

PUBLIC MEETING - ARRANGED BY POTTON TOWN COUNCIL

Monday 24th October 2016 at the Pavilion, Mill Lane, Potton which started at 7.30 pm

To discuss Sandy Road Planning Application

Present: Chairman of the meeting Potton Town Vice-Chairman Cllr Mr D. Ellison, and Cllr's Mr G. Emery, Mr R. Harris, Mr J. Hobbs, Mr L. Ivall, Mr P. Langridge, Mr J. Lean, Mr A. Leggatt, Mr J. Lewis, Mr R Whitfield and Mr A. Zerny who is also a ward Cllr. Fifty three members of the public completed the attendance list and approximately a further fifteen members of the public were in attendance.

1 Apologies for absence

Apologies for absence had been received from Councillors Mr A. Gibb and Mr A. Macdonald. CBC Ward Cllr D. Gurney.

2 Welcome, introduction and detail of the format of the evening.

The Chairman welcomed everyone.

Cllr Ellison introduced himself and Cllr Mr A. Zerny who is town and ward Cllr.

The Chairman gave apologies for the town council Chairman Cllr A. Macdonald and CBC Ward Cllr D. Gurney.

3 To receive a report from Mr A. Zerny, Ward Councillor and Potton Town Councillor

The Chairman asked Cllr Zerny to give a report.

Cllr Zerny gave the following report.

The planning application for South of Sandy Road was approved by (CBC) Central Bedfordshire Council in September 2016. The DCLG (Department for Communities and Local Government) won't take the application to review as the land isn't Greenbelt, even though the application is outside the settlement envelope for Potton.

Two options now available either accept CBC decision or apply to take the application within six weeks of the decision being posted to a Judicial Review.

CBC has turned down a planning application for Jays Farm, though an application has just been submitted for 90 houses on adjacent land.

An application has been submitted for up to 62 dwellings on Mill Lane opposite the Pavilion, CBC has no official line on this application. As ward cllr I have called the application into the Development Management Committee of CBC.

A planning application has been submitted for housing on the West of Biggleswade Road.

With regard to North side of Sandy Road, an application hasn't yet been submitted.

Cllr Zerny asked Matt Givertz a representative of Potton Residents for Sustainable Growth to give a report.

The Chairman thanked Cllr Zerny for the report.

4 To receive a report from Potton Residents for Sustainable Growth (Agenda item 5)

The Chairman asked Matt Givertz (Representative of Potton Residents for Sustainable Growth) to give a report.

Mr Givertz stood up at the front to give the following report.

I have investigated about Judicial Reviews and that you have only six weeks to apply for permission to have a Judicial Review for the application. I have been able to find a company which offers a fixed fee of £1,000 and then no win no fee for all other costs, though need to check about insurance liability. The company would then hopefully find a Solicitor to work also on no win no fee basis.

The company will require documentation from various sources including Cllr Zerny. This will require making a Freedom of Information Act request to CBC to obtain a list of objections to the application.

Mr Givertz asked Cllr Zerny to give details about the Dunton Judicial Review.

Cllr Zerny advised that the process for a Judicial Review in Dunton started in the summer and has already cost £10,000.

Mr Givertz then advised that insurance is taken out for losing the Judicial Review, the insurance is taken out by the company. Solicitors have advised will need a good reason to go to a Judicial Review for any planning application.

Mr Givertz continued following Central Bedfordshire Council's call for sites, various housing development planning applications have been submitted in Potton.

Mr Givertz suggested that the process is started to see if Sandy Road planning application can be taken to Judicial Review. At least fifty people are present this evening, that works out at £20 each to see if the application can be taken to Judicial Review.

Mr Givertz advised he and Potton Residents for Sustainable Growth aren't against building in Potton, though we are against this application because of where it is.

Mr Givertz then advised that the Dr's surgery in Potton need an additional GP (General Practitioner), the dentist in Potton only has one chair and has previously applied for £60,000 of Section 106 monies for a second chair upstairs and been refused. 25% of the Dentist patients at the Potton Dentist are from Gamlingay, because Gamlingay doesn't have a Dentist. The buses run currently hourly in the Market Square and Sandy Road currently though other areas of the town are serviced far less frequently.

The Chairman thanked Mr Givertz (Representative of Potton Residents for Sustainable Growth) for the report.

5 Open Forum (Agenda item 8)

The Chairman asked for any questions from the public.

Key: **Q** = Question, **A** = Answer, **S** = Statement, (AZ) = Cllr Adam Zerny, (C) = Chairman, (MG) = Matt Givertz - Representative of Potton Residents for Sustainable Growth and (JH) = Cllr John Hobbs - Neighbourhood Plan Chairman

Q What is the cost of winning to CBC and the applicant?

A (MG) Refusal of the application, though they may well submit again following due process.

Q What is the success rate of the company you have found?

A (MG) Success rate is very high as they only take on cases that they will achieve a positive result. The company will need to prove CBC hasn't followed the correct process.

Q Who do you apply to for a Judicial Review?

A (MG) The company applies to the High Court.

Q Is a Judicial Review for this individual development or all developments in Potton?

A (MG) Only the Sandy Road Development.

S (AZ) Have asked CBC to delay making a decision due to the closeness of the Fuel Depot risk, with this development being closer to the Fuel Depot than current housing in Potton.

S (MG) Is that the secret Fuel Depot.

S (AZ) The Fuel Depot and pipework for the depot is clearly marked on Google Maps, all current housing in Potton is close to the Fuel Depot.

Q Are you confident that if a Judicial Review is approved it will stop the development?

A (MG) Would like applications to be investigated to reflect reality, with regard to how far people will walk nowadays before using a car, applications advise traffic impact low because people work from home and closeness of and frequency of bus services.

Q If Judicial Review refused will CBC hold back on other developments until the Neighbourhood Plan is complete?

S (MG) A meeting is taking place in the Pavilion on the 24th November 2016 with Alistair Burt M.P. to discuss about planning applications in Potton.

A (AZ) CBC won't hold off on further development applications in Potton until the Neighbourhood Plan is complete.

Q Shouldn't CBC consult about applications?

A (C) CBC only look at each application individually.

Q Is a Judicial Review against developer or CBC?

A (AZ) a Judicial Review looks at the decision process. An applicant could submit the application again.

Q Why does a company do no win no fee?

A (MG) The company benefits as they will then take on additional work.

Q How long does a Judicial Review take from start to finish?

A (AZ) Dunton submitted Judicial Review in August, they are still waiting to hear in November, likely six to nine months.

Q What happens with the Sandy Road application when a Judicial Review is started?

A (AZ) CBC would have to put the application on hold until a decision is made.

S (Member of the public) An application has been submitted to demolish the existing garages in Sheffield Close and build four dwellings and the garages in Newtown are likely to be demolished for dwellings as well.

Q Is the Town Council willing to fund the Judicial Review for Sandy Road planning application?

A (C) The town council has no money in the council's budget for a Judicial Review. If a figure of £1,000 as mentioned by (MG) the town council could then consider funding a Judicial Review for Sandy Road planning application.

S Does fund raising need to be started to fund a Judicial Review to stop planning applications being submitted in Potton.

Q When a Judicial Review has started will that stop all other planning applications being submitted?

A (C) Planning application can still be submitted.

A (MG) Sustainable Transport needs to be looked maybe a developer will consider funding a bus service a peak times to the train stations in Biggleswade and Sandy.

S (Member of the public) The Town Council needs to start working for us.

S (Member of the public) A Neighbourhood Plan looks at the needs for the town.

S (MG) The town already has in place a Town Plan since 2009 and Housing Needs survey since 2014, the planning applicants don't know they exist.

S (AZ) A Town Plan has no weight in the planning process. A Neighbourhood Plan once in place has to be considered.

Q Do we need to look at which planning applications to fight and which to not fight?

A (MG) Need to set a precedent.

S (Member of the public) We were told in 2009 that a Town Plan would be considered as part of the planning process.

Q When will the Neighbourhood Plan be finished?

(C) Asked Cllr John Hobbs, Neighbourhood Plan Chairman to answer the question.

A (JH) Started with Pre-vision questionnaire and it is planned that the Neighbourhood Plan will be completed by the end of 2017.

Q How many responses have you had to the Neighbourhood Plan Pre-vision questionnaire?

A (JH) Neighbourhood Plan Pre-vision questionnaire responses of 375, main questionnaire to follow, CBC will need to check against CBC Local Plan and then a referendum will take place before adoption of the Neighbourhood Plan.

S (MG) I question CBC process.

Q Unable to find items on CBC website?

A (AZ) Website designed to make it difficult to find items.

Q Why do CBC need so much housing?

A (AZ) CBC has to have a sufficient rolling 5 year supply of housing.

S (Member of the public) I have written to Gavin Barwell MP, Minister of State (Department for Communities and Local Government) (Housing, Planning and London). The MP asks councils (such as CBC) to use the Local Plan to determine housing need.

S (Member of the public) CBC hasn't got a Local Plan.

S (Member of the public) The town council's Neighbourhood Plan Pre-vision questionnaire was misleading. I only chose Sandy Road as a place for housing in Potton, because CBC had already approved the planning application for Sandy Road.

Q (MG) (To the public) If you agree that Sandy Road planning application should be taken to Judicial Review, please raise your hand?

A (Members of the public) (The majority of people present raised a hand.)

Q (Member of the public) The planning application for Mill Lane advises two different dates for responses 26/10/16 and 11/11/16?

A (AZ) CBC will accept responses after the 26/10/16 for Mill Lane planning application.

S (MG) Next steps are presentation work, obtaining documentation, establishing what will the town council support, starting a book of pledges and joining Pottton Residents for Sustainable Growth. Increasing publicity via Biggleswade Chronicle, Biggles FM and Villager. The Villager won't include items that a controversial.

S (DE) CBC are holding a community planning event on the 10th November at the Hollow, I encourage you to attend. Pottton Residents for Sustainable Growth are meeting the Alistair Burt MP on the 24th November. At the next town council meeting on the 1st November the Town Council will be considering various planning applications including an application for 62 dwellings on Mill Lane opposite the Pavilion.

Q Are CBC continually at fault?

A (AZ) Gladman who are not even liked by the Daily Mail, took CBC to appeal for a development outside the settlement envelope in Henlow and CBC lost because they hadn't got a sufficient supply of housing and following this decision CBC has to consider applications outside the development window. CBC are not consistent with planning decisions.

Q How do they know how many homes need to be built?

A (AZ) CBC has to have a five year rolling supply and CBC has required the Biggleswade Road developer to complete the building within three years. CBC has been told it has to be build 30,000 houses in the next 15 years.

A member of the public asked as per the agenda item 4, is a report available from CBC Cllr Gurney.

6 To receive a report from Mrs D. Gurney, Ward Councillor (Agenda item 4)

The Chairman advised the town council has no report from CBC Cllr Gurney.

The Chairman thanked everyone for attending the meeting.

The meeting closed at 8.51pm.