



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee facilitated via the Zoom Video Conferencing System at The Grange, Nutholt Lane, Ely on Wednesday, 5<sup>th</sup> August 2020 at 1:05pm.

## **PRESENT**

Cllr Bill Hunt (Chairman)  
Cllr Christine Ambrose Smith  
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 John Trapp  
Cllr Paola Trimarco (Substitute for Cllr Sue Austen)  
Cllr Gareth Wilson

## **OFFICERS**

Rebecca Saunt – Planning Manager  
Maggie Camp – Legal Services Manager  
Rachael Forbes – Planning Officer  
Andrew Phillips – Planning Team Leader  
Janis Murfet – Democratic Services Officer (Committees)

## **21. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Sue Austen and Josh Schumann.

It was noted that Councillor Trimarco would substitute for Councillor Austen, and Councillor Huffer for Councillor Schumann for the duration of the meeting.

## **22. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

## **23. MINUTES**

It was resolved:

That the Minutes of the meeting held on 1<sup>st</sup> July 2020 be confirmed as a correct record and signed by the Chairman.

## **24. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman said he did not have any formal announcements, but wished to place on record his thanks to Rebecca Saunt, Planning Manager, for attending a meeting at Witchford which went on quite late into the evening. It was a credit to her and to her Officers, as they often did this and it was very helpful.

## **25. 20/00360/RMM – LAND NORTH OF CAM DRIVE, ELY**

Rebecca Saunt, Planning Manager presented a report in the absence of the Case Officer (reference V49, previously circulated), which sought reserved matters approval for details of appearance, landscaping, layout and scale for the construction of 258 dwellings on land to the north of Cam Drive.

It was noted that access was approved as part of the outline planning permission. This was the second phase of development on the site which formed part of the wider North Ely scheme for residential-led development. The application would also bring forward areas of open space, two toddler play areas, and cycle and pedestrian linkages beyond the site and along the new open space alongside the A10. The application was accompanied by a full suite of supporting documents and plans.

The site comprised one parcel of land to the north of Cam Drive and was formally known as Phase 3, in accordance with the approved phasing plan. It bounded the A10 to the west, the Phase 1 (Hopkins Homes) development to the east, and Cam Drive to the south. The site was currently vacant with existing soft landscaping features along the site boundaries; the wider area was characterised mainly by dwellings along Cam Drive and those under construction on Phase 1, together with a primary school and a care home to the east of the site.

Numerous illustrations were displayed at the meeting, including a map of the location, aerial photographs, phasing plan, site context plans, proposed layout plans, and aerial view giving the context of the proposal. There was also a layout of the proposal, main front and a side elevation, a planned view of the building and the proposed parking.

In the absence of a site visit, Members were provided with a series of photographs taken from various viewpoints around the site.

The main considerations in the determination of the application were:

- Principle of development;
- Housing mix and density;
- Character and appearance;
- Residential amenity;

- Green infrastructure and landscaping;
- Traffic and transportation; and
- Ecology.

The Planning Manager drew Members' attention to a slide which gave some background information (including that the developer had gone to both the Cambridgeshire Quality Panel and undertaken a Members Briefing prior to submission) and updates about the scheme.

With regard to the principle of development, Members noted that the proposal was part of the site allocated under Policy ELY1 in the Local Plan 2015. A Strategic Masterplan had been prepared for the whole area in order to bring together Endurance Estates, the promoters of the western half of North Ely, and the Church Commissioners, land owners of the eastern half of the allocation.

The North Ely Supplementary Planning Document (SPD) set out the planning requirements for the development of this community, indicating the design and development principles that must be met to enable a 'special extension to a special city'.

Outline planning permission was approved in 2016 with a S106 Legal Agreement for up to 1200 dwellings, employment and community uses including a care home and an extra care home, supporting infrastructure and open space/landscaping. In accordance with the permission, Endurance Estates had prepared a Design Code for each of the character areas; these had been submitted and approved and the conditions discharged.

Turning next to the housing mix and density, the Planning Manager reminded Members that the application proposed 232 market dwellings and 26 affordable (18 affordable rent, 8 shared ownership). The S106 Agreement set out an affordable housing requirement of 10% of the first two phases of development on the Endurance Estates land. However, a viability review had been submitted and presented to the Committee as part of an application to modify the S106, which increased the affordable housing quantum across the wider site, with a further viability review to be submitted before Phase 5 to ensure that the development as a whole met the local housing need, depending on market conditions at the time.

The overall density of the site was 35 dwellings per hectare (14.3 dwellings per acre). Although this was slightly higher than stated in the Design Guide parameter plan, the unit number increased from 255 to 258 to allow for a few more smaller dwellings to be incorporated into the scheme without compromising the quality of the three development types proposed. It was considered that the additional 3 dwellings would not unduly unbalance the development as a whole and as such it would not be reasonable to refuse the application on the basis that the development exceeded the density stated by 1 dph.

The application had been the subject of extensive pre-application discussions, centred on the layout of the development and relationship of the built form with the green spaces within and around the site. Key views and vistas were identified during the assessment of the site to ensure that the views to Ely Cathedral were not impeded. The Design Code for Downham Meadow set out a broad range of materials that were reflective of Ely and its variety of architectural styles. Proposed roofs were a mix of slate effect and clay effect plain tiles and pantiles. Some dwellings would also feature chimneys to reflect Ely's heritage and to help break up the roof forms and provide visual interest across the roof scape.

In terms of residential amenity, the proposal accorded with the Design Guide SPD to ensure sufficient plot sizes and amenity spaces. Consideration had been given to the positioning of neighbouring buildings on Phase 1 and to ensuring that there were sufficient distances between windows and boundaries. Consideration was also given to the existing dwellings along Cam Drive and the relationship between the buildings.

A Noise Assessment submitted with the application had identified that the A10 and Cam Drive would be the main sources of noise for future occupiers. Plots 116, 117, 128 - 132, 138 - 140 were closest to the A10 and would experience the greatest impacts. They were amended to overcome noise concerns and additional windows had been incorporated to allow a secondary window to be open for natural ventilation.

The proposal conformed to the approved Design Codes for Downham Meadow and Long Fen and Policy ENV1 of the Local Plan. The Local Highways Authority (LHA) was now allowing trees to be planted within the highway and they would be adopted as part of that highway by the County Council. The scheme incorporated a lot of green spaces and corridors, swales, 'green living', open spaces and enhancing biodiversity. The site included areas of existing trees and established hedges and the proposal sought to retain all existing hedgerows, which would be enhanced by inter-planting. Most trees were to be retained except where it was essential to facilitate the scheme, such as for access. It was considered that the scheme would create a sense of 'green living'.

In connection with traffic and transportation, the Planning Manager reminded the Committee that access had already been determined as part of the outline planning permission. There would be access off the A10 new roundabout, with pedestrian and cycle access further to the west and this would link to the existing footways.

The applicant had been encouraged to and had minimised the use of tandem parking following pre-application discussions. The percentage of non-tandem parking across the site was 59% (compared with 48% on Phase 1) and therefore the amount of tandem parking was less than the majority provided across the site. The proposed parking strategy exceeded the Council's car parking and Design Guide requirements, achieving 2.4 parking spaces per dwelling. Paragraphs 7.56 and 7.57 of the report set out details of the parking spaces per size of dwelling and a breakdown of the total number of parking spaces. Each dwelling had secure, easy to access cycle storage for at least 2

cycles within the plots. Storage was either within a secure shed in the back garden or within a secure garage. The slide of the movement framework showed the primary, secondary and tertiary routes, and those of the foot and cycle paths; they were all part of the existing framework that was secured as part of the outline application.

A site-wide Biodiversity Strategy had been approved in relation to the Endurance Estates land and a Biodiversity Assessment had been submitted as part of the application. The proposal would take the opportunity to enhance biodiversity and ecology on the site, including the enhancement of existing green infrastructure and the creation of new features that would provide new habitats. It was noted that the Cambridgeshire Wildlife Trust had accepted the Biodiversity Assessment. An arboricultural statement and tree protection plan had also been submitted and was considered acceptable; this would protect the trees on the site and add to the site's biodiversity value. The proposal was considered acceptable and accorded with the North Ely SPD and Policy ENV7 of the Local Plan.

With regard to other matters, the proposal had adequate bin storage and collection arrangements in accordance with the RECAP SPD and Policy ENV7 of the Local Plan. The proposal included an Energy Statement which set out the sustainability approach for the site, in accordance with Policy ENV4 of the Local Plan, the approved Downham Meadow design Code and the North Ely SPD.

The Planning Manager concluded by saying that the applicant would build upon the details agreed at the outline stage, and as part of the site-wide conditions in relation to drainage and green infrastructure, had committed to securing a number of the off-site infrastructure improvements.

It was considered that the reserved matters application did not give rise to any adverse effects that would outweigh the benefits of the scheme, and the application was therefore recommended for approval.

At the invitation of the Chairman, Mr Dan Humphries, agent, addressed the Committee and read out the following prepared statement:

*'My name is Dan Humphries, Planning Co-ordinator for Taylor Wimpey East Anglia and I have been responsible for the Reserved Matters Planning Application sat before you today. I am also joined by my colleagues Andrew Wright (Planning Manager) and Martyn Rodzian (Engineering Manager) who are happy to assist me with any questions you may have following this address.*

*Taylor Wimpey have been involved in this project since late 2018 and have had the benefit of several rounds of pre-application discussion with Officers, key stakeholders and the local community. In total, 5 pre-application meetings were held with the Council's Officers, plus additional meetings with the 'Cambridgeshire Design Quality Review Panel' and 'Members' - all of which have helped to positively shape the final proposal now being considered.*

*In addition, a 'Public Consultation Event' was held on a busy 'Market Day' in the centre of Ely where leaflets were handed out on the 'Market Square' on*

*the day of the event – this following adverts being published in the local press and in excess of 400 newsletters being posted to local addresses surrounding the site – this was one week ahead of the event.*

*The Orchard's Green development itself is informed by a prescriptive Design Code and suite of Parameter Plans, all of which set out a very clear and well considered framework for development. Based on these established guiding principles, Taylor Wimpey's 'Design & Planning Team' have worked closely with 'Gardner Stewart Architects' of London, to produce a scheme that respects and captures the distinctiveness of Ely - is functional for all end-users - and complies with the requirements of the Outline Planning Permission & Design Code.*

*This proposal will deliver 258 new high-quality homes in total which includes 26 affordable homes – The housing mix offers a variety of 1 to 5-bedroom dwellings of varying sizes and tenures with an average of 2.4 parking spaces per dwelling – most of which is provided on-plot or directly to the building frontage. Phase 3 also benefits from extensive 'Green Infrastructure' throughout which shall include Wildlife corridors and Linear Parks, Sustainable Drainage features, areas of 'Formal Play' plus direct connectivity to the wider area for walking & cycling. A large proportion of homes have the benefit of fronting on to these key spaces promoting 'Green & Healthy Living' potential and a walkable neighbourhood.*

*Taylor Wimpey are also contractually obliged to deliver a new Roundabout connecting the overall Orchard's Green development with the A10 carriageway to the west – this to be provided within 2 years of Technical Approval being granted for the details – a further Reserved Matters Planning Application in this regard was submitted to the Council in June of this year and is due to be determined in September. Further Section 278 Works are due to be carried out to the south of Phase 3 at Cam Drive which include a new highway junction & pedestrian link connecting the development to the wider neighbourhood. These works closely follow the approved 'Movement & Access' requirements established at the Outline Stage, as does the internal 'Highway Network' serving the homes within this phase.*

*Buildings positively frame all streets and open spaces creating interest through varying block forms and roof scapes. Active Building Frontages are also prevalent throughout the scheme ensuring the development feels safe and welcoming to navigate which has been positively acknowledged by the 'Designing out Crime Officer'. High quality facing and hard surfacing materials shall help promote the familiar architecture proposed which draws upon the details, materials and colour palette traditionally found in Ely. Furthermore, distinctive 'Focal' and 'Corner' Buildings have been strategically placed to assist with 'way-finding' and to add further quality & interest into the Streetscape.*

*In conclusion Members – Taylor Wimpey East Anglia are extremely excited to be involved in this project and are grateful for the positive collaboration with the Council throughout the process which has helped us develop a scheme we can all be proud of.*

*The proposal complies with the Outline Planning Permission and Design Code, has been positively received by Officers, all Statutory Consultee's, Key Stakeholders and the wider Community, therefore we would respectfully ask that you support your Officer's recommendation today.'*

Mr Humphries and Mr Wright then responded to comments and questions from the Committee.

The Chairman confirmed there were two other speakers that could answer questions.

Councillor Jones said he was largely happy with the proposal, but noted that the Local Highways Authority (LHA) had raised a number of issues, including that the cycle path did not link up going towards the leisure centre. He asked if there was any reason why this was not included in the design. Mr Humphries replied that they had spoken to the LHA about a new connection but had been steered away from it, as the LHA was not happy, on health and safety grounds, with taking pedestrians to the 60 mph carriageway.

Referring to paragraph 5.16 of the report, Councillor Brown asked if anything had been taken forward in respect of the Design Out Crime Officer's comments. Mr Wright said historically they had always had an excellent relationship with the Design Out Crime Team and they were now in a position to discuss a Secured by Design application and would be looking into it in due course.

In response to questions from the Chairman, Mr Wright said that from Day 1, it had been made very clear by Officers that there should be a reduction in tandem parking as Members were keen to see this, and they had worked hard from the outset to ensure it happened. He also confirmed that there would be chimneys on some of the houses to complement the vernacular of Ely with elevational treatments.

Councillor Wilson wished to know when the two play areas would be completed and who would maintain them. Mr Humphries said they would usually be brought forward at the same time as the housing plots giving onto them. He understood that ECDC would be happy to adopt them and the Council would be provided with an appropriate commuted sum.

Councillor Trapp asked whether the parking places would have easy access for electric charging points, as he would not want to see cables trailing across pavements. Mr Humphries replied that there might be some community areas where this would be difficult to achieve, but some plots had curtilage parking and therefore a high percentage could have direct access in the future. Electric charging points would be placed in garages where possible. Mr Wright added that they were working with customers for various government grants for electric charging points. The layout of the site would not restrict customers moving in immediately from having them, or having charging points in the future.

The Chairman supported the question raised by Councillor Trapp.

Councillor Christine Ambrose Smith asked about the storage of refuse bins and Mr Wright replied that all bin storage was accommodated in the rear gardens, the exception being on refuse collection day when bins would be taken to a central collection point. Councillor Ambrose Smith then asked about using the green areas for exercising, including dogs. Mr Wright advised that there were no restrictions on access to these areas and was there to be used by all.

The Planning Manager reiterated that the applicant had worked extremely well with the Authority; it had been a pleasure to work with them and she wished this to be recorded in the minutes. She then answered a number of questions from Members.

Going back to the comments from the LHA, Councillor Jones enquired whether any of them had been addressed. The Planning Manager said that their original comments (paragraph 5.2 refers) had all been addressed and further comments following amendments were made on 7<sup>th</sup> July 2020 confirming that they had no objections in principle to the application.

Councillor Jones then asked if people would make short cuts, and the Planning Manager stated that the SuDS features should prevent this.

Councillor Trapp asked if the dwellings were to be brick or wooden and was advised that on the whole they would be constructed of brick; the applicant had submitted a palette of materials. He then asked how easy it would be to cycle to the City centre and the Planning Manager replied that this had been dealt with as part of the outline application but there was a cycle route along the front of the site.

Councillor Jones said that the Planning Manager and her team had done a good, thorough job and he was happy to propose that the Officer's recommendation for approval be supported. The motion was seconded by Councillor Brown, who offered his congratulations to all on the amount of work that had been done on the application.

Councillors Ambrose Smith and Huffer declared their support for the motion for approval, and when put to the vote,

It was resolved unanimously:

That planning application reference 20/00360/RMM be APPROVED subject to the recommended conditions as set out in the Officer's report.

**26. 20/00483/FUL – 16 PARSONAGE LANE, BURWELL, CB25 0EN**

Rachael Forbes, Planning Officer, presented a report (reference V50, previously circulated) which sought planning permission for the construction of a two bedroom, two storey detached dwelling and associated works.

It was noted that the application had been called in to Planning Committee by Councillor Edwards, due to concerns from residents.

The site was situated within the development envelope of Burwell, and currently formed part of the garden of 16 Parsonage Lane. There were residential dwellings to the north of the site and the host dwelling was to the east. To the south there were residential dwellings on the opposite side of Parsonage Lane and to the east was the neighbouring dwelling at 18 Parsonage Lane.

A number of illustrations were displayed at the meeting, including a map, an aerial view of the site, a further aerial view showing the site in relation to the local area, the layout of the proposal, elevations, and photographs of the proposal in context with the adjacent dwellings.

The main considerations in the determination of this application were:

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

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

The Planning Officer reminded Members that this application was a re-submission of 20/0001/FUL. The original application was withdrawn following Officer concerns that the scale of the dwelling resulted in a cramped development and that the proposal would have an overbearing impact on the side windows of 16 Parsonage Lane. The proposal had now been reduced from a three bed to a two bed dwelling.

In terms of visual impact, the proposal had been designed to reflect the host dwelling and the ridge height would not exceed that of the adjacent dwellings. Although the plot fell below the guidance set out in the Design Guide, the proposed site plan showed that the footprint of the dwelling was 27% of the site area and the garden area would provide sufficient amenity space. The Design & Access Statement set out that all the existing trees and shrubs along the common boundaries would be retained where possible, and that landscaping of the site could be secured by condition.

With regard to residential amenity, the window facing the garden at 18 Parsonage Close served a bathroom and this could be conditioned to be

obscure glazed and non-opening. It was likely that the proposed dwelling would cause overshadowing to the side elevation of 18 Parsonage Close but given that the windows on this elevation served a landing and a secondary kitchen window, it was not considered that overshadowing would be significant.

There was an existing boundary wall at 16 Parsonage Lane and trees which might already cause some overshadowing to the ground floor windows and the rear garden respectively. It was considered that the overshadowing to the garden area at 18 Parsonage Lane would likely occur for a short time in the early morning and late afternoon and would therefore not be considered significant enough to warrant refusal of the application.

The LHA had been consulted as part of the proposal and had raised no objections. Two parking spaces would be provided, in accordance with Policy COM7 of the Local Plan 2015. Concerns had been raised regarding construction traffic on Parsonage Close, however it was not certain that construction vehicles would access the site from the Close. It was considered that on a development of this scale, it would not be reasonable to condition a construction management plan.

Speaking of other matters, the Planning Officer said that details of ecological enhancements, tree protection measures, surface water drainage and contamination could be secured by condition.

Following concerns regarding the removal of the clunch wall, the Conservation Officer had visited the site and had confirmed that there were no concerns around its removal.

Given the size of the site, it would be reasonable to remove permitted development rights for extensions and other structures and for any further windows at first floor level or above.

The Planning Officer concluded her presentation by saying that the proposal was considered to comply with all relevant planning policies and was therefore recommended for approval.

At the invitation of the Chairman, Mr John Bateman addressed the Committee and read out the following prepared statement:

*'Good afternoon ladies and gentleman. My name is John Bateman and I am the owner/occupier of 18 Parsonage Lane, which sits immediately adjacent to the proposed housing plot. Before I set out my objections to the proposed development it is critical to point out to the Members that there are material errors with the submitted drawings. Firstly my property is shown further away from the existing shared boundary between 16 and 18 Parsonage Lane than it actually is. The correct scaled distances were emailed to me by the Case Officer on 15 July. These measurements confirm that my property is sited closer to the proposed dwelling than is shown on the submitted block plan. The actual gap between my property and the proposed house is 4.5m and not 5.5m as stated in the Committee report. The closer the physical relationship between the two properties the greater will be the loss of sunlight to the front and side windows of my property.'*

*Secondly the submitted block plan shows 2 mature trees located immediately adjacent to my raised garden wall. This garden sits in front of the proposed house and the wall separates the garden from the house plot. These trees do not exist. If there were mature trees as shown on the submitted plan then they would provide a degree of screening and reduce the loss of privacy currently enjoyed in this garden. As there is no screening the overlooking is significant and therefore the loss of privacy is total.*

*The above two issues directly relate to the statutory Policy ENV2 of the Local Plan. This policy requires that there are no significantly detrimental effects on the residential amenity of nearby occupiers who enjoy high standards of amenity. I do enjoy a high standard of amenity and have lived happily in this property with my family for over 40 years. There are other objections to this application in relation to the relevant statutory policies of the Local Plan in particular the issue of landscaping. Policy ENV2 requires applications to include landscape enhancement schemes and the Committee Report states there is potential to integrate some soft landscaping around the dwelling. There is no potential as there is no space as the Members will see from the submitted block plan. The area between the front of the house and the public highway will be completely built over and there is no space alongside the flank elevations. In this respect the application cannot comply with Policy ENV2. All these matters were set out in detail in the letter of objection dated 4 June 2020, which I hope the members will have seen. The residents of the District must be able to rely on the statutory provisions of the Local Plan to protect them from inappropriate and bad development.*

*I would also like to draw the Committee's attention to the map accompanying the agenda. This shows part of my raised garden and part of the public highway within the development site. If this map has been prepared using measurements taken from the applicant's block plan then the block plan must also be incorrect in this respect as well. It is not clear from the block plan where the exact boundary of the public highway is.*

*It is incumbent on statutory and public bodies to take decisions based on the best evidence available. It would be irregular for the Committee to decide this application knowing that in certain respects the evidence before them is incorrect or erroneous. I would urge the Committee to defer this application and require the applicant to submit revised drawings to correct the inaccuracies I have described. A proper and informed decision can then be made at a subsequent planning committee meeting. If the Committee wish to make a decision today then planning permission should be refused for the reasons set out in the letter of objection dated 4 June 2020.'*

Mr Bateman then responded to comments and questions from the Committee.

Councillor Ambrose Smith asked him to remind her of the measurements he had mentioned. Mr Bateman replied that the actual gap between his house and the proposed property was 4.5 metres and not 5.5 metres, as detailed in the report. This was based on measurements emailed

to him by the Case Officer on 15<sup>th</sup> July 2020. That 1 metre equated to 25% and so was fairly significant.

Councillor Huffer asked Mr Bateman to repeat what was in his garden and the highway, and what would appear to have been erroneously included in the application; he replied that the boundary of the block plan encompassed 1 metre of his back garden and some highways land.

In connection with this, Councillor Trapp wished to know whether the taking of the verge was to the north or the south of Parsonage Close. He was informed that it was to the north into the Close, taking the public highway verge and part of Mr Bateman's raised garden.

At the invitation of the Chairman, the Planning Officer commented on the measurements, saying that the distance between the neighbouring dwelling and the boundary was 4.1 metres. The distance between the neighbour's dwelling and the proposed house was 5.5 metres. She had raised this with the agent as she thought there were some discrepancies. As a result, the block plan was re-submitted and she was told that it was accurate.

Councillor Jones thought there seemed to be some disparity. He noted that the Parish Council had raised concerns that Parsonage Close had not been canvassed and he asked if this was normal protocol. The Planning Officer replied that those sharing a direct boundary with the site would be notified. In this case two site notices had been put up, one in Parsonage Lane and the other in Parsonage Close. This time round the Parsonage Close Management Company had raised concerns about not being notified, but the Authority was not aware that Parsonage Close was being managed by a management company because it did not hold those kind of records.

Councillor Edwards interjected to say that she was rather concerned that Members were being asked to vote on something that was inaccurate.

Councillor Trimarco, having noted Mr Bateman's comments about Policy ENV2 not being met, asked the Planning Officer for her comments. The Planning Officer responded, saying that her report addressed the issue; her assessment concluded that the proposal would not cause significant harm.

Councillor Huffer disagreed, making the point that in the winter there would be much less light. She asked the Planning Officer how she had quantified 'significant', as she believed this to be extremely subjective.

The Planning Manager reiterated that the Planning Officer had been out and assessed the site and had put her comments and assessment of the proposal in her report. This was why there was a Committee process – if Members did not agree with this assessment, they could go against the recommendation.

Councillor Stubbs said that on paper the proposal looked fine, but when one listened to the objector, looked at the report in a bit more detail and listened to the debate, she was not so sure. This was where a site visit would have been invaluable. Her mind was now moving towards going against the

Officer's recommendation because she was convinced that the development would be cramped and would result in an overbearing impact on the neighbours. As such, she proposed that the Officer's recommendation for approval be rejected and the application refused.

Councillor Edwards seconded the motion for refusal saying that she totally agreed with Councillor Stubbs.

Councillor Brown concurred, saying that the 250 square metres was considerably below what the Authority required and the Committee should stick to policy. Also he believed the dwelling would not be in keeping with the character and appearance of the local area.

Councillor Huffer felt that the proposal would materially affect Mr Bateman's residential amenity, and in her opinion, clunch walls were significant.

Councillor Downey disagreed, believing the Officer to have done a very good job of explaining her assessment of 'significant'. He recalled that on different occasions the Committee had approved previous applications causing loss of sunlight. This proposal did not look particularly cramped; it seemed perfectly reasonable and sensible, and it had space around the dwelling. He considered it to be well within policy and he would therefore support the recommendation for approval.

Councillor Ambrose Smith said that she had always invariably championed smaller dwellings because the District needed more homes and some people were happy to have a smaller property. This proposal could provide adequate living space, it was in keeping with the area, and she too would support the Officer's recommendation.

Councillor Trapp thought it was a pity that the dimensions were incorrect, but the proposal slotted in fairly well and was sympathetic. He felt there should be more housing of this type as it filled in the gaps. The proposal was in a good location, and on the whole he was minded to support approval.

Councillor Stubbs then gave her reasons for going against the Officer's recommendations, and when put to the vote, the motion for refusal was declared carried, there being 7 votes for and 4 votes against. Whereupon,

It was resolved:

That planning application reference 20/00483/FUL be REFUSED for the following reasons:

- 1) It will have a detrimental visual impact on the character and appearance of the area;
- 2) It lacks amenity space; and
- 3) It will cause significant harm to the residential amenity of the neighbouring dwellings.

The Chairman commented that this case highlighted the need for Members to make site visits.

**27. 20/00557/ESF – SITE NORTH OF HIGHTOWN DROVE, BURWELL**

Andrew Phillips, Planning Team Leader, presented a report (reference V51, previously circulated) which sought permission for a solar farm with a maximum output of 49.995MWe, which would come from 150,000 photovoltaic solar panels, for a period of 40 years. It would be capable of providing power for approximately 32,497 homes, based on standards.

In addition to this, there would be 24 inverter/transformer stations, 4 storage containers, 1 switchgear building, 1 control room building, and 45 four metre high CCTV cameras, as well as other associated infrastructure and landscaping.

Members were asked to note that following discussions and a request from the developer, Condition 3 (Lifetime of the Development) was to be reworded to the following:

*“The Local Planning Authority shall be notified in writing, within 5 working days, of the date of the first export of power from the site. This permission expires 40 years from the date of the first export of power or 6 months after the solar panels on site are no longer being used for the production of energy. After this date, the site shall be reinstated in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority prior to the expiration of this permission.”*

The site was in an area of relatively flat open agricultural countryside on the western edge of Burwell and to the north of Reach. To the southwest, west and north was predominantly open fen countryside, with a sparse scattering of trees and agricultural buildings as well as pylons running in a north – south direction. All were visible within the landscape due to the openness of the area. The Burwell Substation was a significant piece of infrastructure immediately to the east of the site.

It was noted that the application had been brought to Planning Committee in accordance with the Council’s Constitution.

Numerous illustrations were displayed at the meeting including a map of the location, an aerial view, streetscene images of Hightown and Newham Drovers, aerial views of the proposal and its indicative layout, a cross section of the solar farm and an image of the reed beds. There was also an image of the proposed solar panels, the other buildings on the site and the inverter/transformer stations/CCTV cameras.

The main considerations in the determination of this application were:

- Environmental Statement;
- Principle;

- Landscape/visual impact;
- Ecology;
- Residential amenity; and
- Flood risk and drainage.

Speaking of the Environmental Statement, the Planning Team Leader said that the site was 79.9 hectares; of this, 44.7 hectares was Grade 2 agricultural land and 35.2 hectares was Grade 3a. The proposal and other planned solar farms would remove approximately 0.6% of the agricultural land in the District, but the proposed site would be used for sheep grazing for the 40 year period and this would allow time for the land to recover.

In terms of the cumulative impact on the landscape, this proposal and the Goosehall Solar Farm combined would have a significant impact in the short term. However, once the landscape was established the impact would not be significant. It was considered that the medium to long term cumulative impacts on the landscape and farmland would not lead to significant harm.

With regard to the principle of development, the Planning Team Leader said that he had set out energy requirements to meet targets in his report. However, since he had written the report the National Grid had released its future energy scenario project document and was now seeking roughly double the amount of solar energy creation within the same timeframe. The IPCC had stated that there needed to be a 45% reduction in carbon dioxide levels by 2030 in order to meet the 2050 target ensuring that the global temperature did not rise more than 1.5C.

National legislation and local policies were all in favour of promoting renewable energy via solar farms in principle and on 21st October 2019, this Council had 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.

The Committee was next shown a series of slides in connection with visual impact to illustrate how the proposal would appear in the landscape in Years 1 and 5. It was concluded that in the short term, the proposal would have a large negative impact on those travelling through or next to the site. However, the long term impact would help to restore the fen landscape and this could be argued as a positive. It was considered that the long distance views of the landscape were unlikely to be noticeably affected.

Members noted that the National Trust, Cambridgeshire Wildlife Trust and Natural England had not raised any objections. The proposal would change the landscape from agricultural but it would be enriched with ditches, reed beds, hedges and species rich grassland.

It was considered that due to the nature of the proposal, it would have very limited impact upon residential amenity whilst operational. However, the

main concern was the noise from piling during the construction process. A condition was therefore recommended setting out when general construction and deliveries, and piling construction work could take place. A Construction Environmental Management Plan (CEMP) was also recommended.

The Environment Agency had not raised any objections and the proposal was considered to have met both the sequential and exception test.

With regard to other matters, it was noted that the MoD, National Air Traffic Services Ltd and Cambridge Airport Ltd had not raised any concerns. Glint/glare had been professionally assessed and it was considered that any impact on residents would be minimal. The proposal was not considered to have any impact on the built heritage, but an archaeology condition would be required. The Local Highways Authority had raised no objections, subject to a CEMP.

It was considered that by placing site notices, a press notice, consulting Burwell and Reach Parish Councils as well as 431 residents that sufficient consultation had been undertaken. The concern from a neighbour stating that the Council had not consulted widely enough was considered to hold no weight.

The Planning Team Leader concluded his presentation by saying that with the need to create energy from sustainable methods, allowing continued economic growth, the transition to electric cars and the reduction in using natural gas to heat properties placed a significant requirement on the planning system to allow renewable energy schemes. This scheme would highly likely improve biodiversity and drainage on the site as well as bringing long term benefits to the quality of the agricultural land. As such, the merits of the scheme far outweighed any short term harm that had been identified.

The proposal was considered to comply with the Local Plan 2015, the Renewable Energy Development SPD and the National Planning Policy Framework, and was therefore recommended for approval.

At the invitation of the Chairman, Mr Phillip Roden, agent, accompanied by Mr Kier Petherick, one of the applicants, addressed the Committee and read out the following prepared statement:

*'Thank you for the opportunity to speak at this Planning Committee. My name is Phillip Roden and I am the planning agent for the application under consideration. I am accompanied by one of the applicants, Mr Kier Petherick who is a local farmer that also manages three existing solar farms on his Stowbridge Estate, near Chittering. This includes grazing some 200 ewes and 300 lambs under the solar panels.*

*Firstly, I would like to thank the Planning Officer for their committee briefing which clearly sets out the proposal and the issues that have been considered and addressed, during the determination period. The planning committee report presents a balanced assessment of the key planning matters and we endorse its recommendation to approve the application.*

*Mr Petherick and I are here to answer any questions you might have, if these cannot be addressed by the Planning Officer. However, I would just like to take a few minutes to amplify some of the key considerations.*

*The main driver for the Burwell Solar Farm is the UK Government's commitment to achieving net zero carbon emissions by 2050. This is a legally binding commitment that will require significant changes to the way we work, live and produce energy.*

*The 2020 Committee on Climate Change Progress Report indicates that the Government is failing to achieve its key climate change milestones, but that it intends to accelerate the transition to net zero by steering the post Covid-19 recovery in this direction. Large scale solar farm development is now economically viable without subsidy, and is set to play a very important role in the short, medium and long term energy generation systems of the UK.*

*National Grid has recently updated their Future Energy Scenarios report. This report is reviewed annually and sets out energy use and generation scenarios required to achieve net zero by 2050. The report forecasts an even greater need for solar power than set out in the application. Action is required now to start delivering the annual CO2 reductions necessary to achieve net zero. The proposed developed would make a significant contribution.*

*It is important to note that the application has been widely consulted upon and that there are no statutory objections to the proposed development.*

*Concerns have been raised with regards to landscape and visual impacts, loss of agricultural land, construction noise and glint and glare.*

*These have all been addressed in the application and we believe that we have developed a landscape mitigation strategy that is sensitive to the existing and emerging landscape character of the area. This is based on a series of representative viewpoints from the surrounding landscape, including elevated locations on Devil's Dyke and Reach Lode, as well as computer generated Zones of Theoretical Visibility.*

*The applicant has confirmed that they will accept reduced working hours for piling activities to minimise the short term impacts on local residents. Glint and glare has been assessed by a recognised expert in this field and no significant effects are predicted.*

*Finally, the application is for a time limited period after which the development would need to be decommissioned. During this period the Agricultural Land Quality is likely to improve due to intensive agricultural production not taking place.*

*The site is within an area covered by the National Trust's Wicken Fen Vision. The National Trust have not objected to the proposed development and recognise the wider importance of renewable energy and the significant biodiversity gains that would occur as a result of the proposed development. In addition, they also acknowledge that the perimeter landscape treatment would be consistent with and support the long term aims of the Wicken Fen Vision.*

*The proposed development would generate significantly more employment (4.5 FTE) than the existing arable activities (0.25FTE). In addition, there would also be employment opportunities during the construction phase.*

*Finally, the proposed development would contribute to the local economy through Business rates, 80% of which would be retained by East Cambridgeshire. We believe that this will be in the order of £130k a year, for the 40-year life of the project.*

*I urge the Planning Committee to adopt your Planning Officer's recommendation to approve this planning application and we would be happy to answer any questions that you might have.'*

Councillor Brown sought clarification regarding the increase in employment, saying that it had been said that employment generation by these sites was very little in the ongoing phase. Mr Roden replied that the existing arable activity on the site was approximately 0.25 full time equivalent (FTE) managing the land. The proposal for the solar farm would bring approximately 4 - 4½ FTEs, covering shepherding of the sheep, maintenance of the site and maintenance of the electrical equipment. Mr Petherick added that the annual hand washing of the panels took 5 people 2½ months and there were also the string connections, tension boxes, monitoring of the Grid to be taken into account. A lot of work went on and the high voltage works were only carried out by those with the high voltage qualifications.

Councillor Wilson suggested that wind energy or biomass would be an alternative to solar power. Mr Petherick agreed, if one had the waste for biomass, and wind turbines had their place but he believed they were better located offshore. The silicone in solar panels did not work so well when the temperature went above 21 degrees so solar power worked well in this country and were very efficient between 10-21C.

Councillor Ambrose Smith noted that the Case Officer had spoken of restricting the working hours during the construction phase. She wondered, given the sometimes extremes of weather patterns, whether it would help if the applicant could have more of a free hand to be able to work on into the evenings. Mr Roden replied that it was a real balancing act, as longer hours would mean shorter periods of construction. The CEMP could look at other methods and approaches and they could request an extension, but were cognisant of the need to listen to local concerns.

Councillor Edwards wished to know whether the panels could be safely recycled at the end of their lifespan, and also if members of the public could still have access up the Drove during construction, as it was popular with dog walkers and cyclists. Mr Roden said the panels would go through a licensed waste process, using established techniques, to be recycled. The Drove would also be kept free of obstruction.

Councillor Trapp asked how long the construction phase was expected to last and Mr Petherick said much was done off-site; it was their target to have it completed, start to finish, within approximately 6 months.

Members noted that members of the public would still have access to the drove, as the compound was within the red line and the contractors' vehicles would be within that compound; it would not be obstructed in any way. Mr Roden added that measures would be included in the CEMP to manage that aspect.

Councillor Jones commented that he was a dog walker and knew that with one of the solar farms in Burwell, there had been some routes that could be accessed by crossing farmland but now seemed to be closed off, even though they were outside the compound. He was not familiar with this locale, and asked if it would be possible to give access to routes outside the compound and not to shut off any natural walkways. Mr Petherick responded, saying that there was no public right of way. However, once the development was constructed, the 2 metres next to the Drove would always be mown and managed. Once the deer fence had been erected, the site would be protected and the walks would be there. Mr Roden interjected to say that there were more public footpaths further to the west.

At the invitation of the Chairman, Councillor Nick Acklam, Reach Parish Council, addressed the Committee and made the following points:

- He was not here to support or recommend refusal of the application, but urged the Committee to defer making a decision;
- He believed the package and information submitted was not sufficient for Members to make an informed decision at this stage;
- This was a landscape scale development which would have an impact across a large area of land;
- No glint or glare assessment had taken place for Reach and the assessment only covered Burwell
- The LVIA was very partial and the viewpoints were selective, with none having been taken from Reach Lode bank to the south west of point 6 and from the Devil's Dyke south west of point 3;
- The Devil's Dyke sits 3 – 4 metres above the site and has recreational footpaths along it. He did not believe the LVIA took any consideration of that elevated positioning and mitigation would not be effectual, even in the long term;
- There was a viewpoint right on the far end of the Devil's Dyke but he believed that the visual impact went a long way along the Dyke;
- As this was a SSSI and the Council had created a special SPD, the Committee owed it to the site and the citizens to commission a more comprehensive LVIA, and only then could it make a more informed decision.

Councillor Acklam then responded to comments and questions from the Committee.

Councillor Jones asked him if he was prepared to accept that there would be some impact, and how much he was prepared to accept. Councillor Acklam replied that he was not convinced the presentation had captured the scale of the impact, especially from the Lode bank and the Devil's Dyke. He was open to being reassured by an expanded LVIA and might be proven wrong. He had a gut feeling that the impact would be quite significant and it was important that Members took an informed decision; the process had to be right.

Councillor Trapp enquired about the ground level between Reach and the site and whether the proposed site was lower than Reach. Councillor Acklam replied it was a vast area and there was little variation in the landscape but the Lode banks were elevated by 3 – 4 metres. He did not believe this had been taken into account in the LVIA, as one would be looking down onto the site and the mitigations would not occur on the Lode bank or Devils' Dyke. The reed banks would not grow to a height of 6 metres, so they would not obscure the site. Some of this might have to be accepted, but the overall impact was an underestimation of reality. It would become more important if there were going to be other sites in the future.

Councillor Ambrose Smith asked Councillor Acklam why, when there was an overwhelming need for more green energy and less fossil fuels, he would argue against this proposal. He replied that this was not the question; it was that the Committee should have an accurate, balanced assessment on which to make its judgement.

At this point the Planning Team Leader interjected to say that although the developer had made reference to business rates, they were not a planning matter. With regard to the LVIA, it was covered in pages 23 – 26 of his report and provided a range of views which he considered to be sufficient, but it would be for Members to decide.

Councillor Huffer asked the Planning Team Leader how this application related to Sunnica and whether it would benefit from that solar farm or vice versa. He replied that both applications were completely different, but were both seeking connection to the same substation and each would be determined on its own merits through the assessment of material considerations. The impact of both would have to be considered if further solar farms were to be constructed in the area.

Councillor Huffer next asked about the reed beds and their maintenance. Mr Petherick said that they needed water to flourish; in an agricultural context they would be trimmed back once a year to allow the water to flow in the ditches, but in this position they would be left to self-populate.

Councillor Trapp asked if the reeds could be higher than 2 metres, as the solar panels were 3 metres tall, so from afar they might peek above the reeds. The Planning Team Leader replied that the reeds usually grew to

between 2 – 3 metres. However, Members were being asked to make a judgement based on 2 metres as a worst case scenario. Also seeing something did not make it harmful, and in the wider landscape people would be seeing trees, other buildings and agricultural dwellings as well as the large pylons that criss-crossed the landscape.

Councillor Brown wished to know if, when looking at the visual and cumulative impact of the scheme, the impact of the associated infrastructure was also taken into account, and at what point did it tip into being too much of a visual impact. He was thinking of not just the substation, but also the two battery storage farms. The Planning Team Leader answered that the battery farms had been considered because they were very close to the electricity substation, however, they were much smaller. There were two assessments that needed to be made. The Environmental Assessment looked at the cumulative impact of a major proposal and then the more immediate views were dealt with under Street Scene Assessments.

In proposing that the Officer's recommendation for approval be supported, Councillor Wilson said that we needed to get as much environmentally friendly energy as possible and one of the most efficient ways to get electricity was via solar farms. Pylons had been accepted in the past and solar panels should be accepted now.

Councillor Trapp seconded the motion for approval, saying that the idea of using the land for grazing and then regenerating the soil was a good idea and besides, it was not that close to Reach.

Other Members expressed their support for the proposal.

Councillor Downey echoed all that had been said and praised the Case Officer, the other Officers and the applicants for all their work on the application. He also stated he did not want to place too high of a demand on the applicant. The mitigation work was very impressive and he would vote in favour of the recommendation.

Councillor Huffer said she would rather see this development than have wind turbines. The hedges and ditches would obscure it in time and the reed beds were a very good idea, as they used the natural landscape.

Councillor Edwards supported the recommendation and thanked the Case Officer for the extra condition regarding piling times.

Councillors Ambrose Smith, Stubbs and Jones each declared their support for the scheme. The Chairman reiterated that it could provide power for over 35,000 houses and was going in the right direction to meet zero carbon development.

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

It was resolved unanimously:

That planning application reference 20/00557/ESF be APPROVED subject to the recommended conditions as set out in the Officer's report, and the amendment to Condition 3, as detailed in the Planning Committee update.

## **28. PLANNING PERFORMANCE REPORT – MAY 2020**

Rebecca Saunt, Planning Manager, presented a report (reference V29, previously circulated) which outlined the performance of the Planning Department for June 2020.

The Planning Department had met and exceeded its targets.

It had received a total of 216 applications during June, which represented a 26% increase on June 2019 (171) and a 61% increase from May 2020 (134). Four valid appeals had been received.

The Planning Manager said she wished to highlight a number of changes in terms of policy and in the General Permitted Development Order. Some were temporary and some were long term and included:

- Under the Business & Planning Act 2020, people could now apply for a Pavement Licence permitting them to put tables and chairs out on the pavement (highway). It was a matter for the Licensing Department, and if granted, the Planning Department would be informed and the applicant would automatically be given planning permission for the temporary placing of tables and chairs;
- Through the same Act, as from 28<sup>th</sup> July, people could apply to have longer construction hours than had been conditioned. The Government wanted this to be supported and local authorities were only being given 2 weeks in which to determine the application. If it was not determined within 2 weeks, it would be deemed permission. Environmental Health and the local Member would be consulted as part of the process and if Members received a notification, any feedback or comments should be shared with the Officer. The Council's website had been updated and Members would be sent the link;
- As from 19<sup>th</sup> August, and under the Business & Planning Act legislation, there would be an extension to the time period for the commencement of development. Any permissions expiring between 19<sup>th</sup> August and 31<sup>st</sup> December 2020 would have until 1<sup>st</sup> May 2021 to implement that permission. Any permissions that expired between 23<sup>rd</sup> March and 19<sup>th</sup> August 2020 would be required to apply for additional environmental approval. They were to be submitted to Officers, who could only look at Environmental Impact Assessments and Habitat Regulations Assessment.

The Planning Manager said there were other changes to legislation, but she would circulate the Planning Update Newsletter received from the Ministry of Housing, Communities and Local Government and provide Members with a commentary. In the meantime, any queries should be directed to the Duty Officer.

Councillor Downey said he had heard about the pavement permission via the Covid-19 Working Party and he had been told that one could apply to either the County or District Council. The Planning Manager replied that she did not know the full details because this would be a matter for the Licensing Department. However, she would speak to the Senior Licensing Officer and get back to him.

Councillor Trapp asked how long the licences were valid for and again was advised to speak to the Licensing Department.

Councillor Brown offered his congratulations to the Planning Manager and her team for the 'cracking' figures for June. He asked if there was any theme to the enforcement complaints coming in and whether she had any notes of the figures compared to previous years. She replied that she could check this through Enforcement and let him know and this could be included in a future report.

The Chairman concluded the meeting by saying that the Committee was very grateful to the team, as they dealt with whatever was thrown at them.

It was resolved:

That the Planning Performance Report for June 2020 be noted.

The meeting closed at 3:45pm.