

BUCKDEN PARISH COUNCIL

Parish Clerk: Ramune Mimiene, Buckden Village Hall Burberry Road Buckden
PE19 5UY. Tel; 01480 819407

Planning Committee Meeting Meeting 26 April 2022 at 7pm On Zoom

Present: Cllrs Sue Ashwell (Chairman), John Thelwall, Gerald Sansom, Pauline Steel, Pam Fraser and Josh Harris.

Ramune Mimiene, Clerk

2 members of the public

MINUTES

144. Apologies

To receive and accept apologies for absence.

Cllrs P Steel, C Underwood and A Howell-Jones sent apologies for absence.

145. BPC Planning Committee Open Forum

Members of the public may have up to three minutes speak on planning matters on this agenda.

Items to be addressed must be notified to the Clerk no later than three working days in advance of the meeting and follow the BPC protocol for the Planning Committee Open Forum.

No requests received.

146. Declarations of Interest

To receive declarations of disclosable pecuniary interests, and the nature of those interests relating to items on the Agenda.

None.

147 Minutes

47.1 To Agree and Sign the Minutes of the Planning Committee meetings held 12 April 2022.

PROPOSAL: Proposed by Cllr PF, seconded by Cllr JT, all in favour and it was RESOLVED that the Minutes are approved as true and correct record. Carried

Cllr JH left the meeting due to technical issues

147.2 Matters Arising

147.2.1 Update on proposed Solar Farm development on the land off Vicarage Lane, Diddington
FULL application not yet available on HDC public access planning website (as at 19 April 2022)

Re: **EIA Screening Opinion 21/70114/SCRE Screening Opinion** for Installation of ground mounted solar PV array, substations, transformers, and associated security (perimeter fencing and CCTV) on land off Vicarage Lane, Diddington, Cambridgeshire.

147.2.2 Update on proposed Low Farm Solar Farm, land off Mill Road Buckden

Full application not yet available on HDC public access planning website (as at 19 April 2022)

Re: **22/70002/SCRE | EIA Screening Request** for a proposed solar PV array on land at Low Farm, Buckden, St Neots, PE19 5SN. | Land West Of The Old Flour Mills Mill Road Buckden

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BPC Planning Committee letter of objection emailed to the case officer at HDC on 28th February 2022 is now available on the HDC public access website.

However, a number of other comments have not been added to comments or documents listing that BPC has been informed were submitted to HDC.

- 147.2.3 Update on Application under section 191 of the town and country planning act 1990 for a lawful development certificate for the existing use of buildings and land for commercial business purposes (sui generis mix of class e(g)(iii), b2 and b8). Site Address: Pasturelands Taylors Lane Buckden Reference: 21/02384/CLED

No further information available on HDC website (as at 04 April 2022); BPC letter of objection to this application submitted 21 February 2022.

- 147.2.4 RETROSPECTIVE APPLICATION – extended date for submission by BPC 21st April 2022
Change of use of land from agricultural (to be confirmed by agent) to open storage/commercial business use (Use Class B8 to be confirmed by agent) ancillary to the use of adjacent commercial buildings including extension to hardstanding following demolition of buildings. Retention and remodelling of earth mound.
Pasturelands Taylors Lane Buckden St Neots PR19 5UW Ref No 21/02383/FUL
Received 19 Oct 2021 validated 15 Feb 2022 STATUS: In progress

BPC Recommends Refusal.

BPC Solicitor and Planning Advisor letters and accompanying documents referred to HDC for consideration in connection with the above Application were submitted on 21 Apr 2022.

148 To Consider Planning Consultations:

148.1 Widening of existing access Site Address: Pasturelands Taylors Lane Buckden Reference: 22/00369/FUL – received 14 April 22, comments by 8 May 22

BPC believes the submission of this further application supports BPC's earlier view, and that of our professional advisers, that the approach being taken for this site is to try to incrementally achieve what a single application would not have done i.e. to put a business park including businesses not suitable for a residential area, into a residential and agricultural location in the countryside.

It was agreed to **Recommend Refusal** to this planning consultation on the reasons listed below:

- There is a clear cumulative effect here and BPC feel that HDC need to recognise that all 2021 & 2022 Pasturelands applications are inextricably linked, regardless of being packaged separately.
- We understand that if the roadway on site were to be widened it does need planning permission but that does not appear to be covered by this application
- **BPC believe this application should be accompanied by a Transport Assessment, given the issues on highway safety already raised**
- **BPC is of the view that this is again a deficient application from Pasturelands and agents**

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- The application to widen the access could be a device simply for forcing through the increased traffic and our view is that HDC needs to assess the total, cumulative impact carefully.
- Overall, again this is judged by BPC to be a submission that fails the planning balance tests and should not be granted.

The un-resolved application for a Certificate of Lawful Existing Development and for retrospective approval of a number of changes which are in breach of planning legislations and which are liable to enforcement action should, in BPC's view, be taken as a whole. As noted by BPC solicitor and planning consultant in BPC's response to the full application 21/02383/FUL they are part of incremental attempts to gain authorisation for transforming agricultural land in a residential area into a commercial and industrial site with a substantial amount of business traffic. The removal of large areas of grass to create hardstanding, and use of hardstanding to store substantial numbers of steel beams where there were previously farm buildings are evidence of the expansion of the site. There is evidence of the increasing number of vehicles, including large lorries unsuited to a single-track rural lane, which are only using the entrance at Pasturelands because of the businesses that are now on site.

BPC Councillor has shared a photograph that was taken of a lorry on the lane in April, where the cyclist travelling in the opposite direction was put at significant risk. This supports our view that anything which encourages additional commercial traffic on Taylors Lane is inappropriate and will affect highways safety.

BPC believes that the activities on the site are unsuitable for their location and should not be given either immunity from enforcement or consent.

Significant concerns were raised that the information in the application form is inaccurate and misleading, including but not limited to:

- Q: Widening of existing access – has the work **or change of use** already started. Application form says no BUT this is untrue as lorries are already using the path onto the site for which the application has been made.
- Q: Vehicle Parking – Does the site have any existing vehicle/cycles parking spaces? Application form says no BUT whilst that is true of the narrow strip of land covered by this application, the development of multiple commercial and industrial activities on site have created substantial parking areas associated with the unauthorised use of the site
- Q: Trees & Hedges – The rationale for widening the road (as well as the access adjacent to Taylors Lane) is because it is said that lorry cabs are affected by the tree by the entrance BUT the application says NO to the question “are there trees or hedges on land adjacent to the proposed development site that could influence the development.
- Q: Assessment of Flood Risk – In answer to the question “How will surface water be disposed of” the answer is “Soakaway” even though the proposed surface is to be impermeable and the water on that would run downhill into the ditch alongside Taylors Lane.

It was noted here that a letter of objection to the proposed manner of crossing the ditch along Taylor's Lane has been sent by the LLFA in relation to an adjacent development approved for the Pasturelands site.

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The site owner and his agent were advised to note that letter of objection as the proposal to bridge the ditch on this application for widening was identical to the application where the method was judged unacceptable.

- Q: Biodiversity – in answer to the question about Protected and priority species the application states NO. The response given is NOT TRUE as the adjacent/nearby land where there is consent to build two houses is known to be affected by Bat migration, and indeed the landowner and his agent know that to be the case as a condition of the house development was that they obtained the relevant licences to deal with the effect on the bats there.
- In addition, BPC suggest that they have been selective in what they have indicated about employment at Pasturelands (they say no existing employees).

Note since meeting: BPC planning recommendations submitted on 29 April 2022.

- 148.2 Double storey side and rear extension, porch extension and amendments to external materials. Site Address: 11 Springfield Close Buckden St Neots Reference: 22/00683/HHFUL** – received from HDC on 8 April 2022, comments by 1 May 22

As no obvious adverse effect on neighbour amenity was identified from the plans or visit by BPC to the road in front of this house. BPC therefore **Recommend Approval**. However, it was agreed to defer to the HDC Planning Officer's judgement regarding the overlooking and loss of light and/ or privacy for the property immediately adjacent to the two-storey section of the development.
Note since meeting: BPC planning recommendations submitted on 29 April 2022.

- 148.3 Demolition of detached single garage and lean-to to rear of dwelling. New single storey extension to the side. Site Address: 11 Hunts End Buckden St Neots Reference: 22/00826/HHFUL** – received from HDC 11 April 22, comments by 5 May 22

BPC would like repeat the comments made previously and to draw the case officer's attention to:

- LP14 Amenity. The site is in a position where work during the development could create significant harm to users of essential facilities in close proximity to 11 Hunts End
- LC17 Parking Provision and Vehicle Movement. The committee foresees potentially significant concerns for highway safety in relation to access to and from the site.

This development of an existing dwelling has an enclosed driveway access onto the narrow roadway that buses have to use to turn within the village. Any obstruction e.g. by contractors' vehicles or delivery vehicles of the roadway outside the curtilage of this property would seriously adversely affect users of the buses and pedestrians and vehicles visiting the adjacent shops, including a pharmacy, at Hunts End.

BPC notes the response made by the case officer when we raised this issue in relation to the previous application, specifically that it would not be conditioned as this disruption during the construction period was "subject to enforcement by the highways authority". We wish to bring to the officers' attention that there are no parking restrictions on the land around this

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development (we are awaiting the outcome of our application for PFHI for double yellow lines here). The disruption during the construction period is substantially more than the case officer in 21/02183/FUL appears to have appreciated, as the road affected is the only place for the buses into and out of Buckden to turn around and vehicles in the vicinity of this development can mean, as happened recently, with a bus stranded across the main route through the village for extended periods waiting for vehicles to be moved.

We therefore ask again that if HDC is minded to approve the application BPC urge that a Condition is included that during the period of construction vehicles connected with the development are precluded from parking on the roadways around Hunts End or otherwise affecting neighbour amenity and prejudicing highways safety.

Overall BPC judges that the variations from the previous submission for development at this location are such that they expect adjudication of this new application to reflect the previous HDC decision to approve the development.

Note since meeting: BPC planning recommendations submitted on 29 April 2022

149. Item for Information

Conditional information for 20/01614/FUL: C6 (bat Licence) and C10 (Ditch crossover) Pasturelands Taylors Lane Buckden St Neots PE19 5UW
Ref No 22/80055/COND Received 10Feb2022 validated 17 Feb 2022
STATUS: Pending Decision

The LLFA¹ have stated that they are unable to recommend the discharge of condition 10 due to:

- the absence of watercourse consent under the Land Drainage Act (1991) and
- Due to wider flood risk issues in the area following extreme rainfall events of August and December 2020 and some subsequent near misses.

These are listed in detail in their report on HDC planning Portal.

The committee thanked Chairman SA for the information presented.

150. Appeals

None.

151. EXCLUSION OF THE PUBLIC AND PRESS

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public and press be excluded, and they are instructed to withdraw, Public Bodies (Admission to Meetings) Act 1960.

Confidential Business

None.

152. Date of the next meeting: 10 May 2022 at 7pm at the Village Hall

Depending on the need and the planning consultations received

Meeting finished at 7.37pp

Signed

Date

¹ Lead Local Flood Authority