



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO. 3

Minutes of a meeting of the Planning Committee facilitated via the Zoom Video Conferencing System at The Grange, Nutholt Lane, Ely on Wednesday, 7th October 2020 at 1:00pm.

PRESENT

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr Sue Austen
Cllr David Brown
Cllr Matt Downey
Cllr Lavinia Edwards
Cllr Julia Huffer (Substitute for Cllr Josh Schumann)
Cllr Alec Jones
Cllr Lisa Stubbs (Vice Chair)
Cllr Gareth Wilson

OFFICERS

Rebecca Saunt – Planning Manager
Emma Barral – Planning Officer
Maggie Camp – Legal Services Manager
Rachael Forbes - Planning Officer
Catherine Looper – Senior Planning Officer
Andrew Phillips – Planning Team Leader
Janis Murfet – Democratic Services Officer (Committees)

IN ATTENDANCE

Cllr Charlotte Cane (Agenda Items 8 & 10)

37. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Josh Schumann and John Trapp.

It was noted that Councillor Huffer would substitute for Councillor Schumann for the duration of the meeting. There was no substitute for Councillor Trapp.

38. DECLARATIONS OF INTEREST

Councillor Hunt said that with regard to Agenda Items 8 (20/01016/CCA – Creation of an Energy Centre to serve the village of Swaffham Prior), and 9 (20/00761/CCA – Erection of solar PV Panels), he wished it to be known, in the interests of openness and transparency, that he was a County Council Member. As it would be the County Council determining both applications, he would participate in the discussions.

39. MINUTES

It was resolved:

That the Minutes of the meeting held on 2nd September 2020 be confirmed as a correct record and signed by the Chairman.

40. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- It had been agreed by himself, in consultation with the Planning Manager, to defer consideration of Agenda Item No. 5, application 20/00296/OUM (Development of retirement care village in class C2 comprising housing with care, communal health, wellbeing and leisure facilities, public space, landscaping, car parking, access and associated development – Land rear of 163 to 187 High Street, Bottisham) until a later date to allow the applicant time to respond to late consultation comments received. This decision had been taken with a great deal of thought and care;
- On the 24th September 2020 the Council received a decision following an appeal hearing for land between 27 and 39 Sutton Road, Witchford, from the Planning Inspectorate, which dismissed the appeal and concluded that the Council could demonstrate a five year land supply. As a consequence of that decision the Council continued (as it has since 21 April 2020) to determine planning applications on the basis that the Council could demonstrate a five year land supply. Any challenges to that position would be robustly defended by the Council.

In addition, the Council would continue to fulfil its obligations to regularly update its Five Year Land Supply Reports, and was expecting to publish an updated version shortly. Such a publication would both: roll forward the base date from 2019 to 2020; and be made consistent with the principles established by the aforementioned appeal decision. The strong expectation of the Council was that the updated Report, to be published shortly, would continue to demonstrate a healthy supply of deliverable homes well in excess of five years' worth.

Following receipt of this appeal decision, it should also be noted by Members that the appellants for a different site in Witchford (Land North of 196-204 Main Street) had decided to withdraw their appeal, which was due to be heard at a hearing in November;

- He welcomed Holly Chapman, who joined the department as a new Planning Officer as of 28th September;
- Maggie Camp, Legal Services Manager, had recently got married. On behalf of the Committee, the Chairman wished and her husband Nick a happy life together;

- Janis Murfet, Democratic Services Officer (Committees), was leaving the Council after many years of service. On behalf of the Committee, the Chairman wished her a happy retirement and thanked her for all she had done.

41. 20/00296/OUM – LAND REAR OF 163 – 187 HIGH STREET, BOTTISHAM

Consideration of planning application reference 20/00296/OUM was deferred until a later date to allow the applicant time to respond to late consultation comments received.

42. 20/00522/FUM – SITE SOUTH WEST OF MEADOW VIEW FARM, THE BUTTS, SOHAM

Andrew Phillips, Planning Team Leader, presented a report (reference V79, previously circulated) which sought full planning permission for the construction of a solar farm and associated works including inverter stations, DNO building, security measures, connection point to the National Grid, communications mast, landscaping and upgraded access road.

The application had been amended, with the most significant amendment being the revision of the red line in order to allow a suitable entrance to the site from Wicken Road that would accommodate lorries during the construction phase. The developer had also provided additional photomontages and a floors risk assessment,

The site was located to the west of Soham, south west of Cherry Tree Lane and to the north west of St Lawrence's Church in Wicken. The vehicular entrance was off Wicken Road on the A1123. The current landscape was a mix of open fields, field ditches and hedge/tree lined walkways.

Councillor Huffer joined the meeting at 1.16pm.

A number of illustrations were displayed at the meeting, including location plans, aerial views, a photomontage of locations referred to, the proposal, the farm entrance, additional landscaping, and the other structures on the site.

The main considerations in the determination of this application were:

- Principle of Development;
- Visual Impact;
- Residential amenity;
- Highways;
- Highways;

- Ecology; and
- Temporary loss of farm land.

Members were reminded that the Intergovernmental Panel on Climate Control (IPCC) stated that there needed to be a 45% reduction in carbon dioxide levels by 2030 in order to meet the 2050 target (ensuring global temperature does not rise more than 1.5C).

UK National Legislation, the NPPF, Policy ENV6 of the Adopted Local Plan and the Renewable Energy SPD were all in favour of promoting renewable energy via solar farms in principle. On the 21st October 2019 East Cambridgeshire declared a Climate Emergency.

The benefits of renewable energy were considered to be granted very substantial positive weight and this proposal was considered to be acceptable in principle. It was noted that this scheme could power approximately 18,200 dwellings.

The Planning Team Leader stated that the application site was in a bowl/valley, with the nearby settlements of Soham and Wicken being on the higher ground; the ground to the north sloped downwards. The developer had submitted a Landscape Visual Impact Assessment (LVIA) which concluded that the proposal would not significantly harm the existing landscape, although a wide range of public areas in the locality would be moderately affected.

A landscape Planting Plan had also been submitted that showed additional landscaping along to the western boundary, south west and north east corners of the solar farm. This was to provide more landscaping to help the development blend into the wider countryside and reduce the more long term impacts on the rural character of the area. The Planning Team Leader presented a series of slides, taken from a variety of viewpoints, to help illustrate the existing views and how they would look in a number of years.

It was considered that due to the nature of the proposal, it would have a very limited impact upon residential amenity whilst operational. However, sound could carry and conditions would be imposed regarding when general construction/deliveries could take place and a tighter time frame for when piling could be undertaken. This would help to ensure those using the area for recreation had a measure of protection. The right to install additional external lights would be removed and the applicant would be required to submit a Construction Environmental Management Plan (CEMP).

With regard to highways, the main concern from the Local Highways Authority (LHA) was ensuring that construction vehicles could safely pull off Wicken Road without having to wait for a vehicle to leave the site. This had been overcome by the developer's amendment that would widen the farm entrance onto Wicken Road. The CEMP would be required to ensure that all the construction work was as safe as possible as well as getting the developer to instruct that suppliers used preferred routes to the site.

Members noted that the developer had submitted a Preliminary Ecological Appraisal, Wintering Bird Survey and a Landscape & Ecological Management Plan. It was considered that the proposal would lead to significant biodiversity gain in the local area.

According to the Natural England Map of East Anglia, the site was in an area of Grade 3 agricultural land, some of the lowest quality agricultural land in the District. The benefits of solar energy were considered to far outweigh the loss of this land, as in this rural district this was the best place to locate solar farms. The submitted Landscape & Ecological Management Plan required sheep to be maintained on site, although the numbers would vary throughout the year as the purpose was to help improve the biodiversity on the site. Allowing the site 40 years to recover from intensive farming would likely lead to a net benefit in the long term. This would be conditioned in both how the site was decommissioned and restored.

The Planning Team Leader concluded his presentation by saying that it was considered that the merits of the scheme far outweighed the short term harm identified. It was therefore recommended that the application be approved, subject to the recommended conditions.

At the invitation of the Chairman, Mr Andrew Hodgson, addressed the Committee saying that he was the Planning Consultant for the application. He was accompanied by Richard Morgan from BSR Energy Ltd, who would answer any technical questions. It was not their intention to give a presentation as this had been covered by the Officer's report but they would answer Members' queries. Mr Hodgson said he wished to pick up on the matter of HGVs; they would be controlled through the CEMP and contractors would be sent a route to be put into the satnav's, which would direct traffic along the A14. They would have to follow that route and not go through the villages; this was important to them because the construction period would take some 5 months. There would also be additional signage.

Councillor Jones remarked that the local area was being somewhat inundated with such applications and he wondered why it was so. Mr Hodgson replied that from a planning perspective, this site was Grade 3 agricultural land and therefore quite low quality. They tended to steer applications away from high quality land. All potential sites were assessed and graded at the outset and if they met the criteria, they would be considered. A number of factors were taken into account, including that local residents should not be adversely impacted and a main consideration was being able to get into the National Grid. All of this was done before submitting a planning application.

In response to a question from Councillor Brown, Mr Hodgson confirmed that the proposal would connect to the grid by pylons.

Councillor Huffer said she hoped Mr Hodgson had misspoken when he said that HGVs would be coming through Fordham; he replied that the vehicles would come from the A14 junction and go onto the Fordham Bypass, not through the village. Councillor Huffer also wished to know how close the nearest

settlement was to the solar farm. Mr Hodgson was unable to give an answer but suggested that the Planning Team Leader might be able to tell her.

Councillor Wilson said that in the past, solar farms had offered compensatory benefits to the villages and he asked if there was any intention to offer something this time. Mr Hodgson replied that they had to be very careful because the CIL regulations did not allow the offering of incentives up front; any benefits offered would have to be directly related to the scheme. They were not intending to offer anything as the proposal would not impact on any villages, and CIL was not payable on this scheme.

The Chairman said he believed local concerns had been made clear to Mr Hodgson and he thought that the applicant would wish to be a good neighbour and get on with the local residents. They were aware that people did not want HGVs coming through their villages and on a point of information, he added that the A1123 was not on the County Council's preferred route list, but the A142 was included.

Referring to Councillor Huffer's earlier question about the distance of the nearest settlement from the solar farm, the Planning Team Leader said it would be approximately 500 metres to St Lawrence Church, Wicken.

Councillor Jones raised the comments made by Soham Town Council in respect of Bracks Drove and Mr Hodgson responded advising that the Drove did not relate to this site. Councillor Jones said he was concerned at the number of solar farms in the local area, but he believed it was right to grant permission and duly proposed that the Officer's recommendation for approval be supported.

In seconding the motion, Councillor Brown echoed those comments, although he too was concerned about the cumulative impact of all the applications coming in. Many were routing through Burwell with the potential sterilisation of land. He was also concerned about the cumulative visual impact and felt that perhaps more work should be done on how many applications should be granted permission.

Councillor Downey said he would be delighted to see more proposals coming forward in East Cambridgeshire. We were facing a colossal climate crisis and needed as much renewable energy as possible.

Councillor Ambrose Smith reiterated the need for renewable energy. She said that the Council had not wanted wind turbines and so this was the other option. The applicant appeared to have made an effort to get it right, and it seemed to her to be a commendable development.

Councillor Huffer echoed Councillor Brown's concerns regarding the cumulative impact that solar farms would have in this area but she also echoed Councillor Downey's sentiments about the need for more renewable energy. She made the point that if too much land was used for solar farms, we would end up importing food and that would be a negative thing. The site might be Grade 3 agricultural land, but people needed to be fed. There had to be a limit to how we

saw the countryside looking for the next 40 years and we should be thinking about the future generations.

The Committee then returned to the motion for approval and when put to the vote,

It was resolved unanimously:

That planning application reference 20/00522/FUM be APPROVED subject to the recommended conditions as set out in the Officer's report.

43. 20/00669/FUL – LAND TO THE REAR OF 39 TOYSE LANE, BURWELL

Rachael Forbes, Planning Officer, presented a report (reference V80, previously circulated) which sought permission for the construction of a two bedroom, single storey detached dwelling with parking and associated works.

The application site was within the development envelope of Burwell, and consisted of a single storey dwelling which had been granted permission to be divided into two dwellings under application reference 19/01769/FUL. This section of Toyse Lane consisted of single storey dwellings which were linear in form. To the rear of the site and behind this section of Toyse Lane was open countryside.

It was noted that the application had been called in to Planning Committee by Councillor David Brown as he believed the application warranted a broader discussion in Committee, bearing in mind other developments in the vicinity.

A number of illustrations were displayed at the meeting, including a location plan, aerial views, the proposed block plan, proposed plans and elevations, photographs in and around the site.

The main considerations in the determination of this application were:

- Principle of development;
- Visual amenity;
- Residential amenity;
- Highway safety & parking;
- Ecology & trees;
- Flood risk & drainage; and
- Contaminated land.

The application site was within the development envelope of Burwell and therefore the principle of development was considered acceptable, subject to all other material planning considerations.

In terms of visual impact, the proposed scheme would be subservient to the existing dwelling. This section of Toyse Lane consisted of single storey dwellings in a linear pattern of development and the wider street scene was a mixture of dwelling types and styles. The proposal would introduce backland development in the form of a contrived and uncharacteristic layout, resulting in an incongruous and out of keeping addition and it would have no visual connection to Toyse Lane. A slide showing an aerial view of the location illustrated the cul de sac nature of development in the area.

Turning next to residential amenity, the Planning Officer reminded Members that the proposed dwelling had four adjacent neighbours at 35, 37, 39 and 41 Toyse Lane. It was considered that the proposal would provide sufficient amenity for future occupiers and did not result in any significant adverse impacts on the neighbouring dwellings.

The Local Highways Authority had raised no objection to the proposal, but the Parish Council had concerns regarding visibility when entering the highway from the dwelling and the long driveway. It was noted that the long driveway was the existing access and it extended almost to the rear of the plot. The plan showed that two car parking spaces had been provided and there was sufficient space for cycles to be stored on site. As such, the proposal was considered to comply with Policies COM7 and COM8 of the Local Plan 2015.

With regard to other matters, details of ecological enhancements, compliance with the Arboricultural Impact Assessment (AIA) and a contamination investigation could all be secured by condition.

The Planning Officer concluded her presentation by saying that it was considered that the proposed dwelling would not result in significant adverse impacts to neighbouring dwellings and would provide sufficient amenity to future occupiers. It was acceptable in terms of highway safety and parking provision, and the design of the dwelling was considered to be acceptable.

However, the proposal would introduce a form of backland development which went against the prevailing pattern of linear development in the immediate street scene. It would result in an incongruous and contrived development with no visual connection to Toyse Lane. The application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Adrian Fleet, agent, addressed the Committee and made the following points:

- With family in the area, the applicants were all too aware of the difficulty in finding well designed, accessible accommodation for those who did not wish or were unable to live in multi-storey dwellings;
- They believed that 39 Toyse Lane offered an opportunity to provide such accommodation;

- The applicants were currently building out their approval to subdivide and refurbish the large dwelling to the front. The site was large and offered an opportunity to develop a spacious, well considered dwelling to the rear;
- As set out in paragraph 68 of the NPPF, small sites could often make an important contribution towards meeting housing requirements in the local area and they were often built out quickly. To promote a good mix within the development envelope, the Council should support the use of such sites within existing settlements;
- The proposal aligned with and exceeded the requirements of the Design Guide and would maintain the plot sizes to the dwellings at the front;
- The applicants had worked hard to ensure privacy and visual amenity would be maintained. The Officer's report confirmed that the application complied with the critical criteria;
- The proposed dwelling would be subservient to its host and respectful to its neighbours and it would have a very limited visual impact on its surroundings;
- The applicants were demonstrating their commitment to East Cambridgeshire and delivering on their planning approvals;
- High quality bungalows were currently in short supply in the area. This site demonstrated the ability to provide dwellings for those looking to live in single storey environments;
- The Officer had established that the proposal would have no impact on its surroundings but the form of development was deemed to be out of character with the area. Dwellings to the south east and north west were beyond the historical linear development first established in the 1940's, so it was acknowledged that development to the rear was acceptable in some cases. The Officer outlined that the development would only be acceptable if taken in the form of a cul de sac rather than single houses;
- Conversely, on another application, the Officer had concluded that existing cul de sacs served to define the character of the area and therefore backland development was already a longstanding character of the area, much as here;
- The only issue was where the dwelling appeared on the Plan, and he did not believe it would have a significant or adverse impact.

Councillor Jones wished to know if subdivision of the existing dwelling would have an effect in terms of adequate parking, and Mr Fleet informed him that there would be two parking spaces at the front for each dwelling.

Councillor Wilson also queried the parking arrangements and was assured by Mr Fleet that parking for the host dwelling was protected in perpetuity and there would be two spaces for the property to the rear.

Councillor Jones then asked the Planning Officer if, in the event that the application was approved, there would be any benefit regarding further backland development; she replied that it would likely be refused on principle.

Councillor Ambrose Smith considered the scheme to be perfectly acceptable. The only strong objections had been from the Officer and the dwelling would not be very visible from the road. Two bedroom bungalows were in demand and this application would provide another small accessible property; she was happy to support the application.

Councillor Brown commented that it was a judgement call and why he had called in the application.

Councillor Huffer recalled that during their planning training, the trainer had said Members should think about 'what harm will this do' and in this case, she could see none. She proposed that the Officer's recommendation for refusal be rejected on the grounds that it was a perfectly acceptable proposal with adequate parking and that there would be no demonstrable harm caused in respect of backland development. The motion was seconded by Councillor Ambrose Smith.

Councillor Edwards disagreed, believing that approval of the application could set a precedent; she therefore proposed that the Officer's recommendation be supported.

Councillor Stubbs considered the application to be finely balanced, but agreed with Councillor Edwards that to grant approval would set a precedent. She believed that the impact on parking would be huge and she completely agreed with the Officer; she duly seconded the motion for refusal.

Councillor Downey acknowledged that a precedent might be set and that the Committee should be consistent in its decisions, but each application should be considered on its merits. He was not too worried about setting a precedent or about parking and said he could not see any harm in the proposal.

Councillor Wilson felt it was difficult to get an impression of the proposal without a site visit, and he was therefore minded to go with the Officer's recommendation.

The Committee returned to the motion for approval of the application. When put to the vote, the motion was declared lost, there being 3 votes for, and 7 votes against.

The Committee next turned to the motion in support of the Officer's recommendation for refusal. When put to the vote, the motion was declared carried, there being 7 votes for, and 3 votes against. Whereupon,

It was resolved:

That planning application reference 20/00669/FUL be REFUSED for the reason given in the Officer's report.

44. **20/01016/CCA – GOODWIN FARM, 1 HEATH ROAD, SWAFFHAM PRIOR, CB25 0LA**

Andrew Phillips, Planning Team Leader, presented a report (reference V81, previously circulated) from which Members were recommended to endorse the wording of the consultation response of East Cambridgeshire District Council to Cambridgeshire County Council regarding an Energy Centre to serve the village of Swaffham Prior.

The proposal was made up of four elements:

- Energy centre with the air source heat collectors located to Goodwin Farm;
- Underground ground sourced heat collector, defined by boreholes and pipework;
- Solar farm; and
- Underground heat network to non-listed buildings within the village.

These combined would form a Neighbourhood Heating System, designed to reduce/remove the requirement of the village using fossil fuel (oil) to heat its properties. No listed building application had been submitted alongside this application, therefore any works to install to listed buildings would require separate listed building consent in order to benefit from the proposed heating system.

It was also understood that the solar farm, unlike most solar farm applications, was seeking a permanent permission in order to secure the long term powering of the air source heat pumps at the energy centre.

The application site was 20.9 hectares (51.6 acres) and covered the energy centre, underground heat collection system, solar farm and the vast majority of roads within Swaffham Prior. There was a Public Right of Way running across the field which was proposed to be used for the underground heat collection and solar farm on Heath Road. National Grid Pylons also crossed this element of the site.

A number of illustrations were displayed at the meeting. They included a location plan, an aerial view, the proposal, magnified image of the energy centre, an indicative of the ground source heat pump and a cross section of the solar farm.

The Planning Team Leader concluded his presentation by saying that East Cambridgeshire District Council supported renewable energy and had no objections to the proposals, but conditions would be requested:

- To control piling works;
- Hours of construction works;
- Soft landscaping;

- CEMP; and
- Biodiversity enhancement.

It was noted that concerns had been raised by the horse racing industry regarding water quality and supply. The County Council would need to determine that the proposal would not have a detrimental impact upon the horse racing industry, as required by Policy EMP6 of the Adopted Local Plan.

At the invitation of the Chairman, Councillor Charlotte Cane, a Ward Member for Bottisham, addresses the Committee and made the following points:

- For the sake of transparency, she wished it to be known that she was an honorary Director of the Reach Community Solar Farm. She did not believe she had a pecuniary interest, as it was not in competition with the application;
- There was a real climate challenge in many of our villages, as they relied on oil or bottled gas. Changing over to another fuel could be difficult and require capital investment which was out of reach for many residents;
- The scheme was an innovative approach to providing environmentally friendly heating for the village, with the upfront investment falling to the commercial operator;
- She commended the people behind the scheme for their public consultation, which had been significant, and for their determination to make the scheme as environmentally friendly as possible;
- In honesty, the scheme was not universally popular in Swaffham Prior. There were strong concerns about the environmental impact during the development stage and some questions regarding the full life carbon impact;
- She thought the response covered all the concerns raised and hoped that with controls in place, the Committee would support the proposal;
- This was an exciting way of providing environmentally friendly residential heating and would help to address fuel poverty in the villages;
- The visitor centre would allow others to learn from the technology and hopefully inspire other schemes in the District.

Councillor Wilson asked if there had been any response from the people living in the houses to be heated; were they in favour, against the scheme or ignorant of it? Councillor Cane replied that she doubted whether anyone was ignorant of the proposal as there had been a concerted PR campaign. The scheme itself had to have a certain number of people sign up before it could proceed, and it did have the numbers. It was a bit of a 'marmite' scheme in that many people saw it as a good way of addressing climate change and fuel poverty while others were concerned about the disruption. This was why the

controls asked for were really important, concerns had been addressed and the proposal adapted.

Councillor Ambrose Smith asked if the scheme would potentially be able to provide energy for future predicted growth. The Planning Team Leader replied that most roads in the settlement had been connected to the heating system, and only those residents connected to the red line would benefit from the scheme. However, he believed there would be capacity for some additional houses to be put forward onto the network in the future if required, by extending the proposed network.

Councillor Ambrose Smith then asked why the County Council was determining the application rather than East Cambridgeshire. The Planning Team Leader explained that there were two different departments within the County Council; there was the one pushing development to come forward, and then the Planning Department which was considering the application. East Cambs was happy for the County Council to consider the main part of this application, but we would determine anything such as tree works or listed buildings.

Speaking of the economics, Councillor Jones wished to know if people connecting to the system would be liable for any increase in costs. The Planning Team Leader said he was unable to give a definitive answer about how pricing would be controlled. No resident was being forced to sign up to the scheme and he imagined that the energy would be cheaper in the long term.

Councillor Jones then asked about the life expectancy of the system and was advised that it would be for evermore. In the longer term there would likely be a maintenance programme for the pipe works and the applicant had a monitoring system to ensure that everything was working correctly.

During the course of discussion a number of Members expressed their endorsement of the proposal.

Councillor Stubbs congratulated the village on what she considered to be an exciting scheme. It was an example of how the applicant had engaged with the community, and it was forward thinking in proposing to provide an education centre. Councillors Jones and Wilson concurred, the former hoping it would work as an exemplar for other communities and would work out economically.

Councillor Ambrose Smith wondered if housing associations and social housing providers had bought into the scheme. She thought future schemes should engage with it, as it would be of great benefit to social housing provider.

Councillor Brown assumed that the system would be pumping water and said he wondered if a marker should be laid down about noise controls on the pumping unit. The Planning Team Leader reiterated that Environmental Health had raised no concerns on this point.

It was proposed by Councillor Stubbs and seconded by Councillor Jones that the Council's consultation response be endorsed, and when put to the vote,

It was resolved:

That Members endorse the following consultation response proposed by Officers:

East Cambridgeshire District Council support projects for renewable energy development in accordance with policy ENV6 of the East Cambridgeshire Local Plan 2015. East Cambridgeshire District Council raise no objection to the proposals but do request that conditions are appended to any grant of permission which cover the following:

- Request that any ground piling works are restricted to the hours of 09:00 – 17:00 each day Monday – Friday. None on Saturdays, Sundays or Bank Holidays.
- Request that construction works (excluding ground piling works) are restricted to the hours of 07:30 – 18:00 each day Monday – Friday; 07:30 – 13:00 on Saturdays; and None on Sundays or Bank Holidays.
- East Cambs District Council wish to see conditions appended to any grant of permission which requires a detailed scheme for soft landscaping and its ongoing maintenance to be submitted and approved in writing. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out prior to the end of the first planting season following completion of the development. The condition should also allow scope for replacement planting, if any tree or plant is removed, uprooted or destroyed or dies. The maintenance scheme shall set out:
 - methods for the proposed maintenance regime;
 - detailed schedule;
 - details of who will be responsible for the continuing implementation
 - details of any phasing arrangements
- That prior to any work commencing on site a condition is secured for a Construction Environmental Management Plan (CEMP).
- East Cambs District Council wish to see a condition appended to any grant of permission which secures a comprehensive scheme of biodiversity improvements as part of the development.

In addition the County Council will need to satisfy itself that there is no detrimental harm to the horse racing industry in the local area; following concerns having been raised by the horse racing industry regarding water quality/supply.

45. 20/00761/CCA – NORTH ANGLE FARM, ANGLE COMMON, SOHAM, CB7 5HX

Catherine Looper, Senior Planning Officer, presented a report (reference V82, previously circulated) from which Members were recommended to confirm

the wording of the consultation response of East Cambridgeshire District Council to Cambridgeshire County Council regarding the erection of solar PV panels and associated infrastructure and landscaping.

It was noted that the solar farm was designed to export 29.4MW (AC) to the National Grid, generated by 39MW (DC) installed generating capacity. The application was for a temporary period of 35 years. The proposal would consist of 78,000 PV panels on mounting frames; it would also include associated works such as inverter cabins, transformers, Designated Network Operator (DNO) building, communications building, security measures and landscaping. The DNO cable would connect to the Burwell substation some 4.5 kilometres to the south of the site.

The application site was made up of two parcels of land separated by a public bridleway known as Twelve Foot Drain. The eastern parcel was approximately 15.6 hectares (38.5 acres) and the western parcel was approximately 58.14 hectares (143.6 acres). The site was most recently used as tenanted agricultural land, although the tenancy had now ceased. The surrounding landscape was dominated by agricultural land, with the exception of Triangle Solar Farm directly to the north.

The application was being determined by Cambridgeshire County Council. East Cambridgeshire District Council was a consultee and not the determining body.

A number of illustrations were displayed at the meeting. They included a map, an aerial view, the proposal, a list of the accompanying documents, the site arrangement, and a cross section of the solar PV arrays.

The Senior Planning Officer concluded her presentation by saying that East Cambridgeshire District Council had no objection to the proposals but conditions were requested, including:

- Detailed scheme for decommissioning;
- Road condition reports;
- Ground piling times limited;
- Detailed scheme for soft landscaping and its maintenance; and
- Comprehensive scheme of biodiversity enhancements.

Councillor Brown asked why this scheme was being cabled all the way to Burwell when the one next door was going straight into the overhead high voltage lines. The Senior Planning Officer said she was unable to provide an answer but would find out and let him know.

Councillor Wilson wished to know why the District Council was not being asked to approve this application and the Senior Planning Officer reiterated that it was a County Council application, separate to their Planning Department; East Cambs was just being asked to comment as a consultee. The Planning Manager

interjected to add that that it was being done as a Regulation 3 application, in much the same way as they dealt with schools. The previous agenda item was not a County Council application.

Councillor Huffer commented that this would mean more land given over to solar panels, and there had to be a limit otherwise we would end up importing food. She cautioned that Members should be very mindful of this, whatever the agricultural grade of the land.

Councillor Downey did not think there was a limit as to how much was developed on agricultural land insofar as it should continue until we were carbon neutral. He took Councillor Huffer's point about food but said that we were a net importer of food; a balance had to be struck and we were a long way off having enough renewable energy.

Councillor Huffer replied that we would end up having to import the very crops that we grew in this region. A balance had to be struck and she did not wish to see the District completely covered in solar panels.

Councillor Ambrose Smith wondered if other counties within the UK were being as open minded to solar farms. Whilst taking Councillor Huffer's point about food production, she thought there should be solar farms wherever possible.

The Chairman reminded Members that this Council had adopted the Climate Emergency Motion and was committed to it. There was also the policy of having no wind farms in our flat countryside, which had been adopted approximately five years ago. He felt it was inevitable that these solar farm applications would come forward and some urgency was required to achieve the renewable energy targets.

It was duly proposed by Councillor Ambrose Smith and seconded by Councillor Downey that the Council's consultation response be endorsed.

When put to the vote, the motion was declared carried, there being 9 votes for and 1 vote against.

It was resolved:

That Members endorse the following consultation response proposed by Officers:

East Cambridgeshire District Council support projects for renewable energy development in accordance with policy ENV6 of the East Cambridgeshire Local Plan 2015. East Cambridgeshire District Council therefore raise no objection to the proposals subject to the recommended conditions set out below:

- East Cambs District Council wish to see a condition appended to any grant of permission which requires a detailed scheme for the decommissioning of the site to be submitted to and approved in writing by the County Council prior to the expiration of the temporary period of consent.

- East Cambs District Council request that a condition is appended to any grant of permission which requires the submission of a report setting out the condition of the access roads to be submitted prior to commencement of any works, and a separate condition requiring the repair of these roads should damage be caused during construction works.
- The Environmental Health Team at East Cambs District Council request that any ground piling works are restricted to the hours of 09:00 – 17:00 each day Monday – Friday. None on Saturdays, Sundays or Bank Holidays.
- The Environmental Health Team at East Cambs District Council request that construction works (excluding ground piling works) are restricted to the hours of 07:30 – 18:00 each day Monday – Friday; 07:30 – 13:00 on Saturdays; and None on Sundays or Bank Holidays.
- East Cambs District Council wish to see conditions appended to any grant of permission which requires a detailed scheme for soft landscaping and its ongoing maintenance to be submitted and approved in writing. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out prior to the end of the first planting season following completion of the development. The condition should also allow scope for replacement planting, if any tree or plant is removed, uprooted or destroyed or dies. The maintenance scheme shall set out:
 - methods for the proposed maintenance regime;
 - detailed schedule;
 - details of who will be responsible for the continuing implementation
 - details of any phasing arrangements
- East Cambs District Council wish to see a condition appended to any grant of permission which secures a comprehensive scheme of biodiversity improvements as part of the development.

46. **UPDATE REPORT ON 19/01721/VARM (CAR PARK, HILL SIDE MILL, QUARRY LANE, SWAFFHAM BULBECK) ON THE OUTCOME OF THE DISCUSSIONS REGARDING THE S106 AGREEMENT IN RESPECT OF AFFORDABLE HOUSING FOLLOWING APPROVAL BY PLANNING COMMITTEE SUBJECT TO THE SIGNING OF THE S106 AGREEMENT AT PLANNING COMMITTEE ON 1ST JULY 2020**

Emma Barral, Planning Officer, presented a report (reference V83, previously circulated) which provided Members with an update on application 19/01721/VARM which came to Planning Committee on 1st July 2020, in relation to affordable housing.

A number of slides were displayed at the meeting, including a map of the application site, a wider aerial view and details of the variation application.

Members noted that the Case Officer and Andrew Phillips, Planning Team Leader, attended a meeting with Swaffham Bulbeck Community Land Trust (CLT) and the developer on 21st July 2020 to discuss the options in relation to the fifth affordable dwelling and whether it could be provided on-site and managed by the CLT instead of an off-site contribution.

Following the meeting, it was agreed that in addition to the 4 affordable units to be provided on site, the 5th dwelling (originally to be met by an off-site contribution) was to be offered to the Swaffham Bulbeck CLT to be maintained as an affordable housing unit in perpetuity. Therefore the CLT would get the first option in relation to the affordable unit.

The S106 Agreement had been drafted on this basis and there would be a mechanism in the Agreement so that the CLT could purchase the dwelling and if not, it would be a market dwelling and the off-site contribution paid.

The Housing Officer had been heavily involved in the drafting of the S106 Agreement and was content with it. The Planning Team Leader and Planning Manager had met with the CLT and Councillor Cane this week to discuss the Agreement and the CLT had confirmed that they now understood there was nothing stopping them from engaging in early negotiations with the developer.

The Planning Officer concluded her presentation by reminding Members that the application had already been determined and this report was purely an update.

At the invitation of the Chairman, Mr George Ballard, Chairman of the Swaffham CLT, addressed the Committee. He thanked the Planning Committee for its swift action at the meeting in July, in giving the CLT the opportunity to take up this affordable housing unit which otherwise would have gone to a commutable sum. All the arrangements were now transparent and clear; the CLT was very happy with them moving forward and it would now be up to them to deal with the contractor to take over ownership in due course.

By way of a comment, Mr Ballard said it did show a certain lack of transparency for a CLT in this instance, and also the importance of governance for future applications and any other CLT hoping to take up affordable housing. Quoting from the NPPF he said that paragraphs 41 and 42 identified that the more that could be resolved at the pre-application stage, the more likely the process would be successful and would assist the local authority in issuing timely decisions.

He thought there was a lesson to be learned. The CLT had tried its hardest to make the Planning Officers and ECDC aware of the community interest in the site. When the development was presented to the Parish in July 2019, the CLT expressed its interest in taking up all the affordable housing at that time. It was not until the Planning Committee's timely intervention in July 2020 that the CLT was given the opportunity to do so. It was felt that

consultation with the Parish and the CLT's views/input could have been dealt with a long time ago, thereby avoiding a last ditch battle.

CLT's needed to be more advanced in their knowledge to understand what was going on. At the same time, local authorities should recognise that CLT's were, by their nature, run on a shoestring and voluntary. They could not afford expensive advice and needed every help they could have from the local authority.

At the invitation of the Chairman, Councillor Charlotte Cane, a Ward Member for Bottisham, addressed the Committee. She wished to reiterate Mr Ballard's thanks to the Committee for asking the Planning Officers to find a way to keep the fifth dwelling on the site, and she thanked Officers for working so hard to deliver it. She also thanked the CLT and developers for finding a practical way to take forward the matter.

There was still an outstanding concern regarding the pricing of the property and ensuring that it was affordable for the CLT, but she accepted that this was not an issue for the S106 or the Committee. By a considerable amount of effort from all parties, it seemed that a way had been found to keep a much needed affordable home in Swaffham Bulbeck, in perpetuity. There was still a lot of good will and effort needed to deliver it, but the CLT was very determined to make it work.

With the permission of the Chairman, the Democratic Services Officer read out the following statement on behalf of Councillor John Trapp, a Ward Member for Bottisham:

'I regret that I cannot attend the Planning meeting on 7 October 2020.

I am glad that progress has been made on providing a fifth home for affordable housing on this site. ECDC does not have enough affordable housing provision and any addition is welcome. It is good to know that the Planning Department has been able to secure some kind of agreement with the developers, and I hope that it will positively help Swaffham Bulbeck CLT secure the fifth house for affordable housing.

My concern is the short timescale for completion of the sale. 50 working days is 10 weeks; when my son, a first-time buyer and with no need for a mortgage, was buying a house that was vacant and so there were no buying chains on either side, it took over 10 weeks (more than three months) to complete the sale - and with the possible additional delays caused by the current pandemic, a supposedly straightforward transaction may take longer than 50 working days.

I presume that the 50 (and I hope more) working days will start from the building completion of the fifth house so by that time, perhaps a year into the future, the Swaffham Bulbeck CLT will have raised the money or has identified sources of money, and the only constraint will be the time it takes to complete the purchase.

I also consider that the developer should give due notice (50 working days, perhaps) to Swaffham Bulbeck CLT as to when it will complete the building of the fifth house, so that the CLT can plan the assembly of the purchase money from whichever source it has planned. If it has to borrow money from a lender, then it needs to know the date from which the loan has to start. If there is any delay in the completion of the building then the developers should pay the interest on the loan for the period of the delay.'

The Chairman thanked the CLT, District Councillors and Officers for their work.

There being no further comments,

It was resolved:

To note the update report on application 19/01721/VARM

47. **PLANNING PERFORMANCE REPORT – AUGUST 2020**

Rebecca Saunt, Planning Manager, presented a report (reference V84, previously circulated) which outlined the performance of the Planning Department for August 2020.

The Department had received a total of 196 applications during August, which was equal to the number received during August 2019 and a 3.7% increase from July 2020 (189).

Officers were dealing with a higher than average number of cases. This was reflected in the numbers in terms of validations, open cases, determinations and the number of cases per team.

All the appeals decided in August 2020 were dismissed and the Planning Manager highlighted the appeal in relation to the Enforcement Notice in respect of 17 Oak Lane, Littleport. This had been a retrospective application for a children's gym; it had come to Committee and was refused permission. She had spoken to the applicants afterwards and advised them that they did not have permission; they believed they could carry out the works under permitted development and did not stop, so an Enforcement Notice was served. That was what was being appealed; the Planning Inspector dismissed the appeal and upheld the Notice.

The Planning Manager next drew Members' attention to the Enforcement section and table, which was now being included in the monthly report following a request from Councillor Brown. The cases were broken down according to code and gave a comparison between August 2019 and August 2020. She said that if Members wanted any additional information to be included in the future, they should let her know.

The Chairman concluded by saying that he was trying to conduct the Zoom meetings in the same manner as if Members were present in the Chamber. Therefore, if a Member's camera was turned off, they would be considered to not be in the meeting and he intended to continue with this policy.

The Legal Services Manager informed the Committee that the Judicial Review of the Witchford Neighbourhood Plan had been taking place today. The Judge had not handed down his judgement today, but had promised that it would be as soon as possible. Unfortunately there was no update for Witchford Parish Council at the moment. Whereupon,

It was resolved:

That the Planning Performance Report for August 2020 be noted.

The meeting closed at 3:19pm.