# OFFICER REPORT

**Case No:** 24/02148/FUL **Full Planning Application**

**Proposal:** **Change of use of land to open storage and extension to hardstanding, remodelling an existing earth bund and creation of an earth mound as a drainage solution (part retrospective).**

**Location:** **Pasturelands Taylors Lane Buckden**

**Applicant:** **Mr Andrew Magee**

**Grid Ref:** **518669 267959**

DESCRIPTION OF SITE AND APPLICATION

1.1 The site is located north-west of the settlement of Buckden, west of the A1 and south of Taylors Lane, Buckden and is accessed via an existing access track from the highway. The site is surrounded by open fields enclosed by hedgerows to the east, south and west with the applicants detached dwelling and commercial buildings to the north. The site comprises a combination of surfaced hardstanding covered with hardcore and plainings, an earth mound to the south, and paddock land to the east. The total application site is 0.9 ha.

1.2 A Certificate of Lawful Existing Development was granted within the wider site under reference 21/02384/CLED for the use of existing buildings and land for commercial business purposes comprising workshop and storage uses with ancillary office (Class E(g)(iii) and B8) in Unit 1, Workshop and storage uses (Class B2 and B8) in Unit 2, and commercial artists spray workshop and storage uses (Class E(g)(iii) and B8) in Unit 3.

1.3 This application seeks retrospective approval for the change of use of land from agricultural to open storage (ancillary to the use of the adjacent commercial buildings to the north). The application also seeks approval for the extension to the existing area of hardstanding (retrospective), the remodelling and extension of an existing earth bund to the south (partially retrospective), and the creation of an earth mound as a drainage solution at Pasturelands, Taylors Lane, Buckden. The paddock to the east will be converted into BNG land to compensate for the habitat loss resulting from the yard expansion. Finally, the proposal seeks retrospective approval for the siting of two shipping containers to store tools and a length of product racking to store steel beams (4m in height, 1.5m in depth and 60m in length).

1.4 This is a partially retrospective application with the majority of the works having commenced on site in July 2019. At this time the hard surfaced area was extended by scraping the clean topsoil off and adding it to the existing earth bund to the south. Hard core and plainings were then added to create a larger surface. This application is a result of a Planning Contravention Notice and is also a revised scheme to a previously refused planning application (reference 21/02383/FUL).

1.5 This application has been accompanied by the following documents:

- A Cover Letter;
- Planning Statement;
- Landscape Visual Appraisal;
- Highways Statement;

- Sustainable Drainage Statement and Flood Risk Assessment;
- Preliminary Ecological Appraisal;
- Biodiversity Net Gain Assessment.

1.6 Amended plans/additional information has been received during the course of the application in an attempt to address the concerns raised by the LLFA and Exolum.

1.7 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

1.8 Full details of the proposal, including copies of all plans, documents and comments received, are available on the Council's Public Access Website.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (17th August 2026) (NPPF 2026) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2026 National Decision-Making Policy S3: Presumption in favour of sustainable development at paragraph 1 provides as follows: 'Decisions on development proposals should apply a presumption in favour of sustainable development'

2.2 The NPPF 2026 sets out the Government's planning policies for (amongst other things):
* delivering a sufficient supply of homes;
* building a strong, effective economy;
* achieving well-designed places;
* managing flood risk and costal change;
* conserving and enhancing the natural and historic environment.

2.3 The updated NPPF, sets out the Government's planning policies for both plan-making and the determination of planning applications in England, together with guidance on how those policies should be applied. The NPPF 2026 includes national policies for decision-making and supersedes all previous versions of the Framework, including those published in March 2012 and subsequently revised in July 2018, February 2019, July 2021, September 2023, December 2023, December 2024 and December 2025.

2.4 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website National Guidance

3. PLANNING POLICIES

3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

- LP1: Amount of Development
- LP2: Strategy for Development
- LP4: Contributing to Infrastructure Delivery
- LP5: Flood Risk
- LP6: Waste Water Management
- LP10: The Countryside
- LP11: Design Context
- LP12: Design Implementation
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement

- LP19: Rural Economy
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows

3.2 Buckden Neighbourhood Plan 2020-2036 (Adopted November 2020)

- Transport 2 - Traffic Impact Mitigation
- Biodiversity 1 - Protecting
- Biodiversity 2 - Net Gains
- Landscape 1
- Landscape 2

3.3 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD (2017)
- LDF Developer Contributions SPD (2011)

Local policies are viewable at https://www.huntingdonshire.gov.uk

3.4 The National Design Guide (2021):

- C1 - Understand and relate well to the site, its local and wider context
- I1 - Respond to existing local character and identity
- I2 - Well-designed, high quality and attractive
- B2 - Appropriate building types and forms
- M3 - Well-considered parking, servicing and utilities infrastructure for all users
- N3 - Support rich and varied biodiversity
- H1 - Healthy, comfortable and safe internal and external environment
- H2 - Well-related to external amenity and public spaces
- H3 - Attention to detail: storage, waste, servicing and utilities.

For full details visit the government website Local policies

4. RELEVANT PLANNING HISTORY

4.1 There is a wide planning history associated with this site. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:

25/01725/S73 - Removal of Condition 11 (Accessible and adaptable) of 22/01684/S73 since it has not been able to be achieved with the approved plans - Approved

25/00673/FUL - Change of use of stable block (equine use) and store (B8) to storage, office and welfare space (retrospective) - Approved

22/01684/S73 - Variation of condition 2 (approved plans) of application 20/01614/FUL - Approved.

22/0369/FUL - Widening of existing access - Approved.

21/02384/CLED - 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 comprising workshop and storage uses with ancillary office (Class E(g)(iii) and B8) in

Unit 1, Workshop and storage uses (Class B2 and B8) in Unit 2, and commercial artists spray workshop and storage uses (Class E(g)(iii) and B8) in Unit 3 - Approved.

21/02383/FUL - Change of use of land from agriculture to open storage/commercial business use (Use Class B8) ancillary to the use of adjacent commercial buildings including extension to hardstanding following demolition of buildings (retrospective). Retention and remodelling of earth mound - Refused.

20/01614/FUL - Replace barn (with the benefit of Class Q Prior Approval for 2 homes) with 2 new dwellings - Approved

18/02246/PMBPA - Conversion of agricultural building to dwellinghouses - Prior Approval

18/00869/FUL - Application for replacement stables and tack/store room (retrospective) - Approved.

16/00754/FUL - replace mobile home with permanent dwelling - Approved

15/01460/FUL - replace mobile home with permanent dwelling - Refused

5. CONSULTATIONS

5.1 Buckden Parish Council - Initially recommended refusal of planning permission, noting the objections from the Lead Local Flood Authority and Exolum. The Parish Council also note the damage done by large vehicles on the grass verges of Taylors Lane and the highway safety, flooding and ecological implications. Furthermore, the parish council object to the piecemeal 'salami slicing' approach to the submission of planning applications on site.

The Parish Council were re-consulted on the application following the submission of amended plans and agreed to make no comment.

5.2 Exolum Pipeline System Ltd - initially objected to the application on the following grounds:-

o High pressure oil pipeline apparatus will be affected by the application.
o The application has the potential to contravene Exolum's ability to safely access and maintain its assets under their legal right as set out in Part IV of The Energy Act 2013.
o The potential breach of the Health & Safety at Work Act 1974 - any subsequent work close to the high-pressure pipeline could impact both the safety of the pipeline and those doing the work.
o The proposed hardstanding denies access to the pipeline for future maintenance and emergency purposes.

However, following the receipt of amended plans, confirmed they have no objection to the proposal.

5.3 Cambridgeshire County Council Lead Local Flood Authority - initially objected to the application on the following grounds:-

o Flooding - the site is shown to flood in a 2-year storm event, meaning the site may be flooded for a large part of the year preventing effective use of the site.
o Exceedance flows- concern that the exceedance flows may be routed around the bund at its southern end.
o Discharge point - the applicant has not shown where the surface water outfall will be located and to what watercourse this will be. Position of the flow control also needs to be determined.
o Flood Risk Assessment - A Flood Risk Assessment/surface water strategy has not been submitted and there is insufficient information to determine the impacts of the proposal.

o Maintenance Strategy - Details for the long-term maintenance arrangements for the surface water drainage system needs to be submitted.

Following receipt of a Flood Risk Assessment, Drainage Plan and maintenance and management plan, no objections in principle, subject to the imposition of conditions to ensure that the site is drained in accordance with the agreed details.

5.4 Cambridgeshire County Council Highway Authority - No objections to the proposal, subject to the imposition of conditions on any planning permission granted restricting vehicle movements.

5.5 National Highways - No objections.

5.6 Huntingdonshire District Council's Environmental Health - No objections to the proposal.

6. REPRESENTATIONS

6.1 No third-party representations were received during the course of the application.

7. ASSESSMENT

7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within Policy DM3(f) of the NPPF (2026). [JT1.1]The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

7.3 In Huntingdonshire the Development Plan (relevant to this applications) consists of:
o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o Buckden Neighbourhood Plan 2020-2036 (Adopted November 2020)

7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

7.5 The main issues to consider in the determination of this application are:

o The Principle of Development
o Design and Visual Amenity
o Residential Amenity
o Highway Safety
o Flood Risk and Surface Water
o Biodiversity
o Other Matters

The Principle of Development

7.6 The site is located within the boundary for the Buckden Neighbourhood Plan (2021), however is located outside of the built-up area of Buckden and is therefore classified as countryside land in accordance with the adopted Huntingdonshire Local Plan. Policy LP10 (The Countryside) of the adopted Local Plan states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan.

7.7 The Buckden Neighbourhood Plan states that proposals for business development which provide for local employment opportunities and which make a positive contribution to supporting the rural economy are acceptable subject to satisfying criteria. The proposal would create an open storage business within the wider site of Pasturelands, which is a commercial site providing local employment opportunities and makes a positive contribution to supporting the rural economy. An assessment of the proposal against the criteria within Section 10.3 of the Buckden Neighbourhood Plan (Business Policies) is carried out in greater detail throughout this report.

7.8 Policy LP19 of the adopted Local Plan states that a proposal for the expansion of an established business within its existing operational site will be supported. It is also worth noting that National Decision-Making Policy S5(b) (Principle of development outside settlements) of the National Planning Policy Framework (2026) states that development for rural businesses and services, where a location outside settlements is shown to be necessary, should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision making policies in the Framework.

7.9 Given the proposed development seeks to expand the existing commercial operation within the wider site of Pasturelands, the proposal is therefore considered to satisfy Policies LP10 and LP19 in this regard as well as National Decision-Making Policy S5 (Principle of development outside settlements) of the National Planning Policy Framework (2026).

7.10 Policy LP10 goes on to state that all development in the countryside must:

7.11 a) seek to use land of lower agricultural value in preference to land of higher agricultural value;

7.12 In accordance with Natural England's Agricultural Land Classification map, the land in question is Grade 2 agricultural land (Very Good). This application seeks approval for the change of use of agricultural land to commercial uses (including open storage) associated with the remainder of the site to the north as well as the extension of hard surfacing on the site by approximately 3843m2 (this element of the proposal is retrospective with the hard surfacing being laid in 2019). [JT2.1]Following the determination of 21/02384/CLED, the agricultural operations/use within the wider site has ceased. Whilst the proposed development would result in the loss of high value agricultural land, given the location, the lawful use of the remainder of the site and the existing boundary treatments along the western and southern boundaries, it is considered that the land in question would otherwise become detached and would lose its functionality.

7.13 b) recognise the intrinsic character and beauty of the countryside;

7.14 As discussed further in this report, the Local Planning Authority are satisfied that the proposed development would be acceptable in terms of its design and would recognise the intrinsic character and beauty of the countryside.

7.15 c) not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others

7.16 As discussed further in this report, subject to the imposition of conditions, the Local Planning Authority are satisfied that the proposed development would satisfy the above criteria.

7.17 Overall, the proposal is considered to be in accordance with Policies LP2, LP10 and LP19 of the Huntingdonshire Local Plan, the Buckden Neighbourhood Plan and Policy S5(b) of the National Policy Framework (2026) in this regard and therefore the principle of development is considered to be acceptable in this instance, subject to all other planning matters being addressed.

Design and Visual Amenity

7.18 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape. This is also reflected in the Buckden Neighbourhood Plan, Huntingdonshire Design Guide SPD and National Decision-Making Policy DP3 (Key principles for well-designed places) and chapter 14 of the National Planning Policy Framework (2026).

7.19 The site is also within the 'Southern Wolds' Landscape Character Area of the Huntingdonshire Landscape and Townscape Assessment SPD, which states that development proposals should ensure high quality landscaping, enrich the area and promote opportunities for conservation and wildlife initiatives to support the area's contribution to biodiversity.

7.20 This application seeks approval for the change of use of land to open storage and the extension to existing hardstanding, remodelling an existing earth bund and creation of an earth mound as a drainage solution at Pasturelands, Taylors Lane, Buckden. The proposal also seeks approval for the siting of two shipping containers to store tools and a length of product racking to store steel beams (4m in height, 1.5m in depth and 60m in length). The proposal is partially retrospective with the majority of the works having been carried out.

7.21 The proposed racking to store steel beams is already in situ and is located centrally within the site extending north to south with existing and proposed hedge and tree planting to the east and the proposed earth mounding to the east and south. The proposed racking is considered to be of an acceptable height (4m) and would be partially screened by the proposed earth mounding and existing and proposed landscaping. Furthermore, the submitted Landscape Visual Appraisal shows that views to the proposed development would be limited.

7.22 The proposed yard extension is in the south-west corner of the application site and was constructed by scraping off the topsoil and laying hardcore and plainings with a total area of 2,201m2 - 70m at its longest point and 46m at its shortest. While it is noted that the proposal would result in a large area of hardsurfacing in a semi-rural setting (also recognising the existing hardsurfacing within the wider site), it is not considered to result in significantly detrimental visual harm as it would be subjected to limited views from public vantage points being set back from the public highway by approximately 150m. Furthermore, large areas of hardstanding are not considered to be uncommon in rural/semi-rural areas (typically associated with agricultural/industrial uses).

7.23 The proposed two storage containers are also already in situ and are considered to be small in scale and are well-related to the existing buildings and racking within the site where they would not result in any detrimental visual impacts.

7.24 The existing earth mound to the south (which was formed from the topsoil taken from the yard extension) is proposed to be remodelled and extended along the boundary so that it has a width at its base of 6m, reduced to 2m at its summit, and 54m in length. New landscape planting will be provided on the remodelled mound, the details of which can be secured by condition.

7.25 The paddock to the east will be converted into BNG land to compensate for the habitat loss resulting from the yard expansion. This is considered in more detail further in the report. A new

hedge is also proposed to be planted along the eastern boundary to assist the developments assimilation into the rural countryside.

7.26 The proposed drainage solution is also incorporated within part of the paddock and will include a new filter drainage system, and a mound to prevent water from leaving the site. The proposed mound will be formed of compacted soil, will be 1.5m in height and 8m in width, and will subdivide the existing paddock.

7.27 Given the use of natural materials and its height, the proposed earth mounding is considered to be acceptable and would not result in any visual harm to the application site or the wider countryside.

7.28 It is noted that the application site is identified in the Buckden Neighbourhood Plan as a specific feature recommended for protection/conservation in line with Policy Landscape 1 (Fields behind Taylor's Lane). This follows the Parish Councils landscape appraisal carried out in 1995 and includes a large area of which the application site is only a small part of. While it is noted that the proposal would result in the loss of some of the field land, it would not result in the total loss of the feature and any planning permission would include a condition to secure specific details of a soft landscaping scheme to mitigate the impacts of the proposal[JT3.1].It is also noted that the majority of yard extension works commenced on site in July 2019 and therefore pre-dated the Buckden Neighbourhood Plan which was adopted in November 2020.

7.29 Overall, the proposed development is considered to be acceptable in terms of its design and visual impact and would not result in significantly detrimental impacts on the application site, the streetscene of Taylors Lane or the surrounding area. As such, the proposal is deemed to be in accordance with Policies LP10, LP11 and LP12 of Huntingdonshire's Local Plan to 2036, the Buckden Neighbourhood Plan, the Huntingdonshire Design Guide SPD and National Decision-Making Policy DP3 (Key principles for well-designed places) and chapter 14 of the National Planning Policy Framework (2026) in this regard.

Residential Amenity

7.30 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

7.31 The closest neighbouring residential properties that are most likely to be impacted upon as a result of the proposed development are located approximately 50m north-east of the application site and 90m north-west.

7.32 The proposed development is not considered to result in any detrimental noise and general disturbance impacts on any neighbouring residential properties as the proposed use is considered to generate low noise impacts with the existing vehicular access located along the western side of the wider application site. Furthermore, a condition would be imposed on any planning permission granted to agree any lighting scheme proposed in order to preserve amenities.

7.33 Given the separation distance between the proposed storage area and associated racking (approximately 125m at its closest point), the proposal is not considered to result in any detrimental overbearing, overshadowing or loss of light impacts on the neighbouring properties. Furthermore, given the nature of the proposal, it would not result in any detrimental overlooking impacts.

7.34 Overall, the proposal development is considered to be acceptable in terms of its impact on neighbouring properties amenities and would therefore be in accordance with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and National Decision-Making Policy P3 (Living conditions and pollution) of the National Planning Policy Framework (2026) in this regard.

Highway Safety

7.35 Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

7.36 The proposed development would be accessed via the existing vehicular access off Taylors Lane, Buckden- an unclassified road subject to the national speed limit. This application has been accompanied by a Highways Statement to overcome previous concerns regarding insufficient information and in order for a complete assessment to be made of the proposed development on the highway network.

7.37 Following concerns initially raised by the Local Highway Authority, additional information has been provided to detail the level of vehicle movements to the application site. The additional information concludes that traffic from the existing wider site is likely to be about 40 two-way movements per day on average with the proposed use likely resulting in 5 two-way movements per day.

7.38 While the Local Highway Authority have raised concerns over any additional vehicle movements associated with the proposal, this application seeks to regularise the existing site and given the hardstanding area is incidental to the existing uses on site, the increase in vehicle movements is considered to be minimal. No objections have therefore been raised by the Local Highway Authority, subject to a condition restricting the use to ensure it remains ancillary to the use of the adjacent commercial buildings to the north.

7.39 It must also be bourne in mind that the improvements to the site access which were approved under 22/00369/FUL have helped to reduce conflict of vehicles entering and existing the site.

7.40 Furthermore, the Local Planning Authority are satisfied there is adequate hardsurfacing to provide vehicle parking and turning provision to ensure vehicles enter the public highway in a forward gear.

7.41 It is also worth noting that as Taylors Lane abuts the trunk road network, National Highways have been consulted on the application and have raised no objections to the proposed development.

7.42 Overall, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and Chapter 15 of the National Planning Policy Framework (2026) in this regard.

Flood Risk and Surface Water

7.43 The site is located within Flood Zone 1 in accordance with Environment Agency mapping and the Huntingdonshire Strategic Flood Risk Assessment 2024. The proposal involves the formation of a large area of hardsurfacing (approximately 2,201m2) and therefore a detailed Flood Risk Assessment has been provided.

7.44 There have been repeated flooding issues in the local area surrounding the proposed site particularly within the immediate vicinity around Bucken and it is therefore important to ensure that the site does not exacerbate these issues. The site is shown to flood in a 2-year storm event. Whilst a small amount is permitted in a 30-year event, having any flooding occur during a 2-year event will mean the site may be flooded for a large part of the year preventing effective use of the site. Furthermore, the amount of flooding occurring in the 30 year and 100-year events is very excessive with most nodes being in flood status with amounts exceeding 80m3 at PS3 and a total of 195m3 which would lead to the site being unusable.

7.45 A Sustainable Drainage and Flood Risk Assessment was submitted during the course of the application following initial comments from the Lead Local Flood Authority that insufficient information had been provided. The additional information demonstrates that surface water from the proposed development can be managed through the use of an earthen bund which would intercept surface water runoff generated from the increase in impermeable area. Filter drains will take these flows and discharges from site via flow control of 0.8l/s into the existing field and outfall to watercourse in the north. A maintenance and management plan has also been provided outlining maintenance and adoption details of surface water drainage features.

7.46 On the basis of this information, the Lead Local Flood Authority have confirmed that they have no objections to the proposed development, subject to the imposition of conditions on any planning permission granted to ensure that the site is drained in accordance with the agreed details.

7.47 A condition was also sought seeking details of measures indicating how additional surface water run-off from the site will be avoided during construction works before ant works to create buildings or hard surfaces commence. However, given that the shipping containers and hard surfaced area have already been constructed on site this condition is not considered necessary.

7.48 As such, the proposed development is considered to be acceptable in terms of its flood risk and impact on surface water and would therefore be in accordance with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and National decision making policy F4 (Assessing flood risk for decision-making) of the National Planning Policy Framework (2026) in this regard.
Biodiversity

7.49 National decision-making policy N2 (Improving the natural environment) of the NPPF (2026) states that development proposals should contribute positively to the natural environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development[JT4.1]. This is also re-iterated in Biodiversity Polices 1 and 2 of the Buckden Neighbourhood Plan. Biodiversity 1 states that development proposals that have a significant adverse impact on biodiversity will not be supported unless they retain and enhance the existing network of wildlife rich habitats, and Biodiversity Policy 2 states that all developments will be expected to provide net gains at both habitat and species level.

7.50 This application has been accompanied by a Preliminary Ecological Appraisal (PEA). This is a retrospective application with the predeveloped site comprising modified grassland and an associated hardstanding roadway. Onsite habitats had potential to support nesting birds in the form of scattered scrub and notable invertebrates throughout the onsite grassland. The submitted PEA provides mitigation measures to protect nesting birds and hedgehogs as well as other general protections to biodiversity. It is also recommended to produce a Biodiversity Enhancement Plan (BEP) to mitigate the potential loss of invertebrate habitat, as well as to improve the site and surrounding area for other species. This can be secured via condition.

7.51 The Local Planning Authority raises no objections to the submitted PEA and its findings and recommends conditions be imposed on any planning permission granted to ensure that development is carried out in strict accordance with its findings.

7.52 As well as the above (and separate from the requirements of LP30) as of the 2nd April 2024 qualifying new development is subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. This means that a 10% statutory Biodiversity Net Gain (BNG) is required, following the hierarchy of onsite provision; mixture of on-site and off-site provision; and the last resort of statutory biodiversity credits unless it can be demonstrated that the development would be exempt. The application has been accompanied by a Biodiversity Net Gain Assessment.

7.53 Given that the proposed area of hardstanding was installed on bare ground, existing paddock land to the east of the yard area (which will also contain the water management bund) is proposed to be safeguarded for BNG land as part of this application. The existing condition of the grassland is assessed as moderate condition modified grassland and will be enhanced to good condition other natural grassland through seed sowing and targeted management.

7.54 The submitted documentation demonstrates that the proposed changes of habitats within the site result in an increase of habitat units from 3.0 to 4.35 - equating to a biodiversity net gain of 45% and an increase in hedgerow units from 0 to 0.38 - equating to a biodiversity net gain of 100%. As such, the proposal is able to demonstrate a biodiversity net gain of at least 10% and a condition would be imposed on any planning permission granted to ensure development is carried out in strict accordance with the submitted Biodiversity Net Gain Assessment document.

7.55 Overall, the proposed development is considered to be acceptable in terms of its impact on biodiversity and would result in a biodiversity net gain. As such, the proposal would be in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036, the Buckden Neighbourhood Plan and National decision-making policy N2 (Improving the natural environment) of the NPPF (2026) in this regard.

Other Matters

7.56 High Pressure Oil Pipeline Apparatus runs through the existing yard area and along the western boundary of the site. Accordingly, Exolum Pipelines System Ltd were consulted on the application and initially objected to the application as the new yard would necessitate the crossing of the pipeline to use. As such the proposed design puts the integrity of the pipeline at risk and would be a breach of Regulation 15 of the Pipeline Safety Regulation 1996, the Health And Safety at Work Act 1974, and does not meet the requirements under Section 70 (2) of the Town and Country Planning Act 1990 as the continual uncontrolled crossing of the pipeline could pose a risk to life.

7.57 During the course of the application, and following the initial concerns, the pipeline was exposed by an engineering contractor to understand its precise location with a representative from Exolum in attendance. Following this the Agent submitted amended plans showing a 6m wide easement where the pipeline crosses the application site which will be achieved by replacing part of the covered yard area already created with a grassed area free from storage and hardstanding. Two vehicle crossing points with suitably designed protection measures are also proposed to be installed.

7.58 Exolum Pipelines System Ltd have confirmed that these amended plans are an acceptable solution and have removed their objections to the proposed development. Accordingly, a condition will be imposed to ensure that these amended plans are implemented and a deadline of 6 months is considered reasonable and necessary to ensure that this is carried out expeditiously.

Planning Balance and Conclusion

7.59 The proposed development is considered to be compliant with the relevant national and local policy as it is:

* Acceptable in principle
* Would not be harmful to the character or appearance of the area;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not be detrimental to highway safety in the locality;
* Is acceptable with regards to the impact on biodiversity;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

7.60 The proposed development seeks to expand the existing commercial operation within the wider site of Pasturelands. This is considered to outweigh any harm associated with the development.

7.61 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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**CONTACT OFFICER:**
Enquiries about this report to **Jennifer Wallis**