garage parking spaces and also outlines a presumption against tandem parking. This policy explains that proposals resulting in a loss of parking will not be supported, unless comparable provision is delivered.

9.227 DP Policy TRA3 and MHNP Policy MH D3 expect new developments to supply secure, covered and waterproof cycle storage facilities. DP Policy DES4 also encourages the provision of electric vehicle charging points for new homes.

9.228 The housing mix proposed through this development would give rise to a demand for 71 off-street parking spaces, when considered under the Council's parking standards. This proposed scheme includes 70 off-street parking spaces within private garages, carports and on driveways. As such, there would be a very minor under provision of parking, in relation to the adopted parking standards. Officers consider this under provision to be inconsequential, and therefore it is considered that sufficient off-street parking would be provided to serve the development, in accordance with DP Policy TRA3 and MHNP Policy MH D3. The supply of an adequate number of parking spaces means that the proposal would not result in additional pressure for on-street parking on local roads such as Tower Hill (B1004) or Ash Meadow.

9.229 The proposed garage spaces would all comply with the dimensions set by MHNP Policy MH D3. However, the scheme does seek to incorporate some tandem parking, which is not supported by MHNP Policy MH D3. Whilst this is noted, the tandem parking areas are limited to only two back to back vehicles, and as such officers do not consider that these layouts would result in an over dominance of cars in the street scenes. Furthermore, if the scheme were to avoid tandem parking, and instead provide side to side parking formations, it would result in a requirement to widen several driveways. This would ultimately be likely to lead to a loss of units. The scheme is already of low density, and therefore any further reduction in dwellings would, in officers view, be an inefficient use of the land. Given this, it is considered, in this instance, that there is a justification for the tandem parking, as it results in the most effective and efficient use of the land, without materially detracting from the design quality of the development.

9.230 Much Hadham Parish Council and local residents have noted that the creation of the new vehicular access would lead to a loss of on-street parking on Tower Hill (B1004). While this is acknowledged, the scheme includes 11 visitor parking spaces, which the applicant has confirmed would be made available for use by the general public. 6 of these visitor parking spaces would be positioned directly off the main internal access road and reasonably close to the access point.

Therefore, it is considered that the provision of these visitor parking spaces would directly offset the loss of on-street parking on Tower Hill (B1004). As such, there would be no conflict with DP Policy MH D3.

9.231 The submitted plans indicate that individual cycle parking facilities would be supplied for each dwelling, either in private garages or in rear garden cycle stores. This provision would encourage cycling as a sustainable mode of transport and ensure compliance with DP Policy TRA3 and MHNP Policy MHNP Policy MH D3. However, no details of the design of cycle storage have been submitted with this application. Therefore, a condition is recommended to secure final details of the cycle parking facilities.

9.232 A total of 28 electric vehicle charging points would be provided across the site. Each house would be served by its own charging point, while the flats would share charging points. Officers consider that this provision of charging points would be appropriate and would suitably promote the use of electric vehicles, in accordance with DP Policy DES4. Details of the type and specification of charging points can be secured via condition.

#### Construction Phase

9.233 Local residents have raised concerns that there could be highway safety implications, traffic issues, damage to the public highway and dispersal of mud during the construction phase of the development. Whilst these comments are acknowledged, the Highway Authority has recommended a condition requiring submission of Construction Management Plan (CTMP). Through this condition officers, can in consultation with the Highway Authority, ensure that measures are put in place to avoid highway safety risks and limit traffic concerns. In addition, the CTMP would require the applicant to repair any damage caused to the public highway and to implement wheel washing at the site. It is considered that the imposition of this condition would ensure that disruption is minimised and highway safety is protected through the construction phase.

9.234 In addition to the above, officers note the proximity of this site to the school, and therefore have recommended specific wording within the CTMP condition that requires construction vehicles to access the site outside of school drop-off or pick-up times. This approach would ensure that potential for conflict between construction vehicles and residents attending the school for drop-offs and pick-ups would be avoided.

### **Trees, Biodiversity and Ecology**

#### Trees and Arboricultural Impacts

9.235 DP Policy DES3 requires proposals to demonstrate how they will retain, protect and enhance existing landscape features, which are of amenity and biodiversity value. DP Policy NE3 explains that development, which would result in the loss of, or significant damage to, trees or hedges should be resisted. These policies also note that where losses are unavoidable, and justified by other material considerations, compensatory planting should be sought.

9.236 There are numerous trees of varying quality on, and adjacent to, the site. This application is supported by an Arboricultural Implications Assessment (AIA), which identifies the quality of landscape features on the site and considers the arboricultural impacts of the proposed development.

9.237 It was clear from officers visit to the site that the eastern boundary of the field is made up of mature trees and established hedgerows. Along this boundary there are category A (high quality) and category B (moderate quality) oak trees, and the AIA suggests that one of these is a veteran tree (T3). The Much Hadham Conservation Area Appraisal (MHCAA) identifies the trees and hedgerows across this boundary as important landscape features that should be protected.

9.238 There is also a small area of woodland in the south-western corner of the site (W1), which contains several category B (moderate quality) trees. Again, the MHCAA notes that trees within this wooded area are good quality landscape features that should be retained. In addition, MHNP Policy MH H10 (the reserve site policy) requires any

development on this site to protect and maintain this woodland. There are various other landscape features within, and adjacent to, the site, including vegetation along the southern site boundary, a group of trees around the proposed access point, trees close to Hill House, trees near to the northern boundary and some small trees in the centre of the field.

9.239 The scheme proposes to retain the trees and hedgerows along the eastern site boundary, with the built development positioned away from these landscape features and predominantly outside of root protection areas (RPAs). Furthermore, an appropriate undeveloped buffer would be provided around the veteran tree, in line with government guidance. As such, officers are content that the high and moderate quality landscape features along the eastern site boundary would be maintained through the development.

9.240 It is also intended to retain the woodland in the south-western corner of the site. The proposed built development would again be largely located outside the RPAs of trees in this wooded area, with appropriate separation provided between the new buildings and this woodland. Therefore, this wooded area would be protected and maintained, as required by MHNP Policy MH H10.

9.241 The Landscape Officer has not raised any concerns with the impact of the development on the eastern boundary trees or the south-western woodland. However, this consultee has advised that further information on the long-term management of the trees in these areas is required. These details can be secured via a condition requiring submission of a Landscape and Ecological Management Plan.

9.242 The installation of new sewage piping and hard surfacing would result in some limited incursions into the RPAs of trees on the eastern boundary and in the woodland. In addition, some minor incursions of built development into the RPAs of other retained trees would occur. While these incursions are noted, the Landscape Officer has not objected to the scheme, on the basis that trees would be harmed by these incursions. As such, officers are content that the

minor incursions would not compromise the long-term retention of trees. The AIA also includes an Arboricultural Method Statement (AMS), which sets out measures that would be implemented to avoid harm to trees when undertaking works within RPAs. Officers consider this AMS to be appropriate and this provides further assurance that trees would be protected during construction. Conditions are recommended requiring the works to be carried out in accordance with the AMS and to secure an updated Tree Protection Plan.

9.243 Some trees towards the east of the woodland are identified for removal (T40, T41, T64, G5 and G8). Whilst the proximity of these trees to the woodland is noted, the AIA explains that these trees sit on an area of land historically consisting of asphalt surfacing. There is also some separation between these landscape features and the larger trees in the woodland. Given these observations, the AIA outlines that these trees do not form part of the wooded area. Officers do not dispute these conclusions, and therefore it is not considered that the removal of these low quality trees would breach the requirement of MHNP Policy MH H10 to maintain the south-western woodland.

9.244 Existing trees around the new access point and close to Tower Hill (B1004) would also be removed to enable the creation of the internal access road. The trees in this area are all identified as either category C (low quality) or category U (unsuitable for retention) landscape features. The low quality of these trees, coupled with their limited size, means that they are of minimal amenity value. Therefore, officers are content that the removal of these trees would not materially detract from the character, appearance or arboricultural quality of the site, the street scene or this stretch of the CA. Other minor tree removal is proposed across the site and this again involves the felling of low quality landscape features. As such, it is considered that this tree removal would be acceptable.

9.245 Overall, the proposed scheme retains all high quality and moderate quality landscape features, including the eastern boundary trees and the south-western woodland. A limited level of tree removal is required to facilitate the proposed development. However, all

landscape features to be removed are low quality. This tree removal would be appropriately compensated for by new planting across the site. Therefore, it is considered that the proposal suitably protects trees, in accordance with DP Policies DES3 and NE3, MHNP Policy MH H10 and Section 15 of the NPPF. The retention of landscape features of importance to the CA also means that, from this perspective, the character, appearance and significance of this heritage asset would be preserved. As such, there would be no conflict with DP Policies HA1 or HA4, Section 16 of the NPPF or the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Biodiversity Net Gain (BNG)

- 9.246 DP Policies NE2 and NE3 outline that net gains in biodiversity should be achieved. In addition, MHNP Policy MH H10 (the reserve site policy) specifically requires a BNG to be provided on this site, whilst MHNP Policy MH LNE1 sets out that a measurable BNG of 10% should be delivered. The Environment Act 2021 introduces a statutory requirement for all developments (with some exceptions) to supply at least a 10% BNG.
- 9.247 The existing site is made up of significant areas of grassland, small pockets of woodland, a strip of scrubland and lines of trees and hedgerows. Therefore, the site currently contains habitats of biodiversity value.
- 9.248 The proposed addition of buildings and hard surfacing onto the site would inevitably result in certain habitats being lost. While this is acknowledged, the scheme seeks to retain some habitats of notable biodiversity value, and incorporate them into the development, including the south-western woodland and the eastern boundary trees and hedgerows. In addition, the proposal includes new habitat creation, with the northern open space and SUDs features incorporating improved grassland, wildflower planting and areas of scrubland. A substantial number of new trees are also intended to be planted across the site and a native hedgerow is proposed in the north-western corner. The submitted Biodiversity Metric indicates that these enhancements would result in a 16.83% BNG in habitat units and a 10.22% BNG in hedgerow units.

9.249 The Biodiversity Metric and associated Biodiversity Gain Assessment have been reviewed by HCC Ecology and this consultee has not questioned the results. Therefore, officers are content that an appropriate BNG would be achieved on site, in accordance with DP Policies NE2 and NE3, as well as MHNP Policy MH LNE1. Furthermore, the provision of a BNG in excess of 10% means that the requirements of mandatory BNG would be satisfied. This BNG is a benefit of the scheme that should attract limited positive weight in the final planning balance.

9.250 Some of the new habitats proposed to be created are of medium distinctiveness, such as the neutral grassland, the scrub and the trees. Given this, HCC Ecology consider that these habitats are 'significant enhancements' that should be secured for 30 years in a Section 106 Agreement. In addition, this consultee advises that a strategy to create, enhance and manage these habitats should be set out in a Habitat Management and Monitoring Plan (HMMP), again secured through a Section 106 Agreement. Officers agree with this approach, and therefore the on-site enhancements and the HMMP are listed in the recommended Heads of Terms.

9.251 HCC published the Hertfordshire Local Nature Recovery Strategy (LNRS) in late 2025. This document is a guide that can be used to assist with nature recovery and includes broad objectives associated with habitat creation/restoration, species protection, pollution reduction, invasive species control and climate change mitigation. Site-specific and area-specific actions for nature recovery are also shown on the LNRS mapping.

9.252 As noted above, this scheme would deliver a 16.83% BNG largely through improving grassland habitats and new planting. Achieving this BNG means that the proposal meets the broad aims of the LNRS. The LNRS mapping identifies specific habitat related actions for this site, however several of these are not relevant to this development. Whilst this is noted, the mapping does encourage action to be taken on this site to 'create more good quality neutral grassland'. This scheme directly addresses this action, as it is intended to create

various areas of neutral grassland across the development. As such, it is considered that the proposal appropriately addresses the actions of the LNRS.

### Protected Species and Wildlife Enhancements

9.253 DP Policy NE3 notes that protected species should not be adversely impacted by proposals. This policy also requires schemes to create opportunities for wildlife, with integrated bird and bat boxes expected in new developments.

9.254 This application is supported by an Ecological Assessment (PEA), together with various protected species surveys and reports. These documents note that species such as bats, reptiles and birds use the site at various times. In addition, it is outlined that there is some potential for mammals and great crested newts to occupy the habitats on site.

9.255 The PEA outlines that there are several trees on the site that have potential to contain bat roosts. However, none of these trees are identified for removal, as part of the development. Furthermore, it is explained that the dilapidated sheds in the south-western corner of the site are not suitable for roosting bats, due to the open and lightweight form of these structures. HCC Ecology have reviewed the PEA and have not questioned these findings. As such, it is not considered that bats would be harmed by the development. While this is noted, bats clearly use habitats in the locality, and therefore HCC Ecology have suggested that a condition securing a sensitive lighting scheme is necessary to avoid impacts on these species. This condition forms part of this recommendation.

9.256 The submitted surveys note that a small number of reptiles use the site, including grass snakes. HCC Ecology have acknowledged this and recommend that repeat surveys are undertaken shortly before commencement of development, in order to ensure that reptiles are not present when works take place. In addition, this consultee advises that vegetation should be cut low prior to works beginning, as this would make habitats unsuitable for reptiles. Details of the repeat surveys and arrangements for vegetation cutting can be

secured as part of a Construction Environmental Management Plan (CEMP) required via condition. Subject to this condition, officers are satisfied that reptiles would not be harmed by the works.

9.257 The site is known to be used by breeding birds. In order to avoid impacts on birds, HCC Ecology recommend that vegetation clearance is undertaken outside of breeding season. Alternatively, if clearance is intended to be undertaken within breeding season, then HCC Ecology advise that these works should be overseen by an Ecologist. This approach can be secured within the CEMP and this would ensure that breeding birds would not be adversely impacted during construction.

9.258 The reports outline that there are records of great crested newts occupying ponds in the wider area. In addition, the site is considered to contain suitable habitats for this species. While this is noted, the PEA indicates that there is low potential for great crested newts to be present, due to the distance between the site and the relevant ponds, as well as the lack of connectivity. Given this, great crested newts are not a constraint to the development. However, the submitted reports advise that a Non-Licensed Method Statement should be produced, which identifies steps to minimise risks to great crested newts, whilst also outlining a commitment to cease works and obtain the necessary license, if this species is encountered during construction. The Non-Licensed Method Statement can be secured as part of the CEMP, and subject to this, officers are content that great crested newts would not be harmed.

9.259 The PEA explains that there is potential for mammals to use the site. Given this, the PEA recommends that repeat walkover surveys should be undertaken prior to commencement of works, in order to ensure that mammals are not occupying the site during construction. If the surveys were to reveal the presence of mammals, then the development may have to temporarily cease to allow the necessary license to be obtained. HCC advise that details of the repeat surveys can be secured within the CEMP. This approach would ensure that mammals would not be impacted by the proposals.

9.260 Overall, HCC Ecology have confirmed that, subject to the conditions securing a CEMP and a sensitive lighting scheme, they have no objection to the proposals. As such, officers are satisfied that with the appropriate measures in place the proposed development would not harm protected species. Therefore, there would be no conflict with DP Policy NE3, Section 15 of the NPPF, the Conservation of Habitats and Species Regulations 2017 or the Wildlife and Countryside Act 1981.

9.261 Limited information has been provided within the PEA and other reports to explain how the scheme would create opportunities for wildlife. Officers would expect integrated bird boxes, swift bricks, bat boxes and other wildlife enhancements to be incorporated into the development, as required by DP Policy NE3. Therefore, conditions are recommended to secure further details of wildlife enhancements on the site.

### **Flood Risk, Drainage and Water Environment**

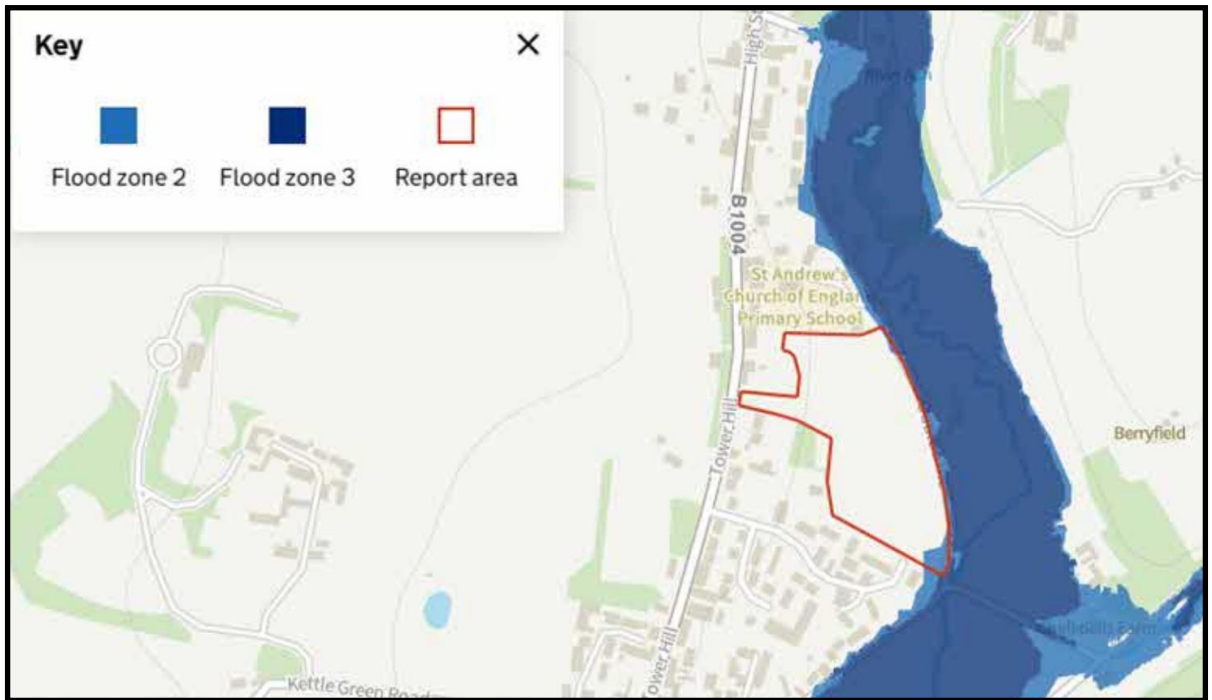
#### Flooding

9.262 DP Policy WAT1 outlines that developments should not increase the likelihood or intensity of any form of flooding, both on site and to neighbouring land or further downstream. This policy also notes that the sequential test will be used to steer development to areas with the lowest probability of flooding. In addition, MHNP Policy MH LNE2 sets out that there will be a presumption against proposals that increase flood risk associated with rivers.

9.263 Paragraphs 173 – 175 of the NPPF provide advice on the sequential test. These paragraphs explain that the sequential test should be used in areas known to be at risk now or in the future from flooding. Application of the sequential test means that development should not be permitted if there are reasonably available sites appropriate for the proposal in areas with a lower flood risk.

9.264 The majority of this application site is within Flood Zone 1, where there is a low risk of flooding from fluvial sources. Therefore, most of the site is at low flood risk. However, the River Ash is located a short

distance to the east and Oudle Lane is within Flood Zones 2 and 3, which is identified as land being at medium to high risk of fluvial flooding. Flood Zones 2 and 3 also extend into the south-eastern corner of the site and across parts of the eastern site boundary. Therefore, limited areas of the site are at medium to high risk of fluvial flooding. The extent of flood zones within the vicinity of the site is shown in the below image.



9.265 All of the proposed housing development would be located on areas of the site within Flood Zone 1, meaning that the new dwellings would not be at undue flood risk. In addition, the vehicular access to the site would be fully within Flood Zone 1, and therefore access to, and egress from, the site would not be restricted in fluvial flood events. Whilst some landscaping and parts of the SUDs features would be within Flood Zones 2 and 3, these elements of the scheme are not considered to be vulnerable to flooding. Paragraph 175 of the NPPF also clarifies that the sequential does not apply where it is demonstrated that no built development would be within a flood risk area. In this case, the positioning of the built development and the vehicular access in Flood Zone 1 means that the sequential test is not applicable.

9.266 In summary, the proposed development would not be at undue risk of flooding from fluvial sources, as the new dwellings and the

vehicular access would be located in Flood Zone 1. This conclusion is supported by the comments from the Environment Agency (EA), who have not objected to the proposals. Furthermore, the exclusion of built development from Flood Zones 2 and 3 means that the sequential test is not engaged. As such, in relation to fluvial flood risk, the proposal would be acceptable and would not conflict with DP Policy WAT1, MHNP Policy MH LNE2 or Section 14 of the NPPF.

### Surface Water Drainage

- 9.267 DP Policy WAT5 outlines that the most sustainable forms of drainage systems should be used, in accordance with the SUDs hierarchy. This policy notes that developments should aim to achieved greenfield run-off rates and ensure that surface water run off is managed as close to its source as possible.
- 9.268 Available mapping from the EA shows that the application site is not within an area at risk from surface water flooding. However, it is still essential to provide appropriate drainage infrastructure on site, so that surface water and run off is appropriately managed, and both on-site and off-site flood risks are avoided. This is particularly important, given the proximity of the site to the River Ash, and the presence of surface water flood risk areas along Oudle Lane.
- 9.269 A document titled Flood Risk Assessment, Surface and Foul Water Drainage Strategies (FRA) has been submitted in support of this application. This FRA sets out the surface water drainage scheme for the development. Across large parts of the site, it is proposed for surface water to drain to an underground piped network via permeable paving or road gullies. This surface water would then be piped into the attenuation basins on the eastern side of the site. A swale would also be created to the north of the access road, which would collect some surface water from the road and divert it to the attenuation basins. The surface water within the basins would then be discharged at a controlled rate into an existing box culvert, before ultimately discharging into the River Ash. The proposed surface water drainage plan for the site is shown in the below image.



would lead to inappropriate run-off into the River Ash, nor increased instances of fluvial flooding from this watercourse. Furthermore, neither the LLFA, nor the EA, have objected to the proposed controlled discharge of surface water into the River Ash via a culvert. Given this, officers are satisfied that this arrangement is appropriate and it would not increase flood risk associated with the River Ash.

9.272 The Sustainability Officer has questioned whether any rainwater harvesting is proposed to be provided on site. The updated FRA and its associated addendum confirm that water butts would be supplied to individual dwellings to allow some rainwater to be collected and then re-used. Officers support this approach and the provision of the water butts can be secured through the detailed drainage condition.

#### Water Environment

9.273 DP Policy WAT3 and MHNP Policy MH LNE2 set out that a buffer of 8 or 10 metres should be retained to main rivers, such as the River Ash. These policies seek to preserve or enhance the water environment, ensuring that the water quality and ecological value of watercourses is protected.

9.274 The River Ash is designated as a main river by the EA and is also a rare chalk stream. Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act) identifies main rivers and chalk streams as habitats of principal importance. In addition, this river is a priority habitat under the NPPF. Ensuring that these habitats are protected is part of the Local Planning Authority's general duty to conserve, and enhance, biodiversity under the NERC Act.

9.275 The River Ash runs adjacent to Oudle Lane and there is an associated ford close to the south-eastern corner of the site. This is the nearest point of the river to the site boundary. The closest part of the development to the River Ash would be the south-eastern attenuation basin, which would be roughly 25 metres from the watercourse. Furthermore, the proposed access roads and buildings would be over 40 metres from the river. The provision of these separation distances would ensure that an appropriate buffer would be retained between the development and the River Ash. Therefore,

it is not considered that the proposal would harm the water quality or ecology of the main river. The proposed scheme would not breach the requirements of DP Policy WAT3 or MHNP MH LNE2, nor would it conflict with the aims of Section 15 of the NPPF or the NERC Act.

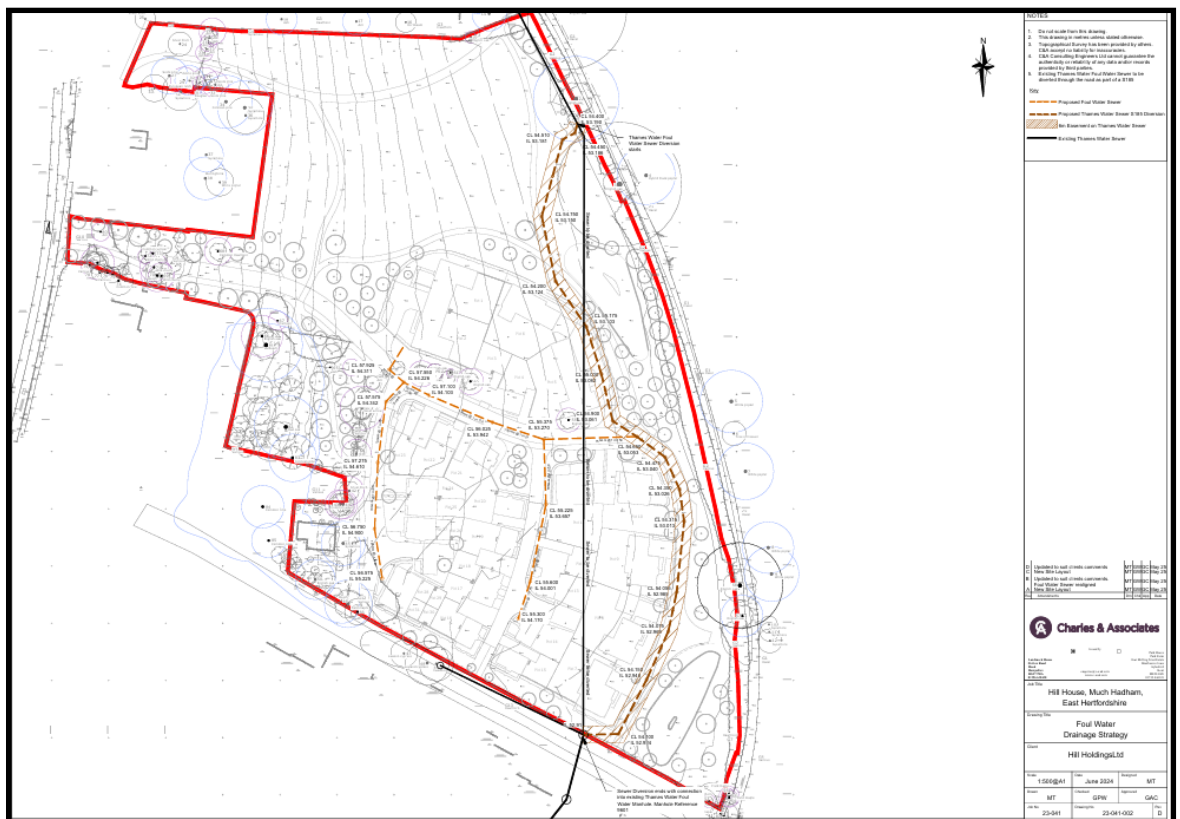
9.276 A local resident has suggested that once the development is occupied there could be issues with pollutants running off, or discharging, into the River Ash. This concern is acknowledged, however the FRA explains that surface water would undergo several stages of treatment as it is drained through the proposed SUDs features. The FRA outlines that this process would ensure that surface water is suitably treated, so to reduce pollutant levels, before being discharging into the river. Neither the LLFA, the EA or Herts Ecology have questioned this approach, and as such officers are content that surface water would be appropriately treated prior to reaching the watercourse. On this basis, it is not considered that the water quality and ecology of the River Ash would be impacted by pollutants. The proposals would not be contrary to DP Policy WAT3, MHNP Policy MH LNE2, Section 15 of the NPPF or the NERC Act.

9.277 Much Hadham Parish Council and local residents have also raised concerns that waste and pollutants could run-off into the River Ash during the construction phase of the development. While these comments are again noted, the LLFA have recommended a condition requiring a Construction Phase Surface Water Management Plan. Through this condition, officers can, in consultation with the LLFA, ensure that appropriate measures are implemented to prevent run-off of pollutants and waste during the construction phase. Therefore, subject to this condition, officers are content that there would not be undue risk of pollutants entering the watercourse, nor any conflict with DP Policy WAT3, MHNP Policy MH LNE2, Section 15 of the NPPF or the NERC Act.

#### Foul Water Drainage

9.278 DP Policy WAT6 outlines that developments must ensure that adequate wastewater infrastructure capacity is available.

9.279 The FRA outlines the foul water drainage proposals for the site. This document explains that it is intended to divert an existing Thames Water sewer through the development. New foul water sewers would also be provided on site, which would connect into the diverted sewer. Foul water would drain through the new and diverted sewers via gravity to a Thames Water connection point on the southern side of the site. The foul water drainage scheme for the development is shown in the below image. Neither Thames Water, nor the LLFA, have raised concern with these foul water drainage arrangements. Therefore, it is considered that foul water would be appropriately dealt with on site, in accordance with DP Policy WAT6.



9.280 Comments from local residents have questioned the capacity of the sewage network in the locality. While these concerns are noted, Thames Water have commented on the application, confirming that they have no objection to the scheme, in relation to foul water network capacity. Therefore, officers consider that sufficient capacity exists within the public sewer network to accommodate this development. There would be no conflict with DP Policy WAT6.

9.281 Local residents have also suggested that the proposals could lead to increased instances of sewer flooding in the locality. These

comments are again acknowledged, however the FRA notes that the development would be at low risk of sewer flooding. This conclusion is supported by correspondence from Thames Water, which outlines that they have no records of sewer flooding in the vicinity. In addition, the comments from Thames Water, the EA and the LLFA do not raise concerns that the development would result in increased risk of sewer flooding. Given the comments from statutory consultees, officers are content that material increases in sewer flooding would not arise, as a result of this proposed development.

### **Sustainable Design and Climate Change**

9.282 DP Policy CC2 requires developments to minimise carbon emissions, taking into account the Energy Hierarchy. This policy encourages energy efficiency standards above Building Regulations. DP Policy CC1 sets out that proposals should demonstrate how the design, materials, construction and operation of the development would minimise overheating and reduce the need for heating in the winter. Schemes should also minimise the use of mains water, with housing developments designed to meet a water consumption target of 110 litres per head, per day, in line with DP Policy WAT4.

9.283 MHNP Policy MH D1 requires development to achieve sustainable high quality design and developments of 5 or more homes will be expected to show engagement with the local community before detailed design proposals are submitted. Part III of the policy requires planning proposals to provide proportionate evidence that design principles based on the sustainable design objectives set out in the DP Section 17.2 Design Objectives have been followed, understood and integrated within the development proposal. The use of the Sustainable Design Toolkit and achievement of Home Quality Mark (or their successors) are encouraged as suitable evidence.

9.284 This application is supported by an Energy and Sustainability Statement (ESS). This document sets out the approach to minimising carbon emissions through the development, based on the 'be lean, be clean and be green' hierarchy. The ESS explains that the buildings

would incorporate fabric of high thermal performance, ensuring that Building Regulation requirements, relating to u-values and air tightness would be exceeded. In addition, this document notes that efficient lighting and solar control glazing would be installed to limit energy use and enable appropriate levels of solar gain to lower heating demands. The proposed dwellings would also be orientated to allow suitable use of solar gain. In terms of energy supply, it is proposed for air source heat pumps (ASHPs) to be installed for each new home. This renewable energy would provide heating and hot water to the dwellings.

9.285 The ESS concludes that, through incorporating high performance built fabric, installing efficient fittings and providing renewable energy in the form of ASHPs, the scheme can deliver a 64% carbon reduction beyond Building Regulations. Achieving this level of carbon emission reduction means that the proposed development meets and exceeds the requirements of DP Policies CC1 and CC2. In order to ensure that renewable energy is supplied as part of the development, a condition is recommended to secure the provision of the air source heat pumps prior to occupation. At this stage, it is considered that proportional evidence has been submitted to enable compliance with MHNP Policy MH D1. Design principles based on the sustainable design objectives set out in DP Section 17.2 Design Objectives have been followed, understood and integrated within the development.

9.286 The Sustainability Officer has commented on the application, suggesting that it would be preferable for all homes to be fitted with solar panels. Whilst this comment is acknowledged, as noted above, the scheme is able to deliver carbon emission reductions significantly beyond Building Regulations through fabric performance, efficient fittings and the installation of ASHPs. As such, the requirements of DP Policy CC2 would be satisfied and exceeded. Given this, there is no policy basis for requiring the provision of solar panels.

9.287 Within the ESS it is explained that the dwellings have been orientated to ensure that rooms are not excessively impacted by solar gain in the summer. In addition, officers note that all the new

homes would be dual-aspect, meaning that cross ventilation could be used to reduce potential for overheating. The ESS contains an Overheating Assessment of the development, which concludes that with some mechanical ventilation in place, all the new dwellings would meet Building Regulation requirements relating to overheating. As such, officers consider that the scheme would be designed to suitably minimise overheating, in accordance with DP Policy CC1.

9.288 The ESS also outlines the approach to water usage. This document explains that the new homes would incorporate water efficient fixtures and fittings, which would limit the use of mains water. A water efficiency calculation has been undertaken within the ESS and this sets out that water consumption would be below the 110 litres, per person, per day target set by DP Policy WAT4. As such, the proposed development would comply with DP Policy WAT4 and would appropriately minimise water use. Compliance with the water consumption target can be secured via condition.

### **Pollution, Land Contamination and Other Matters**

#### Air Quality

9.289 DP Policy EQ4 outlines that developments should minimise air quality impacts at design stage and should incorporate best practice in design, construction and operation.

9.290 This application is supported by an Air Quality Assessment (AQA), which considers potential impacts on air quality through the construction and operational phases of the development.

9.291 During the construction phase, vehicles travelling to/from the site would be likely to generate some exhaust emissions. However, the number of vehicular trips at the construction phase would be relatively low. Therefore, it is not considered that material impacts on air quality would occur, as a result of construction vehicle journeys.

9.292 There is also potential for air quality to be impacted by dust generation during construction. The AQA recommends numerous

mitigation measures to limit impacts from dust, including creation of a Dust Management Plan, monitoring of dust, positioning of dust generating activities away from receptors, availability of water for dust suppression and provision of barriers where necessary. The AQA outlines that with these measures in place there would not be significant issues with dust generation. The Environmental Health Officer has not disputed this conclusion, and on this basis, officers are content that excessive dust generation would not occur. However, a condition is considered to be necessary to ensure that the construction phase is carried out in line with the recommendations of the AQA. Subject to this condition, there would not be undue air quality impacts during construction and there would be no conflict with DP Policy EQ4.

9.293 Once occupied, the scheme would generate some vehicular journeys, as residents and others travel to/from the site. These vehicular trips would result in a level of exhaust emissions. Whilst this is acknowledged, the AQA explains that the number of vehicular trips created by the occupied development would be modest, and as such exhaust emissions would be low. In addition, the scheme includes the provision of numerous charging points and this would assist in encouraging use of electric vehicles, which would, in turn, further reduce exhaust emissions. The AQA concludes, overall, that there would not be a significant impact on air quality at operational stage. The Environmental Health Officer has not questioned this outcome, and therefore officers are content that material adverse air quality impacts would not arise during occupation of the development. There would be no conflict with DP Policy EQ4.

9.294 The Environmental Health Officer has recommended a condition regarding the specifications for gas-fired boilers, in the interests of minimising air quality impacts. While this suggested condition is noted, the scheme does not include gas-fired boilers, with hot water and heating proposed to be provided by ASHPs. Therefore, this condition is not necessary and would not pass the tests for suitable conditions at Paragraph 57 of the NPPF.

9.295 A comment has also been received from a local resident questioning whether fumes would be generated from wood burners, as the housing designs include chimneys. This concern is noted, however wood burners, or similar, are not proposed to be provided within the dwellings. Instead, the chimneys are design elements, which aim to ensure that the new houses include architectural features that reflect the traditional appearance of dwellings within Much Hadham.

#### Light Pollution

9.296 DP Policy EQ3 notes that lighting schemes must not result in adverse impacts on neighbouring uses or the wider landscape. In addition, this policy requires potential glare or spillage to be minimised.

9.297 No details of external lighting have been submitted with this application. In order to ensure that any future lighting scheme is sensitive to this location and avoids inappropriate light spillage into the nearby countryside, officers consider that it is necessary to secure details of any external lighting via condition. This approach complies with DP Policy EQ3.

#### Contamination

9.298 DP Policy EQ1 requires developments to demonstrate that risks from contamination would be appropriately and successfully addressed through remediation.

9.299 This application is supported by a document titled Geo-Environmental Report and Land Contamination. This report includes details of a desk study and site investigation, which have been undertaken to assess the potential for contamination to be present on site. The Environmental Health Officer has reviewed this report and has concluded that the development poses no significant public health risk. Given this, officers are content that the proposals would not be at risk from contamination and the scheme would not be contrary to DP Policy EQ1.

9.300 The Environmental Health Officer has recommended a condition requiring certain steps to be taken in the event of contamination being found during works. Officers consider this condition to be

necessary to ensure that any unexpected contamination encountered during the construction phase is appropriately dealt with and remediated, in line with DP Policy EQ1.

#### Minerals and Waste

9.301 The site is located within the Sand and Gravel Belt identified in the adopted Minerals Local Plan (2002 – 2016). Therefore, HCC Minerals and Waste Team were consulted on the application. This consultee has confirmed that the proposal would not unacceptably sterilise mineral resources and they advise that prior extraction of minerals is not necessary. Given these comments, officers are satisfied that the proposals would not sterilise mineral resources and there would be no conflict with the relevant policies of the Minerals Local Plan (2002 – 2016).

9.302 HCC Minerals and Waste Team have recommended a condition securing a Site Waste Management Plan (SWMP). Officers consider this condition to be necessary to ensure that suitable waste management arrangements are adopted as part of the development. This approach enables compliance with the relevant policies in the Waste Core Strategy and Development Management Policies DPD (2012).

#### Hatfield Forest Zone of Influence

9.303 DP Policy NE1, along with Paragraphs 187 and 193 of the NPPF, outline that proposals likely to have an adverse impact on designated sites or Sites of Special Scientific Interest should not be permitted, unless there are benefits or material considerations that clearly outweigh the likely impacts on the site and the network of nature conservation sites. Section 28G of the Wildlife and Countryside Act 1981 places a duty on the Council to take reasonably steps to protect Sites of Special Scientific Interest.

9.304 The site is within the Hatfield Forest Zone of Influence. Hatfield Forest is located to the east of the District and within the Uttlesford administrative area. The forest is a Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR).

9.305 Natural England wrote to the Council in April 2025 to explain that the habitats and species of the forest were being harmed by increased recreational visits. They also noted that these impacts would be worsened by future developments nearby. To address this, Natural England have developed a series of projects to mitigate these impacts called the Strategic Access Management and Maintenance Strategy (SAMM). A tariff based approach is now in place requiring developments within the ZOI, which result in a net increase in residential units, to make a contribution towards the implementation of the SAMM (£540.07 per new dwelling). The applicant has agreed this tariff, which can be secured in the Section 106 Agreement.

9.306 Subject to securing this tariff, the proposal would suitably mitigate its impact on the Hatfield Forest SSSI and NNR. As such, there would be no conflict with DP Policy NE1, Paragraphs 187 and 193 of the NPPF, nor the Wildlife and Countryside Act 1981.

#### Third Party Representations

9.307 A number of comments have been received from third parties. The majority of the matters raised in these comments have been addressed elsewhere in this report. Any comments not covered in preceding parts of this report are addressed below.

9.308 Some local residents have suggested that there has been inadequate public engagement from the applicant. MHNP Policy MH D1 requires engagement with the local community prior to submission of any proposal for 5 or more homes. The submitted Planning Statement and Statement of Community Involvement explain that the applicant has met with the Parish Council several times to discuss the proposals. In addition, it is understood that the applicant held a public exhibition event in 2024, where feedback from local residents was collected. Public engagement was also undertaken thorough the production of the Affordable Housing Needs Survey. Officers consider this to be an appropriate and proportionate level of public engagement for a scheme of this scale, and therefore this part of MHNP Policy MH D1 has been satisfied.

- 9.309 Comments have also questioned why redevelopment or extension of the village health centre has not been explored as an option for this site. While these representations are acknowledged, there is no policy basis for requiring this site to accommodate an extended or new health centre. The application has to be assessed on the basis of the submitted details.
- 9.310 Local residents have also queried what it is proposed for the dilapidated sheds on the site. While these sheds are within the site boundary, the scheme does not include any works to these structures.
- 9.311 Potential impacts on local house prices has also been raised as a concern in the comments received. It is well established that impacts on house prices is not a material consideration for a planning application.

### **Infrastructure Requirements**

- 9.312 DP Policy DEL1 notes that for individual proposals adequate infrastructure should be provided both on and off site, so to enable the delivery of sustainable development. MHNP Policy MH SP1 notes that the Parish Council will maintain a schedule of priorities to receive funding from Section 106 Agreements.
- 9.313 DP Policy DEL2 sets out that the Council will seek a range of planning obligations, where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. This policy requirement reflects Paragraph 58 of the NPPF and Regulation 122 of Community Infrastructure Regulations (2010) (CIL Regs).
- 9.314 Several local residents have raised concern with the capacity of services and local infrastructure in the area. However, none of the statutory bodies responsible for the relevant infrastructure have objected to the scheme on capacity grounds. As such, officers do not

consider there to be major constraints to the development, in terms of availability and capacity of infrastructure or utilities.

9.315 Significant financial contributions towards infrastructure and community facilities would be secured through this scheme, as part of the Section 106 Agreement. These contributions would be used to improve services and facilities in the locality, so that they are able to accommodate the new residents occupying the development. The secured contributions and other obligations are listed in the Heads of Terms at the end of this report.

9.316 Officers consider the financial contributions to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. Therefore, these contributions pass the tests for planning obligations, set out at DP Policy DEL2, Paragraph 58 of the NPPF and Regulation 122 of the CIL Regs.

9.317 While the purpose of the financial contributions is to mitigate the impact of the development, the secured funds would result in some wider public benefits, as improvements would be made to services, facilities and infrastructure used by existing residents. This is a public benefit that should be assigned some limited positive weight in the final planning balance.

## **10.0 Planning Balance and Conclusion**

10.1 This report provides a comprehensive officer consideration of this planning application and its supporting documentation, including the further/additional information submitted and all representations received. The report has considered the proposal, in light of the adopted East Herts District Plan (2018), the adopted Much Hadham Neighbourhood Plan (2022), the National Planning Policy Framework (2024) and all other material considerations.

### Conclusions on Conformity with MHNP

10.2 This site is identified as a reserve housing site in the MHNP and MHNP Policy MH H10 is a key policy to consider, when reaching a

conclusion on this proposed scheme. This policy sets specific criteria and requirements that any proposed development of this site should address or consider. The below table sets out officer's assessment of the proposal against MHNP Policy MH H10.

<b>MH H10 PROVISIONS</b>	<b>CRITERIA MET?</b>
<p><b>(I.)</b> 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. The need must either be required or proven and supported by a parish-wide housing needs survey.</p>	<p><b>YES</b> – As discussed in the section of this report titled 'Principle of Development', the scheme would meet a 'required' and 'proven' housing need for Much Hadham, in line with (I.).</p>
<p><b>(II.)</b> Any proposal must preserve the Priority Views V6 and V12, preserve the tranquillity of Oudle Lane, and ensure that there would be minimum adverse effects on the landscape, the conservation area and the historic environment.</p>	<p><b>YES</b> – The scheme would not fully preserve priority view 6. However, the proposals would preserve the tranquillity of Oudle Lane, through enhancing the eastern boundary and avoiding provision of a vehicular access onto this route. In addition, the design, layout and landscaping of the scheme would ensure that there would be minimum adverse effects on the landscape, the conservation area and the historic environment.</p> <p>For the reasons explained in the section of this report titled 'Landscape Character and Visual Impacts', officers consider that the</p>

	<p>weight attributed to the adverse visual impacts on priority views 6 and 12 should be tempered. Noting this, and given that the scheme would satisfy all the other requirements of part (II.) of this policy, it is considered that the proposal, overall, would comply with this part of the policy, as a whole.</p>
<p><b>(III.)</b> Any proposal must include the retention and maintenance of the wooded area on the western boundary, situated between the rear boundary of Elm House and footpath 25.</p>	<p><b><u>YES</u></b> – The scheme includes the retention of the wooded area in the south-western corner of the site. The maintenance of the wooded area can be secured as part of the Landscape and Ecological Management required under condition 9.</p>
<p><b>(IV.)</b> Proposals should consider making provision for.... a permissive path or public right of way (PROW) along the boundary with Oudle Lane to connect the footpath network at the ford on Malting Lane with the undesignated footpath along the southern boundary of St Andrew’s school</p>	<p><b><u>YES</u></b> – The scheme does not include a new footway that would connect the ford on Malting Lane to the undesignated footpath adjacent to St Andrews C of E Primary and Nursery School.</p> <p>However, it is proposed to provide footways through the public open space that would run southwards into the housing development. Pedestrian links are also proposed from the housing development onto the public footpath along the southern site boundary (Much Hadham 025). This public footpath ultimately runs westwards to the ford on Malting Lane. Therefore, the scheme would create a pedestrian</p>

	<p>route between the northern site boundary and the ford on Malting Lane, which could be used as an alternative to walking along Oudle Lane.</p> <p>The scheme would also provide other pedestrian footpaths within the site, including an east-west route through the public open space. This east-west route could (subject to agreement between HCC and the landowner) accommodate a diversion of the public footpath that is currently shown on mapping as running through the school grounds (Much Hadham 022). The provision of this footway is a notable benefit of the scheme.</p>
<p><b>(IV.)</b> Proposals should consider making provision for.... the creation of accessible green space, which could include planting, nature trail and/or allotments</p>	<p><b><u>YES</u></b> – The scheme would provide an area of public open space on the northern side of the site. This open space would include new planting, pedestrian routes and play equipment.</p> <p>It is not proposed to provide allotments, however this policy criteria requires proposals to ‘consider making provision for’ allotments. As such, allotments are not a policy requirement. Officers consider that through providing the public open space, which would incorporate new planting, pedestrian routes and play equipment, this policy criteria would be addressed</p>

	and met.
<b>(IV.)</b> Proposals should consider making provision for.... a children's structured activity area	<b><u>YES</u></b> – The area of the site provided to the school would be used as an outdoor space for the school, which could include facilities for outdoor learning, play and recreation. This is considered to constitute a 'children's structured activity area'. Final details of this area can be secured via condition 11.
<b>(IV.)</b> Proposals should consider making provision for.... improvements to the biodiversity of the site e.g. through a wet nature reserve or a wild meadow area	<b><u>YES</u></b> – The scheme would deliver a biodiversity net gain of 16.83%, with new wildflower planting provided in the northern areas of the site and wetland habitat created within the SUDs features.
<b>(IV.)</b> Proposals should consider making provision for.... the improvement of the green boundaries of the site	<b><u>YES</u></b> – The scheme would include extensive tree planting close to the eastern site boundary, whilst new shrubbery would also be planted across the southern site boundary and a native hedgerow would be provided in the north-western corner of the site. Through condition 11, it can be ensured that the site boundaries with the school are also improved.
<b>(V.)</b> Mitigation, compensation and enhancement measures will be required to achieve an overall net	<b><u>YES</u></b> – The scheme would retain some habitats of biodiversity value. Improvements would be made to grassland, whilst new tree, hedgerow and scrub planting would be

gain for biodiversity.	provided. Through this approach a 16.83% biodiversity net gain would be achieved, in line with (V.).
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10.3 From the above table, it is evident that, in the officer's view, the proposed scheme would comply with MHNP Policy MH H10, when read as a whole. In addition, as discussed in the section of this report titled 'Principle of Development', the proposals would accord with DP Policy GBR2 (as the development is identified in the NP) and MHNP Policy MH H2 (which requires compliance with GBR2). There would be a degree of conflict with the overarching spatial development strategy for the District, at DP Policy DPS2 and the NP housing strategy set out in policy MH H1. However, any non-compliance with the spatial development strategy would be outweighed, due to the compliance with the more up-to-date site-specific policy within the MHNP.

10.4 Therefore, overall, officers consider that the scheme can come forward, in compliance with MHNP Policies MH H2 and H10. As such, the principle of development is supported by the MHNP. The proposal would also be an appropriate form of development in the Rural Area Beyond the Green Belt, in line with DP Policy GBR2. On the basis of compliance with the most important policies within the MHNP, it is considered that the principle of development is acceptable.

10.5 Much Hadham Parish Council have suggested that Paragraph 14 of the NPPF should be engaged in the decision-making process. Paragraph 14 states:

- *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 (see paragraphs 69-70).*

10.6 The provisions of Paragraph 14 are acknowledged, however, as discussed above, the principle of development on this site is considered to accord with MHNP Policies MH H2 and MH H10. There would be some non-compliance with development management related policies within the MHNP, for example MHNP Policies MH D3 and MH PV1, which individually seek to avoid tandem parking and protect priority views. However, the scheme is considered to comply with, and satisfy, the most important policies in the MHNP that relate to this site (MHNP Policies MH H2 and MH H10). Furthermore, officers consider the development would be consistent with the objectives of the policies of the NP, which although these do not form policy wording, and any weight should be more limited, it is clear that this reserve site policy envisaged an acceptable planning scenario whereby the development would accord with these objectives. Given this, officers are content that the proposal would comply with the MHNP, as a whole.

10.7 The conclusion that the scheme complies with the MHNP, as a whole, means that Paragraph 14 of the NPPF is not engaged in the decision-making process for this application.

Paragraph 11(d) of the NPPF and the 'Tilted Balance'

10.8 The current absence of a 5YHLS in the District means that the housing supply based policies in the DP are out of date. This also extends to the housing strategy based policy in the Neighbourhood Plan which is also out-of-date. Paragraph 11(d) of the NPPF, the 'tilted balance' and the 'presumption in favour of sustainable development' are therefore engaged.

10.9 Paragraph 11(d) of the NPPF outlines that where the policies which are most important for determining an application are out of date, permission should be granted unless:

*(i) the application of policies in the NPPF 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 the NPPF 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.*

10.10 In relation to Paragraph 11(d)(i), the areas or assets of particular importance are those listed at footnote 7 of the NPPF. The only areas or assets of particular importance that are relevant to the assessment of this application under (i) are the designated heritage assets impacted by the proposals (i.e. the Much Hadham CA and the grade II listed Hill House).

10.11 As explained in the section of this report titled 'Impacts on Heritage Assets', the proposals would result in less than substantial harm to the character, appearance and significance of the CA, as well as the setting and significance of the grade II listed Hill House (Barn School). However, this less than substantial harm to designated heritage assets would be outweighed by the public benefits of the proposals (primarily the delivery of housing, the supply of affordable housing and the provision of land to the school, publicly accessible routes and connections to the village through, to and from the site and the new open space). Given this, there is not a strong reason for refusing the proposed development, under Paragraph 11(d)(i) of the NPPF.

10.12 In terms of Paragraph 11(d)(ii) of the NPPF, this requires a balancing exercise to be undertaken to determine whether, or not, the adverse impacts of the development would significantly and demonstrably outweigh the benefits. When undertaking this balancing exercise

regard should be had to the key policies listed at footnote 9 of the NPPF.

10.13 This report has concluded that the proposed development would give rise to a number of benefits that attract positive weight in favour of the scheme. However, some adverse impacts and conflicts with the development plan have also been identified. The benefits and adverse impacts are set out in the table below. Any planning considerations of neutral weight are not included in the table.

<b>Planning Issue</b>	<b>Positive Weight</b>	<b>Negative Weight</b>
Provision of 31 new dwellings	Significant positive weight	
Provision of 40% affordable housing (12 units)	Significant positive weight	
Provision of education land to the school	Moderate positive weight	
Creation of public open space including new pedestrian routes, new publicly accessible footpaths and accesses and play equipment	Moderate positive weight	
Provision of 16.83% Biodiversity Net Gain	Limited positive weight	
Economic benefits associated with employment during construction and increased local expenditure from new residents	Limited positive weight	
Financial contributions towards sustainable	Limited positive weight	

transport, community facilities and other infrastructure		
Adverse landscape and visual impacts (including impacts on MHNP priority views)		Moderate negative weight
Less than substantial harm to heritage assets (the Much Hadham CA and setting of Hill House (Barn School))		Moderate negative weight
Location not in hierarchy within DP Development Strategy		Limited negative weight
Creation of unsustainable vehicular trips		Limited negative weight
Loss of agricultural land		Limited negative weight

10.14 Given the above assessment, officers consider that the benefits of the scheme (principally the delivery of housing, the provision of affordable housing, the creation of public open space and the provision of land to the school), taken cumulatively, should attract significant positive weight. Whereas, the adverse impacts arising from the development should, cumulatively, be assigned moderate negative weight. The application is finely balanced in light of the assessment of benefits and adverse impacts. However, the significant beneficial impacts indicate that these slightly outweigh the extent of the adverse impacts.

10.15 Therefore, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits. On this basis, and applying the NPPF's presumption in favour of sustainable

development, it is recommended that planning permission be granted for the proposed development, subject to conditions and a Section 106 Legal Agreement.

## **11.0 Recommendation**

11.1 That planning permission be GRANTED, subject to conditions and the completion of a Section 106 Legal Agreement.

### **Heads of Terms to be secured in Section 106 Legal Agreement**

#### **HCC Contributions**

- Sustainable Transport Contribution – £300,111 index linked by SPONS from March 2024 to go towards Local Cycling and Walking Infrastructure Plan delivery in the vicinity of the development.
- Secondary Education Contribution – £280,088 index linked to BCIS 1Q2024 and BCIS Regional Factor to go towards increasing capacity of Bishop's Stortford High School and the Hertfordshire Essex High School and/or provision serving the development.
- Childcare Contribution (0 – 2 years) – £5,897 index linked to BCIS 1Q2024 to go towards increasing the capacity of 0-2-year-old childcare facilities in the East Herts Rural South East Family Centre Reporting Locality and/or provision serving the development.
- Childcare Contribution (5 – 11 years) – £358 index linked to BCIS 1Q2024 to go towards increasing the capacity of 5-11 year old childcare facilities at St Andrews Church of England Primary School and/or provision serving the development.
- Special Educational Needs and Disabilities (SEND) Contribution – £52,735 index linked to BCIS 1Q2024 and BCIS Regional Factor to go towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development.
- Library Service Contribution – £7,842 index linked to BCIS 1Q2024 to go towards increasing the capacity of Bishop's Stortford Library and/or provision serving the development.

- Youth Service Contribution – £5,330 index linked to BCIS 1Q2024 to go towards increasing the capacity of Bishop's Stortford Young People's Centre and/or provision serving the development.
- Recycling Centre Contribution – £697 index linked to BCIS 1Q2024 to go towards increasing the capacity through the expansion at Bishop's Stortford Recycling Centre and/or provision serving the development.
- Waste Transfer Station Contribution – £4,627 index linked to BCIS 1Q2024 to go towards the new provision at Eastern Transfer Station and/or provision serving the development,
- Fire and Rescue Service Contribution – £13,305 index linked to BCIS 1Q2024 to go towards increasing the capacity through the new fire station Bishop's Stortford and/or provision serving the development.

### **EHDC Contributions**

- Allotments Contribution – £5,487 index linked from RPI all items from May 2020 to go towards the costs of facilities provision, improvements including access and maintenance of the allotments in Much Hadham and/or other community growing spaces and allotments locally as used by residents of the development.
- Bowls Contribution – £7,466 index linked from RPI all items from May 2020 to go towards the costs of provision, maintenance and improvements including the bowling green and clubhouse at Much Hadham Bowl & Croquet Club and/or any other bowls clubs (including indoor bowls) and other outdoor sports facilities within the Much Hadham area as used by the residents of the development.
- Children's Play and Provision for Young People Contribution – £66,562 index linked from RPI all items from May 2020 to go towards the costs of provision and maintenance of outdoor

children's play, including the MUGA and basketball courts, at the recreation ground in Much Hadham and/or other children's play facilities within the Much Hadham area as used by the residents of the development.

- Fitness Gyms Contribution – £7,886 index linked from RPI all items from May 2020 to go towards the costs of provision of facilities, improvements and maintenance of the fitness gym at Grange Paddocks Leisure Centre and/or other community halls in the vicinity of Much Hadham providing indoor fitness gym facilities as used by the residents of the development.
- Natural and Semi-Natural Green Space Contribution – £12,865 index linked from RPI all items from May 2020 to go towards the costs of provision, improvement and maintenance of the green spaces at Much Hadham Recreation Ground and/or the Commons at Green Tye and Perry Green, and/or towards the provision of natural and semi-natural green spaces and wildlife corridors within the vicinity of Much Hadham and the River Ash.
- Outdoor Tennis Contribution – £5,115 index linked from RPI all items from May 2020 to go towards the costs of provision, facilities and maintenance of the outdoor tennis court facilities, including relining and new nets, at Much Hadham Recreation Ground and /or other public tennis courts and/or outdoor racket sports in the vicinity of Much Hadham as used by the residents of the development.
- Parks and Gardens and Amenity Greenspace Contribution – £30,559 index linked from RPI all items from May 2020 to go towards the costs of provision, improvement and maintenance of the Much Hadham Recreation Ground and/or the Commons at Green Tye and Perry Green, and/or towards the provision of other publicly accessible parks and amenity greenspaces within the vicinity of Much Hadham.
- Playing Pitches Contribution – £16,275 index linked from RPI all items from May 2020 to go towards the costs of provision,

improvement and maintenance of the playing pitches at the Recreation Ground in Much Hadham and/or other public playing pitches within the vicinity of Much Hadham as used by residents of the development.

- Recycling and Refuse Contribution – £2,256 index linked from RPI all items from October 2008 to go towards the Council's costs for the provision of refuse and recycling containers to the dwellings in the development.
- Sports Hall Contribution – £17,745 index linked from RPI all items from May 2020 to go towards the costs of provision of facilities, improvements, and maintenance of the Sports Pavillion in Much Hadham and/or alternative sports hall provision within the vicinity of Much Hadham as used by the residents of the development.
- Studio Space Contribution – £3,258 index linked RPI all items from May 2020 to go towards the costs of provision of facilities, improvements, and maintenance of the studio space at Grange Paddocks Leisure Centre and/or other community halls in the vicinity of Much Hadham providing indoor fitness studio facilities as used by the residents of the development.
- Swimming Pool Contribution – £18,146 index linked from RPI all items from May 2020 to go towards the costs of provision of facilities, improvements, and maintenance of the swimming pool at Grange Paddocks Leisure Centre and/or alternative provision serving the development as agreed between the owner and the Council in writing.
- Village Hall and Community Centres Contribution – £21,479 index linked from RPI all items from May 2020 to go towards the provision of facilities, improvements and maintenance of Much Hadham Village Hall and/or other facilities used as community and village halls, including the Mission Hall, the Congregational Chapel Hall and the Sports Pavillion, within the vicinity of Much Hadham as used by the residents of the development.

- Hatfield Forest SAMM Contribution – £16,742.17 indexed linked from RPI all items from date of resolution to go towards the maintenance, improvement, management, access management and monitoring of the Hatfield Forest SSSI to mitigate the recreational impact of the development on the Hatfield Forest SSSI.

### **Monitoring Fees**

- HCC Monitoring Fee – £420 per distinct trigger point adjusted for inflation against RPI January 2024.
- EHDC Monitoring Fee – £4,800 indexed linked from RPI all items from date of resolution.
- Biodiversity Net Gain Monitoring Fee – TBC

### **Non-Financial Obligations**

- Affordable Housing – 40% of total housing units equating to 12 dwellings, with a tenure split of 83% affordable rent (10 units) and 17% shared ownership (2 units).
- Management and Maintenance Provision for Public Open Space.
- Biodiversity Net Gain – Habitat Management and Monitoring Plan, including 30 year maintenance clause for biodiversity net gain.
- Education Land – Transfer of education land to St Andrews C of E Primary and Nursery School/ St Albans Diocese.

## **Conditions**

### Three Year Time Limit

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

### Approved Plans

2. The development hereby approved shall be carried out in accordance with the approved plans listed below:
  - 152-PS-100
  - 152-PS-101 Rev No: B
  - 152-PS-102 Rev No: B
  - 152-PS-103 Rev No: B
  - 152-PS-104 Rev No: B
  - 152-PS-120 Rev No: B
  - 152-PS-121 Rev No: C
  - 152-PS-122 Rev No: B
  - 152-PS-123 Rev No: B
  - 152-PS-124 Rev No: B
  - 152-PS-125 Rev No: B
  - GUA
  - -XX-XX-DR-L Revision P03
  - GUA-XX-XX-DR-L Revision P02
  - GUA-XX-XX-DR-L Revision P03
  - GUA-XX-XX-DR-L-0001 Revision P06
  - GUA-XX-XX-DR-L Revision P07
  - GUA-XX-XX-DR-L-1001 Revision P04
  - GUA-XX-XX-DR-L-1002 Revision P04
  - GUA-XX-XX-DR-L-1003 Revision P03
  - GUA-XX-XX-DR-L-1004 Revision P05
  - GUA-XX-XX-DR-L-1005 Revision P03
  - GUA-XX-XX-DR-L-2001 Revision P04
  - GUA-XX-XX-DR-L-2002 Revision P04
  - GUA-XX-XX-DR-L-2003 Revision P03

- GUA-XX-XX-DR-L-2004 Revision P05
- GUA-XX-XX-DR-L-2005 Revision P03
- GUA-XX-XX-DR-L Revision P07
- GUA-XX-XX-DR-L-3001 Revision P07
- 152-PS-201
- 152-PS-202 Revision B
- 152-PS-203 Revision A
- 152-PS-204
- 152-PS-205 Revision A
- 152-PS-206
- 152-PS-207 Revision A
- 152-PS-208 Revision A
- 152-PS-209 Revision A
- 152-PS-210
- 152-PS-211 Revision A
- 152-PS-212
- 152-PS-213 Revision B
- 152-PS-214
- 152-PS-215 Revision B
- 152-PS-222 Revision B
- 152-PS-217
- 152-PS-218 Revision B
- 152-PS-217 Revision A
- 152-PS-219
- 152-PS-220
- 152-PS-221
- 152-PS-300 Revision A
- KMC23024 / 002
- KMC23024 / TR05 (1)
- KMC23024 / TR05 (2)
- KMC23024 / TR06
- 23-041-005 Rev F
- 23-041-002 Rev D

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

Archaeology

3. No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. This condition will only be considered to be discharged when the Local Planning Authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To secure the protection of, and proper provision for, any archaeological remains, in accordance with Policies HA1 and HA3 of the East Herts District Plan 2018.

#### Construction Traffic Management Plan

4. Prior to the commencement of any development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. This CTMP shall include details of:
  - the phasing of construction and proposed construction programme;
  - the methods of accessing the site, including wider construction vehicle routing;
  - the number of daily construction vehicles, including details of their sizes, at each phase of the development;
  - the hours of operation;
  - the hours of construction vehicle movements (these shall be outside of school drop-off and pick-up times);
  - any highway works necessary to enable construction to take place;
  - construction vehicle parking, turning and loading/unloading arrangements clear of the public highway;
  - any hoardings;
  - how the safety of existing public highway users and existing public right of way users would be maintained;
  - management of traffic to reduce congestion;

- control of dirt and dust on the public highway, including details of the location and method to wash construction vehicle wheels;
- the provision for addressing any abnormal wear and tear to the highway;
- consultation with local businesses or neighbours and schools; and
- waste management proposals.

Thereafter, the construction phase of the development shall only be carried out in full accordance with the approved CTMP.

Reason: To minimise the impact of construction on the local highway network, in accordance with Policy TRA2 of the East Herts District Plan 2018.

#### Construction Environmental Management Plan (Ecology)

5. Prior to the commencement of any development hereby approved, an Ecological Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Ecological CEMP shall include the following:
  - details of repeat surveys for mammals prior to commencement of the development.
  - details of a repeat survey for reptiles prior to commencement of the development;
  - a Non-Licensed Method Statement for great crested newts.
  - details of a sensitive lighting strategy during construction to avoid impacts on bats;
  - a set of Method Statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
  - details of the location and timings of sensitive works to avoid harm to biodiversity features;
  - details of the times during construction when specialist ecologists need to be present on site to oversee works;
  - details of the responsible persons and lines of communication; and

- details of the role and responsibilities of an ecological clerk of works or similarly competent person.

Thereafter, the development shall only be carried out in full accordance with the approved Ecological CEMP.

Reason: To ensure that harm to protected species is avoided during construction, in accordance with Policy NE3 of the East Herts District Plan 2018.

#### Surface Water Drainage

6. Prior to the commencement of any development hereby approved, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment, Surface and Foul Water Drainage Strategies (Prepared by: Charles and Associates, Dated: December 2025, Reference: 23-041-001 Rev D) and drawing number: 23-041-005 Rev F and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that appropriate drainage infrastructure is delivered, and to avoid on-site and off-site flood risks, in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

#### Construction Phase Surface Water Management Plan

7. Prior to the commencement of any development hereby approved, a detailed Construction Phase Surface Water Management Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be carried out in full accordance with the approved details.

Reason: To ensure that appropriate drainage infrastructure is delivered, and to avoid on-site and off-site flood risks, in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

#### Site Waste Management Plan

8. Prior to the commencement of any development hereby approved, a Site Waste Management Plan (SWMP) for the site shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribute towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

#### Landscape and Ecological Management Plan (LEMP)

9. Prior to the first occupation of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
  - a description and evaluation of the features to be managed;
  - details of ecological trends and constraints on site that might influence management;
  - details of aims and objectives of management;
  - details of appropriate management options for achieving aims and objectives;
  - prescriptions for a work schedule;
  - details of the body or organisation responsible for the implementation of the plan;
  - details of ongoing monitoring and adaptive management measures;

- details of how contingencies or remedial action will be implemented where monitoring indicates that conservation aims and objectives are not being met; and
- details of legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies.

Thereafter, the development shall be implemented, managed and maintained in accordance with the approved LEMP.

Reason: To ensure the appropriate management of habitats on site, in the interests of their ecological value, in accordance with Policy NE3 of the East Herts District Plan 2018.

#### Tree Protection Plan and Arboricultural Method Statement

10. Prior to the commencement of any development hereby approved, an updated Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in full accordance with the approved Tree Protection Plan and the Arboricultural Method Statement set out at Appendix 2 of the Arboricultural Implications Report (Prepared by: SJA Trees, Dated: May 2025, Reference: SJA air 23199-01).

Reason: To ensure the protection of trees during construction, in accordance with Policies DES3 and NE3 of the East Herts District Plan.

#### Education Land

11. Prior to the commencement of any above ground construction works for the development hereby approved, a detailed scheme for the education land, as identified on drawing number: GUA-XX-XX-DR-L-0001 Revision P06, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a site plan showing the detailed layout for the area;
  - scaled drawings of any structures and play equipment;
  - details and specifications of soft and hard landscaping;
  - details and specifications for boundary treatments; and
  - an implementation timetable.

Thereafter, the development shall be carried out in full accordance with the approved details and timetable.

Reason: To ensure the education space is suitably designed, in accordance with Policies DES4 and CFLR10 of the East Herts District Plan 2018.

#### Landscaping Implementation

12. Prior to the commencement of any above ground construction works for the development hereby approved, an implementation timetable for the landscaping works across the site (excluding the extended school area) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in full accordance with the implementation timetable and the landscaping details shown on drawing numbers: GUA-XX-XX-DR-L-0001 Revision P06 and GUA-XX-XX-DR-L-3001 Revision P07.

Reason: To ensure the timely provision of landscaping, in accordance with Policies DES3 of the East Herts District Plan 2018.

#### Lighting Design Strategy (Bats)

13. Prior to the first occupation of the development hereby approved, a Lighting Design Strategy for bats shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall demonstrate how lighting at the occupation stage of the development would meet best practice to avoid impacts on bats. Thereafter, the development shall be carried out in accordance with the approved Lighting Design Strategy prior to first occupation.

Reason: To ensure that harm to protected species is avoided, in accordance with Policy NE3 of the East Herts District Plan 2018.

#### External Materials

14. Prior to the commencement of any above ground construction works for the development hereby approved, details and specifications of all the external materials of construction shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of good design, in accordance with Policies DES4, HA1 and HA4 of the East Herts District Plan 2018.

#### Hard Surfacing Materials

15. Prior to the commencement of any above ground construction works for the development hereby approved, details and specifications for all hard surfaces to be used for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details prior to first occupation of the development.

Reason: In the interests of good design, in accordance with Policies DES4, HA1 and HA4 of the East Herts District Plan 2018.

#### Boundary Treatments

16. Prior to the commencement of any above ground construction works for the development hereby approved, specifications for all means of enclosure and boundary treatments within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until all the means of enclosure for the relevant dwelling have been installed in accordance with the approved details.

Reason: In the interests of good design, in accordance with Policies DES4, HA1 and HA4 of the East Herts District Plan 2018.

#### Broadband Connectivity

17. Prior to the completion of the development hereby approved, details of the measures required to facilitate the provision of high-speed broadband connections shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable and method of delivery for high-speed broadband for each residential unit. Once

approved, high-speed broadband infrastructure shall be implemented thereafter in accordance with the approved details, including the timetable and method of delivery.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development, in accordance with Policies ED3 and DES4 of the East Herts District Plan 2018.

#### Swift Bricks and Bird Boxes

18. Prior to the commencement of any above ground construction works for the development hereby approved, a scheme for the provision of bird boxes and swift bricks shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the model and siting of integrated bird boxes and swift bricks on the site. The approved bird boxes and swift bricks shall be installed before any part of the roof of the buildings is constructed, which includes the fitting of any cappings or copings, roof ties, roof trusses or rafters according to construction method. Thereafter, the bird boxes and swift bricks shall be retained for the lifetime of the development.

Reason: In order to create opportunities for wildlife in accordance with Policy NE3 of the East Herts District Plan.

#### Species Enhancement Plan

19. Prior to the first occupation of the development hereby approved, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. This Species Enhancement Plan shall provide details of the location, number and type of wildlife enhancements to be provided. Thereafter, no dwelling shall be occupied until the features/enhancements have been installed in accordance with the approved details. The approved features/enhancements shall be retained for the lifetime of the development.

Reason: To create opportunities for wildlife, in accordance with Policy NE3 of the East Herts District Plan 2018.

### Fire Hydrants

20. Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrants have been installed as approved. Thereafter, the fire hydrants shall be retained in their approved form.

Reason: To ensure fire safety, in line with Building Regulations and Policy DES5 of the East Herts District Plan 2018.

### SUDs Maintenance and Management

21. Prior to the first occupation of the development hereby approved, details of the maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- i. timetable for its implementation.
  - ii. details of SuDS feature and connecting drainage structures and maintenance requirements for each aspect including a drawing showing where they are located.
  - iii. management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that appropriate drainage infrastructure is delivered, and to avoid on-site and off-site flood risks, in

accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

#### SUDs Verification Report

22. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development, a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 6. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate drainage infrastructure is delivered, and to avoid on-site and off-site flood risks, in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

#### Electric Vehicle Charging Points

23. Prior to the first occupation of the development hereby approved, details of the type and specification of electric vehicle charging points (EVCPs), together with details of the energy sources and a management plan for the supply/maintenance of the EVCPs, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the EVCPs shall be installed in accordance with the approved details and drawing number: 152-PS-123 Rev No: B. No dwelling shall be occupied until the EVCP serving that dwelling has been installed.

Reason: To encourage the use of electric vehicles, in accordance with Policies DES4, TRA1 and TRA3 of the East Herts District Plan 2018.

### Cycle Parking

24. Prior to the first occupation of the development hereby approved, full details of the design and siting of cycling parking facilities, including quantity of cycle parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the cycle parking facilities for that dwelling have been provided in full accordance with the approved details.

Reason: To encourage cycling as a sustainable mode of transport, in accordance with Policies TRA1 and TRA3 of the East Herts District Plan 2018.

### Air Source Heat Pumps

25. Prior to the first occupation of any dwelling hereby approved, the air source heat pump serving that dwelling shall be installed and operational. The air source heat pumps shall only be installed in full accordance with the specification and recommendations set out in the ASHP Assessment (Prepared by: Abbey Consultants, Dated: 7 November 2025).

Reason: To limit noise for air source heat pumps, whilst also securing the provision of renewable technologies, in accordance with Policies CC2 and EQ2 of the East Herts District Plan 2018.

### Landscaping Maintenance

26. Prior to the first occupation of the development hereby approved, a schedule of landscape maintenance for a minimum period of five years, following completion of the approved development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscaping shall be maintained, in accordance with the approved schedule.

Reason: To ensure the maintenance of landscaping, in accordance with Policy DES3 of the East Herts District Plan 2018.

### Play Equipment

27. Prior to the first occupation of the development hereby approved, details and scaled drawings of the new play equipment and features, as identified on drawing number: GUA-XX-XX-DR-L-0001 Revision P06, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the play equipment shall be installed in accordance with the approved details prior to first occupation of the development.

Reason: To secure the play provision, in accordance with Policies DES4 and CFLR1 of the East Herts District Plan 2018.

#### External Lighting

28. Prior to the first occupation of the development hereby approved, details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and prior to first occupation of the site.

Reason: In order to ensure inappropriate light pollution does not occur, in line with Policy EQ3 of the East Herts District Plan 2018.

#### Vehicular Access

29. Prior to the first occupation of the development hereby approved, the vehicular access from the B1004 shall be completed to the Highway Authority's satisfaction, and thereafter retained, as shown on drawing number: KMC23024 / 002.

Reason: In the interests of highways safety, in accordance with Policy TRA2 of the East Herts District Plan 2018.

#### Visibility Splays

30. Prior to the first occupation of the development hereby approved, a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the vehicular access where it meets the highway. Thereafter, such splays shall be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highways safety, in accordance with Policy TRA2 of the East Herts District Plan 2018.

#### Pedestrian Routes and Connections

31. Prior to the first occupation of the development hereby approved, the pedestrian routes and footpaths, as shown on drawing number: 152-PS-122 Rev B shall be fully surfaced and made available for public use.

Reason: To ensure the provision of pedestrian connections, in accordance with Policies DES4 and TRA1 of the East Herts District Plan 2018.

#### Parking Spaces

32. Prior to the first occupation of any dwelling hereby approved, the approved parking spaces for that dwelling shall be provided in full.

Reason: To ensure the provision of an appropriate level of parking, in accordance with Policy TRA3 of the East Herts District Plan (2018).

#### Water Consumption

33. Prior to the first occupation of any dwelling hereby approved, that dwelling shall be fitted out so that the potential consumption of wholesome water by persons occupying the dwellings shall not exceed 110 litres per person, per day.

Reason: In order to minimise the use of mains water, in accordance with Policy WAT4 of the East Herts District Plan 2018.

#### Accessible and Adaptable Dwellings (M42)

34. All dwellings hereby permitted shall be constructed to meet Category M4(2) (Part M) of the Building Regulations (apart from Plots 29 and 30, and those dwellings constructed to meet Category M4(3) requirements). Thereafter, the dwellings shall be retained in the approved form.

Reason: To secure the delivery of accessible and adaptable homes, in accordance with Policy HOU7 of the East Herts District Plan 2018.

Wheelchair User Dwellings (M43)

35. Plots 1, 2, 24 and 25 hereby approved (as shown on drawing numbers: 152-PS-201 and 152-PS-219) shall be constructed to meet Category M4(3) (Part M) of the Building Regulations. Thereafter, the dwellings shall be retained in the approved form.

Reason: To secure the delivery of wheelchair user dwellings, in accordance with Policy HOU7 of the East Herts District Plan 2018.

Obscured Glazing

36. The proposed first floor windows in the southern elevation of Plots 28 – 31 (serving landing and bathroom) (as shown on drawing number: 152-PS-221) shall be fitted with obscured glazing prior to first occupation of the relevant dwellings. Thereafter, these windows shall be retained in that condition.

Reason: In the interests of neighbour amenity in accordance with Policy DES4 of the East Herts District Plan 2018.

Tree and Hedge Retention

37. All existing trees and hedges shall be retained, apart from those shown on the Tree Protection Plan (Drawing Number: SJA TPP 23199-041) as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority, in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and

implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policies DES3 and NE3 of the East Herts District Plan 2018.

#### Flood Risk Assessment

38. All development shall be constructed in accordance with the submitted Flood Risk Assessment, Surface and Foul Water Drainage Strategies (Prepared by: Charles and Associates, Dated: December 2025, Reference: 23-041-001 Rev D). This includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To avoid on-site flood risks, in accordance with Policy WAT1 of the East Herts District Plan 2018.

#### Air Quality Impact Assessment

39. The development hereby approved shall be carried out in full accordance with the recommendations in Table 14 of the Air Quality Assessment (Prepared by: Redmore Environmental, Dated: 23 May 2025, Reference: 9493r1/KPM 30373).

Reason: In the interests of air quality during construction, in accordance with Policy EQ4 of the East Herts District Plan 2018.

#### Unexpected Contamination

40. If unexpected land contamination is encountered whilst undertaking the approved development, which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and the contamination

has been fully assessed, with a Site Investigation Report and Remediation Strategy submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: To minimise contamination risk, in accordance with Policy EQ1 of the East Herts District Plan 2018.