

BUCKDEN PARISH COUNCIL

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

Planning Committee Meeting Meeting 19 July 2022 at 6.30pm On Zoom

Present: Cllrs Sue Ashwell (Chairman), John Thelwall, Pam Fraser, Vikki Browning and Gerald Sansom.

Ramune Mimiene, Clerk

No members of the public

MINUTES

- 22. Apologies**
To receive and accept apologies for absence.
Cllrs Anne Howell-Jones and Josh Harris sent apologies for absence.
- 23. 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.
- 24. Declarations of Interest**
To receive declarations of disclosable pecuniary interests, and the nature of those interests relating to items on the Agenda.
No declarations received.
- 25. Minutes**
25.1 To Agree and Sign the Minutes of the Planning Committee meetings held 14 June 2022.
PROPOSAL: Proposed by Cllr VB, seconded by Cllr PF, all in favour and it was RESOLVED that the Minutes are approved as true and correct record. Carried
- 25.2 Matters Arising
- 25.2.1 Terms of Reference – Planning Committee – Draft ToR 2022-23 had been circulated with the meeting Agenda.
Members of the Committee were asked to send comments or queries to the Clerk and Committee Chairman.
Cllr SA agreed to check if the arrangements for dealing with commercial development proposals are included; they are. The final version to be sent to the Chairman of the Compliance Advisory Group now also makes explicit reference to the June 2022 BPC Policy for pre-planning application meetings with developers.
PROPOSAL: Proposed by Cllr SA, seconded by Cllr JT, all in favour and it was RESOLVED to approve the ToR. Carried.
- 25.2.2 It was agreed to contact HDC Enforcement Team re: 20/02373/FUL Breach of condition relating to Sustainable drainage system at The Tin Lid site (Brampton Road, Buckden) asking them to stop the development until this Condition is discharged to the satisfaction of LLFA.

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A resident advised BPC that building work has started. However, it would appear that the developers for the above site are in breach of condition 5 for a sustainable drainage system as work has commenced on site and buildings are being erected before the relevant Condition has been discharged. There are currently no visible live applications to discharge this condition as it was not discharged on application 21/80313/COND.

The relevant Decision Letter¹ in relation to this Condition states [our emphasis]:

*“Consultee comments: **The LLFA are still in consultation with the applicant on this condition. As this is the case it is not possible to formally discharge Condition 5 at this stage.***

***Conclusion:** Given the outstanding consultation with the LLFA, it has been agreed with the applicant that a formal response to Condition 5 will follow at a later date.*

Condition 5, therefore, remains outstanding and is not discharged. “

Condition 5 reads: [our emphasis]

“No laying of services, creation of hard surfaces or erection of any building hereby approved shall commence until a detailed design of surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority.

Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Conceptual SuDS Strategy Report prepared by Innervision Ltd (ref:201489) dated January 2021 and shall also include:

(a) Detailed drawings of the entire proposed surface water drainage system and attenuation, including levels, gradients, dimensions a pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);

(b) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems

(c) Full details of the maintenance/adoption of the surface water drainage system.

The scheme shall also show measures to demonstrate that surface water will not run off the site onto the public highway. The development shall be carried out in accordance with the approved surface water drainage details and management and maintenance plan.

Reason: To ensure the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may comprise the ability to mitigate harmful impacts.”

Note since meeting: Buckden PC emailed the concerns to HDC Enforcement Team and copied LLFA, and our HDC Cllr M Hassall (25/07/2022).

26. To Consider Planning Consultations:

- 26.1** Preserve the examples of historic wall art discovered in 2 locations of the main parlour.
Site Address: 7 Church Street Buckden St Neots Reference: 22/01160/LBC – received 30 Jun 22, comments by 21 Jul 22

¹ HDC Public Access website last accessed 23 July 2022

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Committee members were concerned that one of the examples of historic wall art will not be visible under the proposed arrangement, but agreed to defer to the judgement of the Conservation Officer as to whether this is the most appropriate way to deal with it. Therefore, no recommendation was made.

Note since meeting: Buckden PC planning recommendations submitted on 22/07/2022.

27. Appeals

Nature: New build dwelling. Site Address: 38 Hardwick Lane Buckden St Neots Reference: 21/02040/OUT – email notification received from HDC on 27th Jun 22

TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 78

38 Hardwick Lane Buckden St Neots Proposed Development New Build Dwelling Appeal
Appeal against this decision by HDC is to the Secretary of State and it will be dealt with by the Planning Inspectorate service

Resident's email received asking if BPC could restate their initial position to HDC planning department. In response to this request Planning Committee considered the rationale for our original recommendation to refuse and agreed to reiterate the original **objection** submitted to Hunts DC previously. If needed BPC will present their views to Planning Inspector, though we understand our original submission will anyway be considered.

Critically, it was noted that the proposed development is outside of the built area of the existing village, as per BPC Neighbourhood Plan.

Additionally, there is no building line there for a new house. The entrance to/ exit from the new property at the site visits was found to be an issue, being located on the corner of the narrow road and adjacent to a public footpath.

Note since meeting: Buckden PC emailed HDC on 25/07/2022

28. Tree applications

Summary: The reduction work is required on the ancient Hawthorne hedgerow that borders my property and the shared road way. I plan to reduce the hedgerow by 1/2 meter on the width and a meter from the top. I also propose to remove all of the ivy and brambles wrapped around the Hawthorne branches and trunk

Site Address: 10 Marina View Mill Road Buckden Reference: 22/01069/TREE – received 10th June, comments by 1 July, asked for extension till 20th July. The most HDC were able to extend the consultation until in this case was be Friday 8th July.

To meet HDC deadline the Planning Recommendations were agreed by the committee, were submitted to HDC and on 8th July22 were made available on the HDC public access planning website:

10 Marina View, Mill Road, Buckden (ref 22/01069/TREE)

BPC Planning Committee has reviewed the application for work on one protected tree in this long ancient hedge against the Buckden Parish Council Biodiversity Plan. In addition, a site visit was made to inform preparation of this response to the application.

We understand that the Arboricultural Officer will make the decision on this application. However, BPC is concerned that the application has not supplied the sufficient reason/detail of why the proposed work is needed to protect the amenity value of this one protected tree within a long hedge of protected trees and hawthorn. Work to reduce the height or width of this individual tree could create an unbalanced and inappropriate look to

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this hedge if carried out in isolation, as the top of the hawthorn can be seen from the outer side of the hedge (visible from the public footpath).

BPC is aware that work on the hedge which this application would affect, if HDC were minded to approve, was refused last year on the advice of the Arboricultural Officer. The reason given there was that "*The works have the potential to have a detrimental impact on the condition of the trees in A(area) 1 of TPO 019/93 and may induce early onset decline.*"

BPC recommends Refusal

BPC believes that it may be helpful for HDC to approach the site freeholder (Buckden Properties Ltd management@buckdenproperties.co.uk) for a view on the need for this work, and how it fits with other possible future applications to manage this protected ancient hedge, as the applicant is not the owner of the tree covered by the application (see also rationale below).

Further Rationale for BPC recommendation:

- The Buckden Parish Council Biodiversity Plan (2022) makes it clear that ivy and brambles are not a threat to the hawthorns or other hedge plants and benefit birds, small mammals and insects.
 - BPC therefore looks to the HDC Arboricultural Officer's judgement on the balance of these matters.
- The applicant has ticked the box indicating damage to driveway and drains.
 - However, they have not specified how these are being damaged nor does it appear that the applicant has submitted the required "*Written technical evidence from an appropriate expert, including description of damage and possible solutions*".
- Inspection of the tree and its location opposite 10 Marina View shows no evidence of how the hawthorn/hedge and attached ivy/brambles are negatively affecting the surrounding environment.
- The applicant states that he is the owner of the tree in question.
 - That is not correct, as all lodges at Buckden Marina are leasehold and we understand that all trees and hedges are the responsibility of the Freeholders, Buckden Properties Ltd.
 - We therefore do not expect any work (if approved) to be carried out without the explicit consent of the Freeholder.

BPC asks that if HDC were minded to approve this application the following Conditions be applied:

- That any branches etc cut as part of the work are left in situ under the hedgerow/trees to create wood piles for hibernating wildlife, places for fungi to grow and homes for insects and small mammals i.e. in line with BPC Biodiversity Plan recommendations.
- That the date for the work be no sooner than September/October 2022 and in all cases outside the nesting season.

This was submitted prior to the meeting to meet HDC planning department deadline.

29. 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

30. Date of the next meeting: Tue 13 September 2022 at 6.30pm

Depending on the need and the planning consultations received

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Meeting finished at 7.17pm

Signed

Date