



East Cambridgeshire District Council

Meeting: Planning Committee

Time: 2:00 pm

Date: Wednesday 2 July 2025

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Patrick Adams

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Committee membership

Quorum: 5 members

Conservative members

Cllr Christine Ambrose Smith
Cllr Lavinia Edwards
Cllr Martin Goodearl
Cllr Mark Goldsack (Vice Chair)
Cllr Bill Hunt (Chair)
Cllr Alan Sharp

Conservative substitutes

Cllr Keith Horgan
Cllr Julia Huffer
Cllr Lucius Vellacott

Liberal Democrat and Independent members

Cllr Chika Akinwale
Cllr Christine Colbert
Cllr James Lay
Cllr John Trapp
Cllr Ross Trent
Cllr Christine Whelan (Lead Member)

Liberal Democrat and Independent substitutes

Cllr Lee Denney
Cllr Lorna Dupré
Cllr Mary Wade

Lead Officer: David Morren, Strategic Planning and DM I Manager

10:00 am Planning Committee members meet at The Grange reception for site visit.

AGENDA

1. Apologies and substitutions

[oral]

- 2. Declarations of interests** **[oral]**
To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.
- 3. Minutes** **Page 5**
To confirm as a correct record the minutes of the meeting of the Planning Committee held on 4 June 2025.
- 4. Chair's announcements** **[oral]**
- 5. 25/00317/FUL** **Page 11**
Erection of an annex (retrospective)
Location: 16 Green Bank Road, Swaffham Bulbeck, Cambridge CB25 0LR
Applicant: William Redfern
Public access link:
[25/00317/FUL | Erection of an annex \(retrospective\) | 16 Green Bank Road Swaffham Bulbeck Cambridge CB25 0LR](#)
- 6. 25/00371/FUL** **Page 25**
To build a purpose-built Wildlife Veterinary Hospital including residential facilities
Location: Land Off Water Lane, Long Acre, Kirtling
Applicant: Sue Stublely
Public access link:
[25/00371/FUL | To build a purpose-built Wildlife Veterinary Hospital including residential facilities | Land Off Water Lane Long Acre Kirtling Suffolk](#)
- 7. 25/00407/TPO** **Page 49**
Fell horse chestnut trees and treat stumps
Location: Land North and West of Broughton Hall, 46 Lode Road, Lode
Applicant: Property Risk Inspection
Public access link:
[25/00436/FUL | Change of use to secure office retrospective | The Old Dispensary 13 St Marys Street Ely Cambridgeshire CB7 4ER](#)
- 8. 25/00436/FUL** **Page 61**
Change of use to secure office retrospective
Location: The Old Dispensary, 13 St Marys Street, Ely CB7 4ER
Applicant: The Old Dispensary Ely Ltd
Public access link:

9. 25/00437/LBC

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Change of use to secure office retrospective

Location: The Old Dispensary, 13 St Marys Street, Ely CB7 4ER

Applicant: The Old Dispensary Ely Ltd

Public access link:

[25/00437/LBC | Change of use to secure office retrospective | The Old Dispensary 13 St Marys Street Ely Cambridgeshire CB7 4ER](#)

10. Planning performance report – May 2025

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Notes

1. Members of the public are welcome to attend this meeting. Please report to the main reception desk on arrival at The Grange. Visitor car parking on-site is limited to 1h but there are several [free public car parks close by](https://www.eastcambs.gov.uk/parking-open-spaces-and-toilets/car-parks/car-parks-ely) (<https://www.eastcambs.gov.uk/parking-open-spaces-and-toilets/car-parks/car-parks-ely>). The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints this will normally give a capacity for public attendance of 30 seated people and 20 standing. Public access to the Council Chamber will be from 30 minutes before the start of the meeting and, apart from for registered public speakers, is on a “first come, first served” basis.

The livestream of this meeting will be available [on the committee meeting's webpage](https://www.eastcambs.gov.uk/node/2625) (<https://www.eastcambs.gov.uk/node/2625>). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. The Council has a scheme to allow [public speaking at Planning Committee](https://www.eastcambs.gov.uk/public-participation-meetings/speak-committee-meeting) (<https://www.eastcambs.gov.uk/public-participation-meetings/speak-committee-meeting>). If you wish to speak on an application being considered at the Planning Committee please contact the Democratic Services Officer for the Planning Committee democratic.services@eastcambs.gov.uk, to **register by 10am on Tuesday 1 July**. Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to attend in person. Please note that public speaking, including a statement being read on your behalf, is limited to 5 minutes in total for each of the following groups:
 - Objectors
 - Applicant/agent or supporters
 - Local Ward Councillor
 - Parish/Town Council
 - County Councillors
 - National/Statutory Bodies

3. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
 4. Fire instructions for meetings:
 - if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
 - the fire assembly point is in the front staff car park by the exit barrier
 - the building has an auto-call system to the fire services so there is no need for anyone to call the fire services
 - the Committee Officer will sweep the area to ensure that everyone is out
 5. Reports are attached for each agenda item unless marked "oral".
 6. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
 7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

"That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended)."
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East Cambridgeshire District Council

Minutes of a Meeting of the Planning Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 2:00pm on
Wednesday 4 June 2025

Present:

Cllr Chika Akinwale
Cllr Christine Ambrose Smith
Cllr Christine Colbert
Cllr Lavinia Edwards
Cllr Mark Goldsack (Vice-Chair)
Cllr Keith Horgan (substitute)
Cllr Bill Hunt (Chair)
Cllr James Lay
Cllr Alan Sharp
Cllr John Trapp
Cllr Ross Trent
Cllr Christine Whelan

Officers:

Patrick Adams – Senior Democratic Services Officer
Maggie Camp – Director Legal
David Morren – Strategic Planning and Development Management Manager
Dan Smith – Planning Team Leader

In attendance:

Justin Bainton – Agent

ECDC Comms

1. Apologies and substitutions

Apologies for absence were received from Cllr Martin Goodearl. Cllr Keith Horgan attended as a substitute for Cllr Goodearl.

2. Declarations of interest

Cllr Mark Goldsack declared a personal, non-prejudicial interest in agenda item 5, 24/00924/RMM, as a County Councillor and a member of the Assets and Procurement Committee of the Cambridgeshire County Council, which discusses the business of the applicant. However, the Committee had not yet met and, having taken legal advice, he believed that he was able to participate in the debate and vote. However, he requested that his interest be noted.

Cllr Christine Whelan declared a personal, non-prejudicial interest in agenda item 5, 24/00924/RMM, as a County Councillor, who had not been part of any discussions on this matter and had no predetermined views.

3. Minutes

The Minutes of the meetings held on 7 May 2025 were agreed as a correct record.

4. Chair's announcements

The Chair announced that Dan Smith, Planning Team Leader, was leaving the Council. He had worked for this authority for the last seven years and the Chair wished him all the best for the future.

5. 24/00924/RMM – Millstone Park, Newmarket Road, Burwell

Dan Smith, Planning Team Leader, presented a report (AA8, previously circulated) recommending approval for the layout, scale, appearance and landscaping of 61 dwellings on Millstone Park, Newmarket Road, Burwell. He explained that one of the planning conditions in Appendix 1 was unnumbered and did not have a paragraph providing a reason for the condition. The Committee agreed to give delegated powers to the officers to correct this.

Justin Bainton, agent for the applicant, made the following statement:

"This application has been submitted for a reserve matter scheme for 61 new homes at Millstone Park, Burwell. This proposes to deliver a thoughtfully designed and policy compliant phase of development. The homes will sit as part of an already approved outline scheme and bring forward high-quality, well-planned housing that responds directly to the Council's housing objectives. One of the most important points to highlight is the housing mix and affordability, all 61 homes in this phase will be affordable, significantly exceeding the policy requirement of 40%. There will be a mix of 1, 2, 3 and 4 bed homes, offering options for individuals, couples and families. The Council's strategic housing team have confirmed that the proposed mix aligns with the local need in Burwell and the wider district. That includes a substantial proportion of shared ownership of 30%, helping more people to move on to the housing ladder. This over delivery of affordable housing represents a lasting benefit to the local community at a time when there is a need for genuinely affordable housing.

"In terms of design, this is a high-quality scheme, with careful attention given to layout, landscaping and street character. Homes have been designed in a traditional style that are laid out along attractive tree-lined streets, open spaces and play provision. Properties along the eastern edge have a more informal character, responding positively to the rural setting and landscape context. At a density of around 28 homes per hectare, excluding the large open space to the east, the phasing represents a low density, landscape led approach, suitable for its location. It provides an effective transition between the more compact earlier phases in the countryside to the east, without compromising

the overall housing delivery. Importantly, no objections have been raised by statutory consultees. The local highways authority, lead local flood authority, environmental health, Anglian Water and others all find the proposals to be acceptable. Minor layout comments raised during the consultation process have been addressed through amendments. The scheme has been adjusted, with close collaboration with officers, to resolve detailed design points. The drainage strategy has been reviewed and accepted. The landscape scheme is well integrated and the biodiversity enhancements include native planting and habitat features that will improve the ecology value of the site. The open space will also provide distinct areas of formal equipped play space and connecting footpaths. The scheme also completes the central village green. All homes will be constructed to meet current building regulations and have high efficiency standards, including the use of air source heat pumps.

“In summary this application delivers much needed housing, through a well-designed landscape led scheme that aligns to local plan policy. It provides a strong mix of house types, responds positively to the site setting and has drawn no objections from statutory consultees. We fully support the officer’s recommendation to approve and hope that members will do the same.”

The Chair invited Members to ask questions to the agent.

Cllr Chika Akinwale welcomed the plan to make all the housing in the development affordable. It was noted that 40% of the homes on the other parts of the settlement would be affordable. She asked whether there would be accessible play areas that all the children living on the site could use. Justin Bainton confirmed that there would be a toddler’s play area, a children’s play area and a youth play area for the residents on this part of the development. Additional play areas would be available in the wider settlement. He explained that the exact design of play areas had not yet been agreed but the equipment would be accessible to disabled children.

It was noted that a travel plan would be provided for the entire settlement.

It was unclear when development on the site was likely to commence.

Cllr John Trapp asked why the site had tandem parking, instead of side by side parking. Justin Bainton explained that tandem parking was the most efficient way of designing the site, it was used in other areas of the development and it complied with the planning standards. Cllr Christine Colbert questioned whether there was sufficient parking for the properties on the site, as some households had three or four cars. Justin Bainton explained that it was a planning requirement to provide two parking spaces per unit and this was consistent with both local and national guidance. He reported that ecology enhancement was one of the aims of the scheme and it could consider hedgehog preservation.

Cllr Alan Sharp acknowledged that the verges were not going to be adopted by the local highways authority and he asked if the housing provider would take over responsibility for this, as residents in affordable housing might not be able

to avoid a service charge for this. Justin Bainton agreed to report this concern to the applicant.

In response to Cllr Sharp, Justin Bainton explained that Section 106 payments had been made for the construction of Footpath and cycleway to the south of the development. Work on this transport link was now the responsibility of the relevant local authority.

Cllr James Lay expressed concerns regarding the efficiency of air source heat pumps and Cllr John Trapp suggested that ground source heat pumps should have been considered. Justin Bainton replied that air source heat pumps were compatible with the proposed units and had been successfully installed at similar sites.

Cllr Bill Hunt suggested that the housing density was too high, and this meant that two homes only had one parking space. Justin Bainton replied that those homes were the smallest one bed units on the site and so only had a single parking space allocated.

It was noted that the two local members had made no objections to the application and that the officer's recommendation was for approval.

The Chair invited the Planning Team Leader to respond to the comments raised. He explained that 25% of the first 100 units in phase 1 had a minimum requirement of 25% affordable houses, whilst the rest of the homes on the site had a minimum requirement of 40% affordable houses. This application proposed to greatly exceed the minimum requirement by having 100% affordable homes.

Members were invited to ask questions to the officer.

In reply to Cllr John Trapp, the Planning Team Leader explained that the open space had not been included for the calculation of housing density, which was consistent with the other phases in the whole development. He added that the application complied with the Council's Supplementary Planning Document on car parking. The Council's policies did not prohibit tandem parking and this had been agreed for other sites.

In reply to Cllr Keith Horgan, the Planning Team Leader explained that whilst the plans did not use all the available land allocated for housing, this was of no consequence as the layout of the scheme, its public spaces and the housing design were all of high quality.

In reply to Cllr James Lay, the Planning Team Leader explained that the number of houses being proposed in the application did not exceed the number in the master plan for this specific site. The Committee may have to make future decisions with regards to homes on the wider site, taking into account pressures on current infrastructure.

In reply to Cllr Chika Akinwale, the Planning Team Leader reported that prior to the 101st dwelling, land to the south of the development would have to be handed over to the parish council for use as a sports pitch and a sport hub.

In reply to Cllr Christine Colbert, the Planning Team Leader reported that the Council had a hedgehog recovery strategy and this would be taken into consideration as part of the scheme's biodiversity strategy. The County Council would need to decide whether it would be prepared to adopt roads with trees, as these would require maintenance.

In reply to Cllr Christine Ambrose Smith, the Planning Team Leader confirmed that the small blocks on the plan were sheds, which were primarily there for cycle storage.

The Committee moved into debate.

Cllr Mark Goldsack stated that the application complied with the Council's planning policies and so he would be voting in favour of the application. Cllr Chika Akinwale and Cllr Lavinia Edwards agreed with Cllr Goldsack.

Cllr John Trapp criticised the design of the application, which he considered was not making the best use of the available space. He stated that he would not be supporting the application.

Cllr Keith Horgan suggested that whilst improvements could arguably be made to the design of the site, this was not a sufficient reason to hold up the development by refusing planning permission. Cllr James Lay agreed, stating that the Council would not be able to successfully defend its decision at appeal, should it decide to refuse the application.

Cllr Christine Ambrose Smith welcomed the fact that all the homes would be affordable housing, although she would prefer some of the dwellings to be bungalows, as many residents found stairs difficult.

Cllr Alan Sharp expressed his opposition to tandem parking and he hoped that the issue regarding who would be responsible for the maintenance of the grass verges and the trees on the site would be resolved. However, the application conformed to the Council's policies and so should be approved.

Cllr Mark Goldsack proposed and Cllr Chika Akinwale seconded the amended recommendation in the report. A vote was taken and with 11 votes in favour and 1 against.

It was resolved:

to **approve** planning application 24/00924/RMM, subject to the conditions set out in Appendix 1 and with delegated powers given to the Planning Team Leader to add a reason to the unnumbered planning condition listed between conditions 7 and 8 in Appendix 1 and to renumber the conditions accordingly.

6. Planning performance report – April 2025

David Morren, Strategic Planning and Development Management Manager, presented a report (AA9, previously circulated) summarising the performance of the Planning Department in April 2025.

In response to a question from Cllr Chika Akinwale, the Strategic Planning Development Management Manager explained that the Council had a negotiation protocol which it relied on when liaising with developers. Officers could request additional information but, in keeping with Government guidance, the Council did not want to unnecessarily delay the planning process.

The Strategic Planning Development Manager agreed to consider Cllr James Lay's suggestion that reasons for refusing planning applications be included in the report.

It was resolved unanimously:

That the Planning Performance Report for April 2025 be noted.

The meeting concluded at 3:30 pm.

Chair.....

Date.....

25/00317/FUL

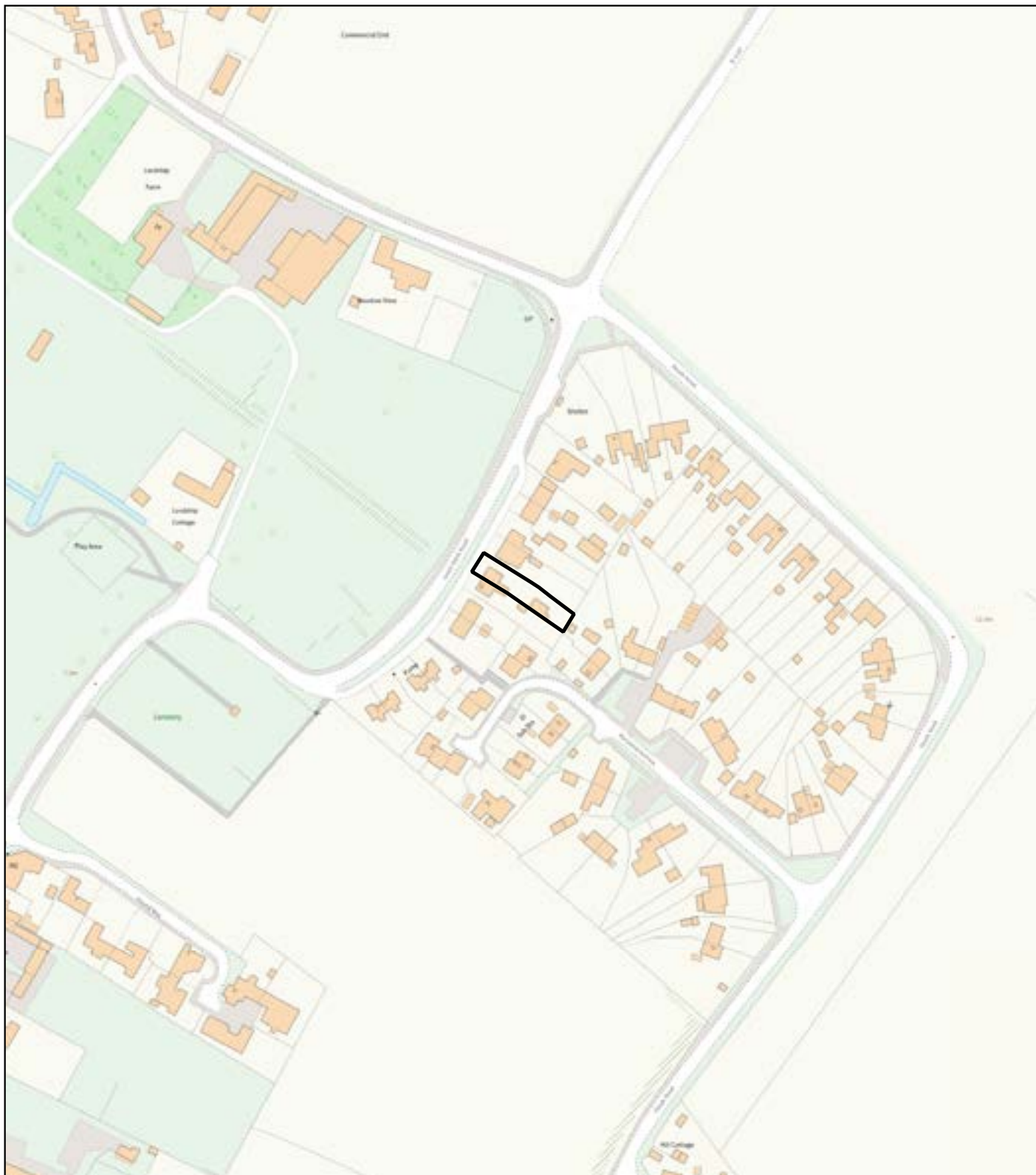
16 Green Bank Road
Swaffham Bulbeck
Cambridge
CB25 0LR

Erection of an annex (retrospective)

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=STDDEJGGFKY00>





25/00317/FUL



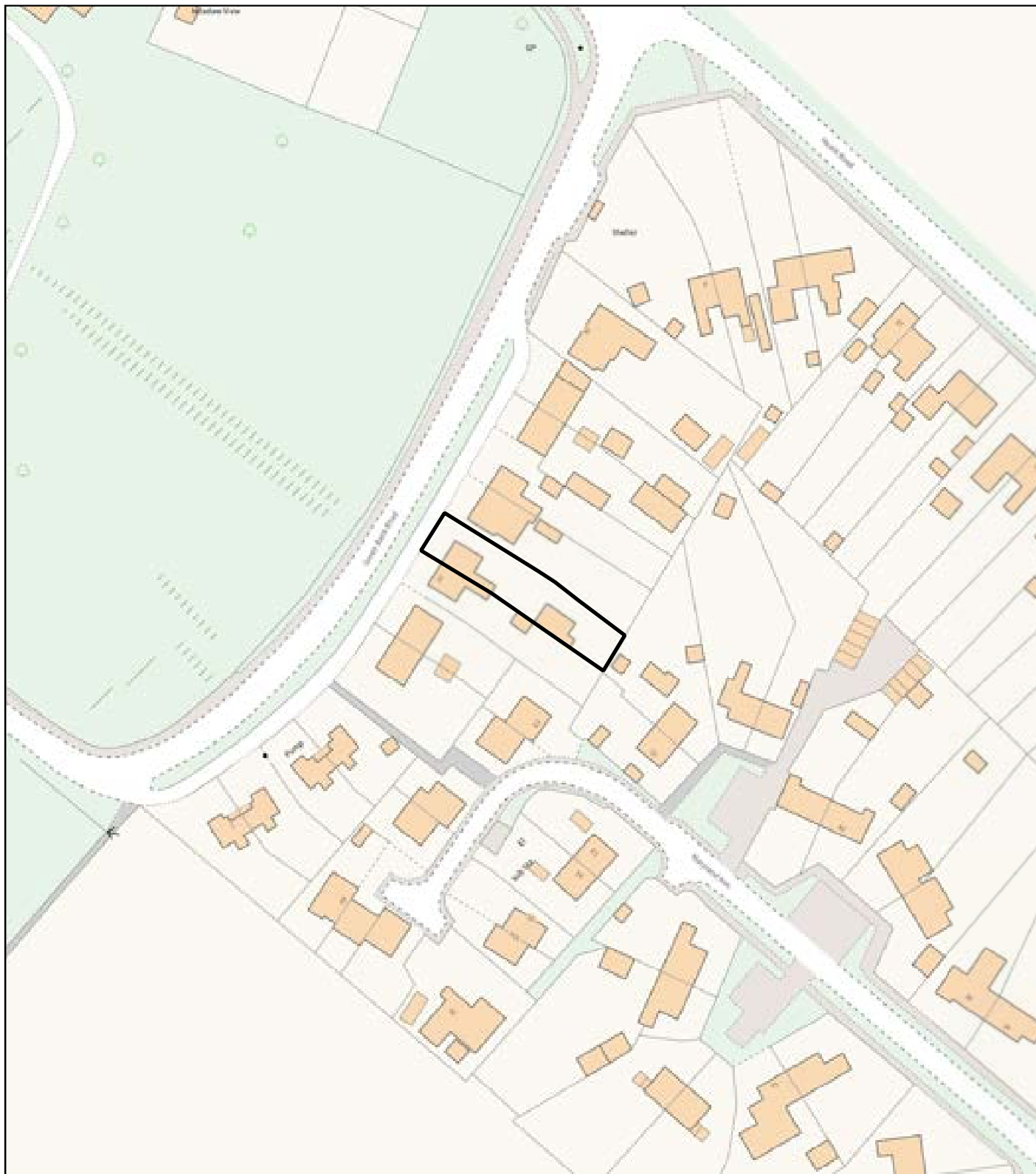
16 Green Bank Road
Swaffham Bulbeck

East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:2,500



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25/00317/FUL



16 Green Bank Road
Swaffham Bulbeck

East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:1,250



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TITLE: 25/00317/FUL

Committee: Planning Committee

Date: 2 July 2025

Author: Planning Assistant

Report No: AA29

Contact Officer: Jasmine Moffat, Planning Assistant
Jasmine.Moffat@eastcambs.gov.uk
01353616368
Room No 011 The Grange Ely

Site Address: 16 Green Bank Road Swaffham Bulbeck Cambridge CB25 0LR

Proposal: Erection of an annexe (retrospective)

Applicant: William Redfern

Parish: Swaffham Bulbeck

Ward: Bottisham

Ward Councillor/s: Charlotte Cane
John Trapp

Date Received: 19 March 2025

Expiry Date: 14 May 2025

1.0 RECOMMENDATION

- 1.1. Members are recommended to APPROVE the application subject to the conditions set out in Appendix 1.
- 1.2. The application is being heard by committee due to a call in by Councillor Trapp.
- 1.3. Email dated 11/06/2025:

"Having had further discussions with the PC members yesterday, and given my own disquiet with this retrospective application, I would like to call it in for discussion at Planning Committee."

2.0 SUMMARY OF APPLICATION

- 2.1. The application seeks planning permission for the retrospective erection of an annexe ancillary to the host dwelling at 16 Green Bank Road.

- 2.2. The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <https://pa.eastcambs.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

3.0 PLANNING HISTORY

22/00178/CLP

Proposed construction of an outhouse to contain a store and a home office

Approved

8 April 2022

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1. The site comprises a semi-detached dwelling located within the policy defined development envelope of Swaffham Bulbeck.
- 4.2. The site is accessible from a unadopted private way providing limited dwellings connections to Green Bank Road, an adopted B class route facilitating moderate vehicular usage.
- 4.3. Consequently, the site retains adequate off-street parking to serve the residential use.
- 4.4. The site is surrounded by residentially occupied dwelling sharing its North-Eastern, South-Eastern and South-Western boundaries with neighbouring dwellings.
- 4.5. The site is not located within article 2(3) land or considered to be within close proximity to a listed building or monument.

5.0 RESPONSES FROM CONSULTEES

- 5.1. Responses were received from the following consultees [LIST] and these are summarised below. The full responses are available on the Council's web site.

Parish - 28 March 2025

The Parish Council object to this application and if the officer is minded to approve that they wish for it to be called to Planning Committee.

Ward Councillors - No Comments Received

ECDC Trees Team - 3 June 2025

No tree related implications evident based on officer photos.

- 5.2. A site notice was displayed near the site on 27th March 2025.
- 5.3. Neighbours – Three neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Concerns of accessibility to the outbuilding in the event of an emergency.
- Proximity of the outbuilding to the shared South-Western boundary.
- Concerns of noise and light pollution from subsequent vehicular traffic going beyond the existing dwellings on site.
- Confirmation of the following points has also been requested by neighbouring properties:
 - The bungalow cannot be extended to the side of a bungalow.
 - It will be used by occupiers in connection with the family living within the host dwelling.
 - The structure will comply with building regulations with regards to proximity to the shared boundary and height.

6.0 THE PLANNING POLICY CONTEXT

East Cambridgeshire Local Plan 2015 (as amended 2023)

ENV 1 (Landscape and settlement character)

ENV 2 (Design)

ENV 4 (Energy and water efficiency and renewable energy in construction)

Swaffham Bulbeck Neighbourhood Plan 2023

SWB 3 (Swaffham Bulbeck parish-wide landscape character)

SWB 4 (Swaffham Bulbeck built environment character)

SWB 12 (Delivering sustainable design)

Supplementary Planning Documents

Climate Change SPD

Design Guide SPD

National Planning Policy Framework (December 2024)

12 (Achieving well-designed places)

14 (Meeting the challenge of climate change, flooding and coastal change)

Planning Practice Guidance

7.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

Preliminary Matters

- 7.1. Contrary to that stated on the supporting planning statement, the application seeks retrospective permission for the erection of an ancillary annex within the residential curtilage of 16 Green Bank Road. The planning statement advises the “existing outbuilding was granted a certificate of lawfulness under application referenced 22/00187/CLP.” However, the site planning history and approved plans under 22/00187/CLP illustrate the application found an outbuilding of a different scale and appearance to be lawful. It is for this reason, the retrospective outbuilding on site is

not deemed lawful under 22/00178/CLP and is unauthorised. The proposal description and supporting plans have been updated accordingly to incorporate the erection of the outbuilding.

- 7.2. Officers acknowledge concerns raised regarding the future adaptation and genuine ancillary use of the outbuilding. Officers have assessed the proposal on the merits upon which it has been submitted. The supporting statement submitted by the applicant outlines that the application seeks permission for an ancillary annexe to 16 Green Bank Road.
- 7.3. Case law has previously defined the manner in which annexe applications should be determined. In order to be considered acceptable, the annexe must demonstrate a suitable relationship with its associated host dwelling. Uttlesford DC v Secretary of State for the Environment and White [1992] has established the relationship between an ancillary annexe and host dwelling does not just have to be physically attached but the outbuilding must retain a suitable functional relationship. The assessment of an annexe is a matter of fact and degree dependant on the above factors.
- 7.4. Given the restricted sizes of each room, the proposed annexe is not considered to be suitable for permanent and long-term occupation independent to the main house, this provides the outbuilding with a functional dependence on the host dwelling. Additionally, the planning statement and supporting plan referenced 25.16GL.P04v2 illustrate the shared access and garden between the host dwelling and proposed annexe, further strengthening the relationship between the use of the outbuilding as an annexe and the host dwellinghouse
- 7.5. The site has not been considered acceptable for sub-division with back land development opposing the prevailing pattern of development within the locality. Notwithstanding this, it is also considered sub-division of the site could present significant implications concerning the residential amenity of both the neighbouring dwelling and future occupiers of the site.
- 7.6. It is for this reason, suitable conditions have been recommended within Appendix 1 to prevent any sub-division or disassociation of the annexe with 16 Green Bank Road. Any future expansion of the outbuilding would require planning permission and it is not development applied for or supported within this application.

Principle of Development

- 7.7. Policy GROWTH 2 of the East Cambridgeshire Local Plan supports “housing, employment and other development to meet local needs”, “provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied.”
- 7.8. The proposal is considered to be a minor form of residential development within a previously established residential curtilage, located in the policy defined development envelope of Swaffham Bulbeck.
- 7.9. The proposal is considered to form an ancillary use to serve an existing host dwelling. It is for this reason, the principle of development has previously been established and

considered to be acceptable, provided all other material considerations outlined below are satisfied.

Residential Amenity

- 7.10. Policy ENV 2 of the East Cambridgeshire Local Plan “expects” all new development proposal to “ensure there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.”
- 7.11. Chapter 12 of the National Planning Policy Framework seeks to ensure a “high standard of amenity for existing and future users.”
- 7.12. By virtue of the annexe’s single storey nature, modest scale and reserved visual appearance, the proposal is considered to cause no significant impacts upon the residential amenity of the nearby occupiers with regards to overlooking, loss of light or an increased sense of enclosure.
- 7.13. The habitable outbuilding provides a comfortable environment for ancillary accommodation in connection with the host dwelling. Whilst the internal spaces do not meet the Nationally Described Space Standards (NDSS), the outbuilding is not considered to form a separate dwelling and therefore is not required to meet the same expectations. Each internal space is served by sufficiently sized windows providing appropriate levels of daylight and outlook.
- 7.14. In addition, the neighbouring concerns comprise of the proximity of the existing outbuilding to the shared South-Western boundary. The existing outbuilding encompasses a limited footprint providing restricted occupancy within the outbuilding. Therefore, whilst it is recognised any permission granted would provide an increase in footfall and occupancy of the site, the subsequent increase in noise is considered to be limited and this would not be any greater than the use of the outbuilding for other incidental uses. Notwithstanding the separation distance of 0.6m between the South-Western facing elevation and shared boundary, the outbuilding backs onto the rear garden of 14 Green Bank Road, an area which is not considered to be habitable, further reducing the limited impacts of development.

Visual Amenity

- 7.15. Policy ENV 1 of the East Cambridgeshire Local Plan seeks to ensure development proposals are respectful to the existing character and appearance of the local area and requires development proposals to “demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development.”
- 7.16. Policy ENV 2 requires all development to be designed to a high quality, enhancing and complementing local distinctiveness whilst relating sympathetically to the surrounding wider area.
- 7.17. Policy SB 3 of the Swaffham Bulbeck Neighbourhood Plan requires all development to “be sensitive to Swaffham Bulbeck’s distinctive landscape and settlement character.” The policy divides the settlement into ‘fringe areas’ defining the

predominant characteristics of each area. The site is not positioned into these identified areas as defined within map 7 of the neighbourhood plan.

- 7.18. Policy SB 4 of the Swaffham Bulbeck Neighbourhood Plan urges proposals to adopt a “design led approach” and “be guided by the local Swaffham Bulbeck context.” Namely, the settlements “built form, building heights, existing low densities, building materials etc”.
- 7.19. Chapter 12 of the National Planning Policy Framework identifies “the creation of high quality, beautiful and sustainable buildings and places” to be a fundamental objective to what the planning and development process should achieve. Paragraph 135 seeks to ensure sites are optimised to their full potential whilst still retaining a visually attractive appearance as a result of “good architecture, layout and appropriate and effective landscaping” and remaining sympathetic to the established local character of the wider area.
- 7.20. The overall character and design of the outbuilding reflects its domestic use. The outbuilding incorporates a simple floorplan and is considered to be appropriate in scale and massing in relation to the garden size and the property. The outbuilding is finished with white UPVC fenestration to match the host dwelling and a high-quality natural timber cladding.
- 7.21. The existing outbuilding is considerably returned within the site and is substantially screened from the public highway by the host dwelling.
- 7.22. In summary, the existing outbuilding is considered to retain a limited relationship with the public realm. It is for this reason the impact of development upon the character and appearance of the wider area is considered to be minimal.

Climate Change

- 7.23. Local Plan Policy ENV4 states: ‘All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable’ and ‘applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction. Chapter 14 of the NPPF encourages all development to include sustainability measures within their proposal.
- 7.24. Policy SB 12 of the Swaffham Bulbeck Neighbourhood Plan requests development proposals to “adopt innovative approaches to the construction of low and net-zero carbon homes and buildings which demonstrate sustainable use of resources and high energy efficiency levels.” The application does not incorporate any sustainability measures in line with Policy ENV 4 or Chapter 14 of the National Planning Policy Framework. Due to the scale of development, it is considered while this does weigh against the application, it does not form a reason for refusal on its own merit.

Other Material Matters

- 7.25. Within neighbouring comments, highways related concerns have been raised specifically mentioning the provision of access for emergency services and additional noise.
- 7.26. Light pollution from vehicular traffic accessing the outbuilding in the rear garden has also been raised. It is important to note the application does not propose any amendments to the existing site access or parking provision.
- 7.27. Local and National Policy does not require additional parking spaces or vehicular access to be provided for an annexe on site by virtue of its ancillary nature. Therefore, highways matters are not a material consideration in the determination of the ancillary annexe.

8.0. Human Rights Act

- 8.1. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

9.0. Equalities and Diversities

- 9.1. In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

10.0. Planning Balance

- 10.1. On balance, the application proposes a minor form of development to adapt the site to meet the requirements of the existing occupier. The outbuilding retains a suitable relationship with the host dwelling and comprises an expected visual appearance, appropriate for its functionality and scale. Additionally, the proposed ancillary annexe use is considered to have a limited impact upon the residential amenities of nearby and is acceptable in all other technical respects. The imposition of suitable conditions provides security of the outbuildings continual use as an ancillary annexe, unless otherwise agreed in writing by the Local Planning Authority. Therefore, the

application is recommended for approval in accordance with the local development plan and National Planning Policy Framework.

10.2. **APPENDICES**

APPENDIX 1 - 25/00317/FUL Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Planning, Design and Access Statement		19th March 2025
25.16GL.P02V2		7th May 2025
25.16GL.P03V2		7th May 2025
1	Reason: To define the scope and extent of this permission.	
2	The annexe hereby approved shall be used for purposes ancillary to the residential use of the host dwelling, known as 16 Green Bank Road, Swaffham Bulbeck, CB25 0LR.	
2.	Reason: In the interests of defining the planning permission and protecting the future usage of the building in line with Policies Growth 5 and ENV2 of the East Cambridgeshire Local Plan, 2015 (as amended).	
3	The annexe hereby approved shall not be sold or let separately or occupied as an independent unit of accommodation at any time.	
3	Reason: The application has been assessed as acceptable on the basis that it is used ancillary to the host dwelling.	

PLANS

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.

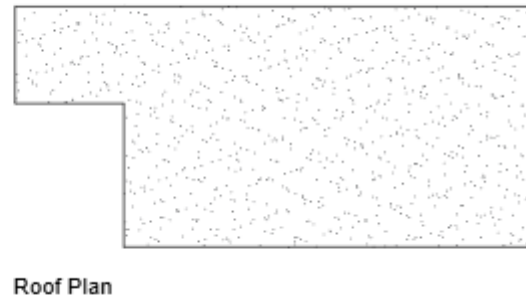
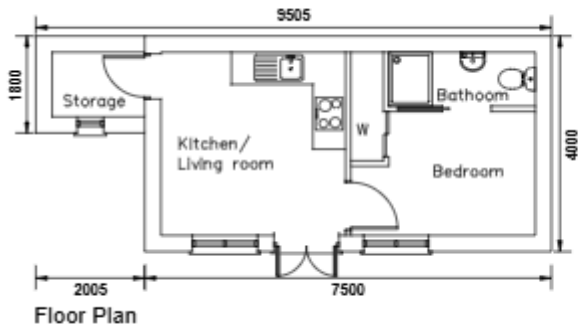
Site plan



Existing Elevations



Floor Plan and Roof Plan



25/00317/FUL

22/00178/CLP

25/00371/FUL

Land Off Water Lane

Long Acre

Kirtling

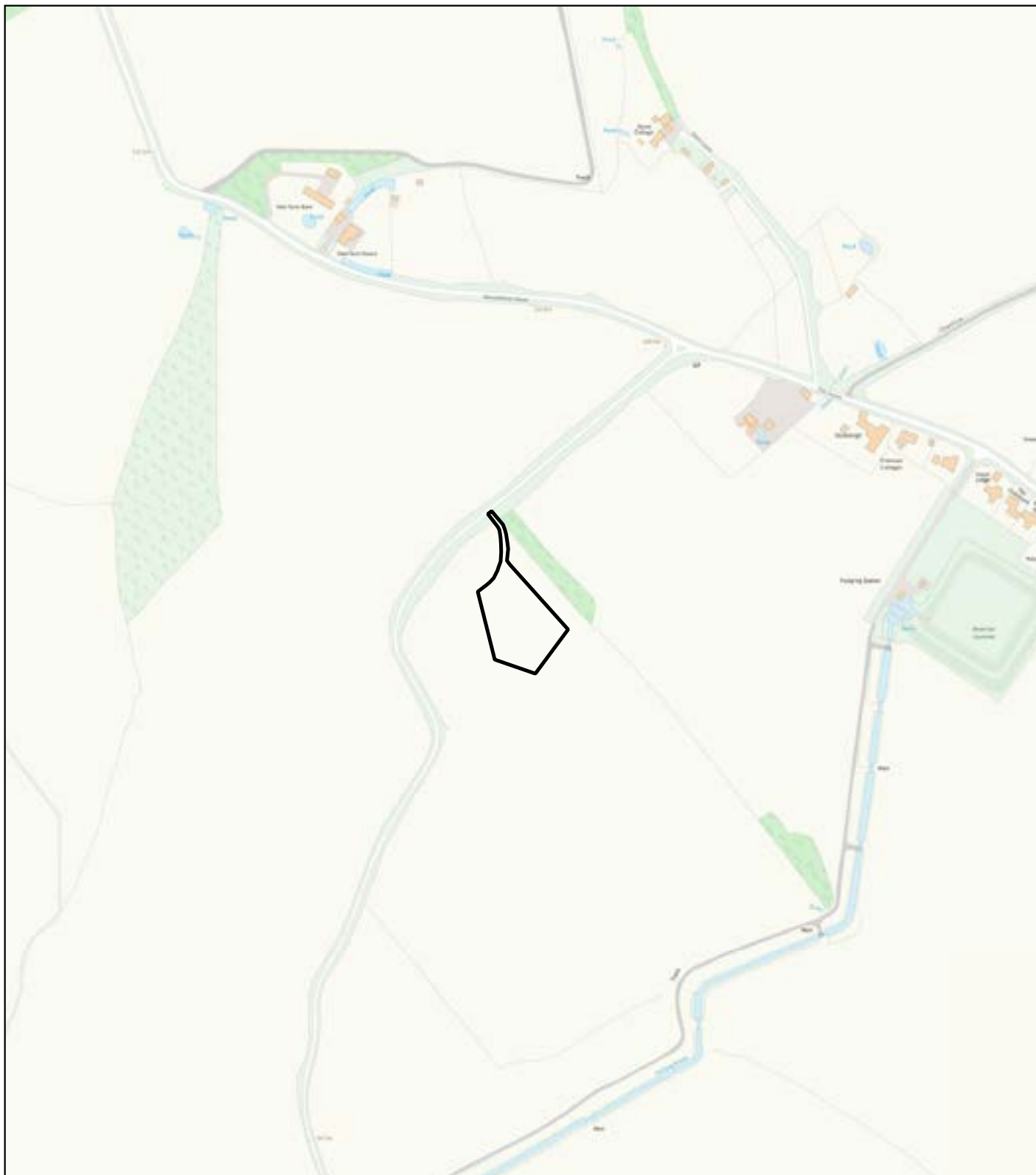
Suffolk

To build a purpose-built Wildlife Veterinary Hospital including residential facilities

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=STUCK8GGG7200>





25/00371/FUL



Land Off Water Lane
Long Acre
Kirtling

East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:5,000



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25/00371/FUL

Land Off Water Lane
Long Acre
Kirtling



East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:2,500



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TITLE: 25/00371/FUL

Committee: Planning Committee

Date: 2 July 2025

Author: Planning Officer

Report No: AA30

Contact Officer: Rachael Forbes, Planning Officer
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Room No 011 The Grange Ely

Site Address: Land Off Water Lane Long Acre Kirtling Suffolk

Proposal: To build a purpose-built Wildlife Veterinary Hospital including residential facilities

Applicant: Sue Stubley

Parish: Kirtling

Ward: Woodditton

Ward Councillor/s: James Lay
Alan Sharp

Date Received: 23 April 2025

Expiry Date: 18 June 2025

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE the application for the following reasons:

1. Policy GROWTH 2 states that outside of the development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted to the main categories listed in the policy, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied. The proposal does not fall within any of the exception policies listed in GROWTH 2 and therefore would be unacceptable in principle. There is insufficient justification as to why the proposed development needs to be in this specific location or why someone needs to live on site. There is a lack of clarity around the proposals

and concerns about the suitability of the site. The proposal is therefore considered to be contrary to GROWTH 2 of the East Cambridgeshire Local Plan, 2015 (as amended) and Chapter 2 of the National Planning Policy Framework (2024)

2. Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. The proposal would result in a large amount of development projecting into the countryside against the general pattern of development in the area. The storage containers and other buildings are unlikely to result in a high-quality design. The proposal includes four buildings, access and hardstanding and this would result in overdevelopment of the site. The proposal would result in significant harm to the character and appearance of the area by virtue of the scale, amount and design of the development proposed and is therefore contrary to Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended) and Chapter 12 of the National Planning Policy Framework (2024)
3. Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity. The proposal has the potential to result in noise and disturbance to the residential amenity of neighbouring dwellings, however, there is a lack of information submitted in respect of traffic movements and the operation of the site to allow a full assessment of the impact of the proposal to residential amenity. The proposal is therefore contrary to Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended) and Chapter 12 of the National Planning Policy Framework (2024)
4. Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network. Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards. The proposal is not supported by sufficient transport information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety. In addition, due to the lack of information around the operation of the site, it cannot be assessed as to whether the proposal provides sufficient parking provision for the use. The proposal does not include

sufficient information to allow the LHA and LPA to be certain that there would be no significant impacts to the operation of the highway or highway safety nor to ascertain if any mitigation measures would be required. There is also insufficient information provided to ensure that the level of car and cycle parking proposed is suitable. The proposal is therefore considered contrary to Policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015 (as amended) and Chapter 9 of the National Planning Policy Framework (2024)

5. The proposed development would potentially result in harm to protected species, and the loss of habitats of importance by virtue of the partial removal of the protected road verge. There is concern regarding conflict between species and whether hedgehogs could be rewilded successfully. There is insufficient information submitted to address the objections and concerns. In addition, the protected road verge has not been factored into the Biodiversity Net Gain Metric, nor has suitable mitigation been included. The area for the biodiversity improvement is greater than the site area. These issues result in the baseline habitat being incorrect. There is insufficient information submitted for the LPA to be satisfied that the proposal would not result in harm to protected species and would protect, mitigate and enhance biodiversity. The proposal is therefore contrary to Policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan, 2015 (as amended), the Natural Environment SPD, Chapter 15 of the NPPF, as well as failing to meet the overarching objectives of the Environment Act 2021 in achieving net gains in biodiversity and protection of irreplaceable habitats

1.2 The application is being heard by committee because it was called in by Councillor Sharp for the following reasons:

1.3 Levels of public interest and in the interests of transparency

2.0 SUMMARY OF APPLICATION

2.1 The application seeks planning permission for a purpose-built wildlife hospital which includes residential facilities. The proposal includes the hospital itself, a multi-purpose agricultural barn, a prefab which is proposed to be used as a temporary hospital and educational classroom and a static caravan for temporary staff accommodation. The function of these buildings will be discussed within the report and the scale of the buildings will be set out in the visual amenity section. The hospital would provide 24/7 care for wildlife and proposes to provide training for veterinary nurses.

2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link [Simple Search](#).

3.0 PLANNING HISTORY

3.1 There is no planning history at this site.

4.0 THE SITE AND ITS ENVIRONMENT

The proposed wildlife hospital would be situated on a parcel of land along Water Lane and would occupy approximately 0.48ha (1.18 hectares) of the wider site. The site is outside of the development envelope of Kirtling and is therefore considered to be in the countryside. The site is accessed by a single-track road. There is a row of trees to the north of the site which provides some screening on approach. The wider site is surrounded by hedgerows; these are beyond the red line boundary of the site. To the east of the wider site is a Public Right of Way (Footpath 141/20). To the southwest of the site is a County Wildlife Site (CWS) and the verge along Water Lane is a protected road verge. The site currently contains storage containers, a static caravan and other paraphernalia such as hutches, which have been placed on the land without the benefit of planning permission. There have also been trees planted, and bee hives placed on the land, although all of this is outside of the red line boundary.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Parish - 13 May 2025

- Although the council is not against the idea of a hedgehog hospital, it does have serious concerns about the scale of what is planned for the land off Water Lane and the nature of the hospital buildings. Kirtling and Upend Parish Council, therefore, feels that this application should be refused for the following reasons
- The planned development is very close to the village envelope and residences in Woodditton Road and The Green. The use of the hospital for 24-hour care as well as a training and education resource would increase the number of vehicles visiting the site.
- The proposed development is oversized for its location and the number and nature of the buildings is inappropriate and not in keeping with the other dwellings nearby and throughout the village. There are concerns about the number of containers and what they will look like in what is currently a very picturesque setting
- The proportion of the land to be used for buildings is excessive for the site and will be visible from the road and local footpaths where residents walk. It is felt that the planned development with the number of buildings is too large to suitably blend into its surroundings and not negatively impact on the area.
- We are not confident that this development has been fully thought through. Old portacabins, containers and a mobile home have been sited on the land for some time prior to the planning application being validated. There does not appear to have been a sustainable business/funding plan for this development so far so there is concern that it may have to be abandoned and

become an eyesore. Alternatively, should the hospital not be financially viable, a dwelling with residential use could remain on the site which would not have been granted permission without its use as part of the wildlife hospital.

- Three local residents have already attended Parish Council Meetings to express concerns about the containers and buildings already sited here and the scale and impact of the planned development.

Environmental Health (Scientific Officer) - 6 May 2025

Although no contamination information has been supplied with the application this appears to be a greenfield site. I recommend that a condition requiring investigation for contamination is not required. I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.

Environmental Health - 25 April 2025

- Recommends a condition to control construction hours
- Recommends a condition to submit a method statement should ground piling be required
- No issues to raise with the proposed lighting but recommends a condition to prevent any additional external lighting
- Has no immediate concerns to raise in respect of noise, however would recommend a condition that the noise emitted from the site shall not exceed the background noise level.

East Cambs Ecologist – 20 June 2025

- Objection 1 – harm to protected species
- Objection 2 – protected road verge removal
- Several queries raised regarding the size of the plot, the inclusion of a koi pond, the use of the classroom and why the bird room is not adjacent to an aviary
- Objects in respect of mandatory Biodiversity Net Gain (BNG) as an inaccurate baseline habitat has been used.

Local Highways Authority - 13 May 2025

- Object because the application is not supported by sufficient transport information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety.

ECDC Trees Team - 30 May 2025

- The proposal does not appear to impact any existing trees on or adjacent the site. The soft landscaping information lacks detail so there will need to be a condition to provide a detailed soft landscaping scheme by condition should the proposal be approved.

Waste Strategy (ECDC) - 28 May 2025

- Have provided general advice on waste disposal which could be included as an informative on the decision notice if approved.

The Ely Group Of Internal Drainage Board - No Comments Received

Enforcement Section - No Comments Received

Ward Councillors - No Comments Received

Cambs Wildlife Trust - No Comments Received

- 5.2 A site notice was displayed near the site on 28 April 2025, and a press advert was published in the Cambridge Evening News on 8 May 2025.
- 5.3 Neighbours – 28 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

Five comments were received from those who were directly notified by letter. The majority of these were objections for the following summarised reasons:

Arable land being lost, approval of residential accommodation sets dangerous precedent, out of keeping with the countryside, if charity vacates it would be primed for residential use, noise and disturbance, significant increase in traffic, visual impact, there is already a wildlife hospital in Shepreth, badgers are a risk to the hedgehogs, access is poor and would need making up to highway standard, exposed rural location, badgers are a material planning consideration, the village survey does not include residents close to the site, does not comply with policy, proposal lacks basic infrastructure and no access to mains electricity or sewage.

Those supporting did so for the following summarised reasons:

Sympathetic to rural location, the site would be a gain for biodiversity, valuable and sustainable enterprise

Eight comments were received from residents of Kirtling but who were not directly notified by letter. Those objecting did so for the following summarised reasons:

Number of policies against approval of planning permission, issues around inadequate parking, roads and increase in traffic, significant impact to landscape, storage containers are already on site, loss of arable land, this scenic spot has been blighted by storage containers, delivery of containers will disrupt road traffic, provision of lighting will cause issues, noise and disturbance, height and scale, environmental impact (biodiversity), inappropriate land use, light pollution, pressure on local infrastructure.

Those supporting did so for the following summarised reasons:

Valuable way to support wildlife, location is remote, would help biodiversity, hedgehogs are on the red list, it will enable the younger generation to learn about wildlife, tremendous boost for the village, the proposal has been given thought and consideration.

Twenty-two comments were received by residents of East Cambs located outside Kirtling. These comments were all in support for the following summarised reasons:

ECDC supports hedgehogs, current facility is full and expansion is required

Ninety-three comments have been received from outside of the district. These comments were all in support for the following summarised reasons:

Would provide 24hr wildlife service, wild animals being turned away from vets, essential service for wildlife, the applicant has thought about the site and respecting the area, consideration should be given to the 'greater good' being achieved, rejection risks the charity ceasing to exist, hedgehogs are at risk, ECDC committed to help recover the hedgehog population with the Hedgehog SPD, general support for the applicant and the good work of the charity, this facility is urgently needed, people have used the applicant's current facility, current hospital has outgrown its site, site would be an improvement to biodiversity, nowhere on this side of Cambridgeshire that provides these facilities, the site is ideal on a quiet rural lane, there are no planning policies preventing this and does not result in harm, nine rescue centre recently closed across Cambridgeshire, reasonable distance from neighbouring properties, buildings are single storey and planting is planned, will be of a scale with the connections to train a new generation of veterinary nurses, only covers a small proportion of the site, noise and disturbance will not be an issue, if not agricultural there will be no spraying of chemicals which would be a benefit.

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Country Wildlife Sites
Natural Environment SPD
Climate Change SPD
Flood and Water

6.3 National Planning Policy Framework (December 2024)

- 2 Achieving sustainable development
- 4 Decision-making
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

6.4 Planning Practice Guidance

7.0 **PLANNING MATERIAL CONSIDERATIONS AND COMMENTS**

7.1 Principle of Development

- 7.1.1 Policy GROWTH 2 states that outside of the development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted to the main categories listed in the policy, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied.
- 7.1.2 The proposal does not fall within any of the exception policies listed in GROWTH 2 and therefore would be unacceptable in principle. Therefore, to depart from policy, there would need to be sufficient justification as to why the hospital needs to be sited in this specific location.
- 7.1.3 The planning statement sets out that the use proposed is *'unique in that it includes small scale employment development, health, welfare and medical to wildlife so requires to be in a rural or semi-rural location'* but does not actually set out the details as to why this is required. The applicants statement sets out that *'relocation to the new hospital would enable the work to continue in a more sustainable environment, meeting the Five Welfare needs described in the Animal Welfare Act 2007, particularly, to be housed with, or apart from other animals and the ability to express normal behaviour'* and that there will be separate areas for separate species, mimicking their natural habitats to reduce stress during their stay. The applicant has also provided a document setting out which alternative sites were considered and have concluded that the location of this land is the only viable location. The statement sets out that the site is accessible enough to bring in casualties, whilst still being quiet and away from busy roads, housing and power lines, allowing wildlife the best chance of recovery and at the same time the existing volunteer team would be able to continue. In addition, the applicants statement sets out that most vet surgeries are unable to take in wildlife and that in the Cambridgeshire area, many have closed due to stress or lack of funds.
- 7.1.4 However, no real justification has been provided as to specifically why this location would be required or is the most viable. In respect of the alternative sites assessment, it is noted that largely that the land became unavailable (sold to someone else, higher offer made by someone else) or that it was too far for volunteers rather than being unsuitable for the animals. It is also noted that in respect of Nowton Cricket Ground

that the alternative site assessment states that 10.5 acres is 'small but adequate' and at a site in Ousden that part of the reason the land was not pursued was because the land available was not sufficient and then lists the size as 2.5 acres. The land within the red line of this application equates to approximately 1.21 acres and therefore is smaller than both of the above. This suggests that the scale of the site at Kirtling may be insufficient and that further land may be required (which is another concern the Council's ecologist has raised).

- 7.1.5 There is no specific, detailed information as to why this location is essential/suitable for the care and rewilding of animals. One of the Council's concerns regarding the location is that there is a badger sett in close proximity and therefore it would be difficult to rewild hedgehogs as they would likely be preyed upon by badgers. This will be discussed further in the ecology section of this report. It has not been explained why an animal could not be transported from a site to an appropriate location for rewilding.
- 7.1.6 In addition to this, the hospital includes residential accommodation. While it is noted that there are many statements made by professionals that someone needs to be on site 24/7, there is no substantive information as to why (for example, the specific needs of different animals). However, if it was accepted that a 24/7 presence was required, the information submitted states that there would be 3 full time nurses employed for round the clock care. Therefore, if there are staff employed at the site 24/7, it is considered that this would not require someone to live on site and residential accommodation would not be required. There has been no information submitted as to how shift patterns would work or how many people would be on site at any one time. In addition, there is a static caravan shown on the plan that is noted as temporary staff accommodation but there is no real explanation as to what this means. It is unclear whether this is temporary accommodation while the hospital is being built or for staff to sleep in on a temporary basis.
- 7.1.7 There also appears to be a mix of uses on site with the presence of the agricultural barn. Apart from potentially housing large animals (which the Council's Ecologist has raised concerns with and will be discussed in full in the relevant section of this report), it is not clear how or whether this is an ancillary use to the hospital. It is set out that this barn will have a number of functions (space for large animals, agricultural storage, space for community engagement). Insufficient information has been provided as to how this use supports the function of the site as a wildlife hospital. If the wider area is to be farmed, it may be more appropriate for the barn to be sited outside of the red line.
- 7.1.8 A letter has been submitted with the application from Professor Dick White, which states that it is essential that each UK regional area (25-mile radius) is able to access one centre that can provide care for abandoned juvenile hedgehogs and states that the proposed location is 40 to 50 miles distant from other such facilities in Norfolk/Buckinghamshire. It is unclear where the nearest wildlife hospitals are, for example, one letter states that PACT in Norfolk is the closest, others say Shepreth. This is an important detail if the location of the hospital is to be justified on the basis that each regional area is able to access one centre.
- 7.1.9 The proposal does not fall within an exception to GROWTH 2 and is therefore unacceptable in principle. There is insufficient justification as to why the hospital needs

to be in this specific location or why there is a need for someone to live on site. It is also unclear as to whether there is another centre within a 25-mile radius. In addition, larger sites have been discounted for being too small and there are other concerns around the suitability of the site, such as the presence of badgers. The proposal is therefore considered to be contrary to GROWTH 2 of the East Cambridgeshire Local Plan, 2015 (as amended).

7.2 Visual Amenity

- 7.2.1 Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.
- 7.2.2 The proposed wildlife hospital would be situated on a parcel of land along Water Lane and would occupy approximately 0.48ha (1.18 hectares) of the wider site. The site is visible from a number of vantage points; from Water Lane, from the Public Right of Way which runs to the east of the site and from Woodditton Road.
- 7.2.3 The development proposed consists of the hospital building which would be a series of storage containers linked together and clad. This building would be approximately 39 metres (127ft) at its widest point, 19 metres (62ft) deep at its deepest point and 3 metres (9.8ft) in height, excluding the solar panels. There is also an agricultural barn proposed, which from the 3D visuals plan would be timber clad with a clear roof. This building would be approximately 15 metres (49ft) deep and wide and 3.7 metres (12ft) in height. In addition to this would be a prefab building (approximately 12.5 metres (41ft) in width, 4 metres (13ft) in depth and 2.7 metres (8.8ft) in height) and a static caravan which is approximately 13.6 metres (44ft) in width, 4.4 metres (14.4ft) deep and 3.6 metres (11.8ft) in height.
- 7.2.4 The submitted plans show that there is planting proposed around the access and along the northern boundary of the site. There is also a tree belt along the northern boundary of the wider site and hedgerows around the wider site. The tree belt along the northern boundary of the site does screen the site from view on approach from Water Lane from the north and the tree planting and cladding proposed may go some way to aid in assimilating the development into the surroundings, landscaping cannot be relied upon in perpetuity.
- 7.2.5 It is considered that the proposed development would change the character and appearance of the area and would project a large amount of development into the countryside. The use of storage containers and prefab buildings have a high potential to result in a poor-quality design, particularly when considering the items that are already stored at the site. There is also a lack of consistent design rationale across the whole site which makes the site appear disjointed and lack cohesion.
- 7.2.6 In addition, the application site contains a lot of development with the site appearing very full; the proposal includes four buildings as set out above but there is also hardstanding for access and car parking. It is considered that the quantum of development proposed would result in an overdevelopment of the site.

- 7.2.7 It is considered that the proposal would result in significant harm to the character and appearance of the area due to the scale, amount and design of the development proposed and is therefore contrary to Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended).

7.3 Residential Amenity

- 7.3.1 Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.3.2 The closest dwellings to the site are situated to the north of the site on Woodditton Road and The Green. The main issues raised by neighbours in respect of residential amenity are increased traffic and noise and disturbance.
- 7.3.3 It is considered that the physical development would not result in harm to the amenity of neighbouring dwellings, in respect of overshadowing, overbearing or overlooking as there is sufficient distance between the site and the neighbouring properties to avoid these impacts.
- 7.3.4 The Council's Environmental Health Officer (EHO) has raised no concerns in respect of the proposal and has recommended conditions to control construction hours, and a method statement should ground piling be required. He has raised no issues in respect of the lighting proposed but has recommended a condition that to prevent additional external lighting without the express permission of the Local Planning Authority (LPA).
- 7.3.5 The Council's EHO has also commented that he has no immediate concerns to raise in respect of noise but has recommended a condition that noise emitted from the site shall not exceed background level. However, officers consider that this condition would not be reasonable to impose as it is unknown whether it could be complied with.
- 7.3.6 There is concern that there would be the potential for noise and disturbance, particularly from vehicle movements but there is little information provided with the application as to how the site would operate. For example, in respect of traffic movements, the submitted information states there would be 10-15 vehicle movements a day including staff and volunteers dropping off injured animals and deliveries. However, in the applicants statement it says that there would be 3 full time vet nurses providing round the clock care, 3 part time assistants, 1 part time admin assistant and a Hospital Manager. The statement also sets out that there are 20 volunteers but only four people per day can currently be used at the existing site due to lack of space. The information submitted gives the impression that existing volunteers do not live locally so would need to drive as public transport is limited. There is no information as to how many staff and volunteers would be on site at any one time or regarding shift patterns and when people would be moving to and from the site.
- 7.3.7 The submitted information states that the living room of the residence will be used for conference facilities, that there is an educational classroom, that the multipurpose

barn would provide a space for community engagement and that local groups want to help with the project such as Brownies/Guides but there is no indication as to the scope or frequency of these uses, all of which have the potential to create traffic movements and noise and disturbance.

- 7.3.8 It is considered that the proposal lacks sufficient information to fully assess the potential impacts to the residential amenity of neighbouring dwellings. The proposal is therefore contrary to Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended).

7.4 Highways

- 7.4.1 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network.
- 7.4.2 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network.
- 7.4.3 The site would be accessed from Water Lane. From the plans submitted, the access would be upgraded with hardstanding as it is currently an informal field access.
- 7.4.4 The Local Highway Authority (LHA) have objected to the proposal as it is not supported by sufficient transport information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety. This additional information would be required to enable the Local Highway Authority to establish whether the proposal is considered acceptable, and what conditions, may be required to mitigate the impact of the development on the public highway, if necessary. The LHA have also noted that the proposals include an educational classroom, and specific detail would be required regarding the expected trip generation in relation to this. While they haven't specifically mentioned the other uses such as conference facilities, this would also need to be addressed.
- 7.4.5 The LHA have also commented that the visibility splay diagram provided does not conform with requirements set out under the Design Manual for Roads and Bridges for adequate inter-vehicle visibility on a derestricted road. However, they have concluded that it is apparent that adequate visibility is available along Water Lane.
- 7.4.6 Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards
- 7.4.7 While there are no parking standards in the Local Plan for this type of development, there are 11 spaces proposed which, given different uses mentioned within the submission (educational classroom, accommodation on site, conference facilities, community engagement, staff, volunteers and agricultural use) officers are not convinced 11 spaces would be sufficient, particularly as there are limited public transport options. However, without sufficient information as to the operation of the site in respect of the scale of some of the uses proposed and the shift patterns expected for staff/volunteers this is very difficult to assess.

- 7.4.8 In addition, the application form states that there are 10 cycle spaces, but these do not appear to be specified on the submitted drawings. The provision of cycle parking could be conditioned, however, given the uncertainty around the uses on the site means that the LPA cannot ascertain the level of cycle parking required.
- 7.4.9 The proposal does not include sufficient information to allow the LHA and LPA to be certain that there would be no significant impacts to the operation of the highway or highway safety nor to ascertain if any mitigation measures would be required. There is also insufficient information provided to ensure that the level of parking proposed is suitable. The proposal is therefore considered contrary to Policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015 (as amended).

7.5 Ecology

- 7.5.1 Policy ENV 7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. Policy ENV 1 states that development proposals should protect, conserve and where possible enhance the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls and their function as ecological corridors for wildlife dispersal. Policy ENV 2 states that all development proposals will be expected to make efficient use of land while respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area.
- 7.5.2 The Council has adopted the Natural Environment SPD which states that all developments must result in biodiversity net gain.
- 7.5.3 Since April 2024, it has been mandatory to provide 10% Biodiversity Net Gain (BNG) unless exempt.
- 7.5.4 The Council's Senior Ecologist has raised two objections to the proposal. The first is harm to protected species. The existing storage at the site (which would be relocated onto the application site if approved) has been placed within 30m of an active badger sett and will require a licence for disturbance would be required to remove the structures and no structure should have been placed on the land without a licence which is a concern as the proposal is for a wildlife hospital.
- 7.5.5 In addition to this, the presence of badgers in close proximity to the site, infection control measures would need to be put in place to protect animals from infection but also to prevent sick animals infecting the native population. There is also concern that hedgehogs could not be released here as they would be eaten by the badgers.
- 7.5.6 The Senior Ecologist has also raised concern that there is a large animal room in the hospital but nowhere for them to recover and the agricultural shed would not be appropriate due to the specific requirements of large animals and that outdoor pens

would be expected for acclimating animals for release. She has raised concern that the redline boundary of the site may be inappropriate (too small) as it is not accommodating the basic needs of sick animals.

- 7.5.7 The second objection is that the protected road verge which runs along Water Lane is proposed to be fragmented and partially removed. The road verge adjoins a County Wildlife Site (CWS) and therefore the proposal is currently contrary to Policy ENV 7 as it does not protect the biodiversity and geological value of the land nor minimise harm to or loss of environmental features.
- 7.5.8 In respect of BNG, the Senior Ecologist has objected on the basis that baseline habitat is incorrect and the road verge, which is a protected road verge for its flora diversity, needs to be factored into the habitats and accounted for within the metric with suitable mitigation included. The area for the biodiversity improvements is shown as 0.58ha (1.4 acres) which is greater than the site size which means that a revision of onsite habitats would need to occur.
- 7.5.9 The Senior Ecologist has also queried the size of the plot in relation to the field use and has commented that other parts are already in use and not determined in the application and if the wider site is to be grazed, where are the facilities for livestock. She has also queried why there is a Koi pond shown on the plans and why this is required as these are not a native species and if it is for native fish rescue then the pond shown would be too small. In addition, she has commented the classroom is concerning as it is not clear whether this is for professional education or schools and if the intention is for schools, then the site is too small and lacks appropriate visitor facilities. Finally, she has queried why the bird room shown on the plans which is not near an aviary as the stress on native birds not being outside would likely kill them.
- 7.5.10 The Trees Officer has commented that the proposal does not appear to impact any existing trees on or adjacent the site but the soft landscaping information lacks detail. However, a detailed soft landscaping scheme could be secured by condition if the application was to be approved.
- 7.5.11 The proposal has the potential to result in harm to protected species and there are serious concerns regarding the potential rewilding of hedgehogs in close proximity to a badger sett and if rewilding has to occur off site, then this suggests that the location is not appropriate and adds to the conclusion that there is insufficient justification for the proposed hospital to be sited here. In addition, the proposal would result in partial removal of a protected road verge which has not been mitigated against. There are also a number of queries raised as set out above. The proposal also does not comply with the legal requirement to provide 10% BNG as the baseline habitat is incorrect.
- 7.5.12 There is insufficient information submitted for the LPA to be satisfied that the proposal would not result in harm to protected species and would protect, mitigate and enhance biodiversity. The proposal is therefore contrary to Policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan, 2015 (as amended), the Natural Environment SPD, Chapter 15 of the NPPF, as well as failing to meet the overarching objectives of the Environment Act 2021 in achieving net gains in biodiversity and protection of irreplaceable habitats.

7.6 Flood Risk and Drainage

- 7.6.1 Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction. The sequential and exception test will be strictly applied across the district and new development should normally be located in flood zone 1; the application site is situated in flood zone 1 and therefore is considered to be acceptable.
- 7.6.2 There has been concern raised that the site lacks basic infrastructure. The application form states that surface water would be disposed of via soakaway and foul water disposed of via a septic tank. No details of the soakaways have been shown on the submitted drawings and only basic details of the septic tank have been included.
- 7.6.3 The septic tank would require Building Regulations approval and at this stage a percolation test and design of the drainage field would be required. This type of development must have building regulations approval and may require a permit from the Environment Agency, both of which are legislation separate to planning. The applicant would need to apply separately for these consents, and any grant of planning permission does not negate the need to comply with other relevant legislation.
- 7.6.4 In addition, soakaways would also require Building Regulations approval, and it is considered that the site would likely be large enough to accommodate soakaways.
- 7.6.5 There are no obvious concerns or objections to these methods of water disposal and therefore the proposal is considered to comply with Policy ENV 8 of the East Cambridgeshire Local Plan, 2015 (as amended).

7.7 Climate Change

- 7.7.1 Local Plan Policy ENV4 states: 'All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable' and 'Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.' The adopted Climate Change SPD encourages all development to include sustainability measures within their proposal.
- 7.7.2 The proposal has some sustainability benefits in that the proposed development would re-use existing storage containers, a prefab and a static caravan. It also incorporates solar panels. There are also mentions of other elements that could be considered a sustainability benefit, for example, wind power but this is only mentioned in one document and no details have been submitted.
- 7.7.3 However, it is considered that there would be sufficient scope to incorporate a number of sustainability benefits and if approved a detailed sustainability statement could be conditioned. However, certain sustainability benefits such as wind power (turbine) may require planning permission in their own right so would need to be applied for separately.
- 7.7.4 With the imposition of a condition for the submission of a sustainability statement, it is considered that the proposal would comply with Policy ENV 4 of the East Cambridgeshire Local Plan, 2015 (as amended) and the Climate Change SPD.

7.8 Other Material Matters

- 7.8.1 The Parish Council have commented that there does not appear to have been a sustainable business/funding plan so there is concern that it may have to be abandoned and become an eyesore. The LPA would not routinely seek a funding plan in relation to an application unless clearly relevant (such as the stipulation in HOU5 that applications for rural workers dwellings must demonstrate that the enterprise must be and remain financially viable), however, it is noted that in the Ecological Impact Assessment that the timings for development are unknown but it is likely to be in phases as funding becomes available. If the application were being approved, a condition would be imposed for a phasing plan to set out the intended stages of delivery at the site.
- 7.8.2 There have been comments made that the site lacks basic infrastructure. There has been very limited information submitted in relation to this. Where this has been mentioned, it is inconsistent. For example, one document mentions wind power, but this has not been mentioned anywhere else. While this information could potentially be secured by condition, this is another area where there is a lack of detail as to the operation of the site which does not assist officers in assessing the proposal.
- 7.8.3 There has been reference made throughout the application and the comments received as to ECDC supporting hedgehogs through the adoption of the Hedgehog SPD. However, the SPD is to inform the reader what the average developer should do, such as create hedgehog highways as part of their development, rather than express any type of support for development of this nature.

7.9 Human Rights Act

- 7.9.1 The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

7.10 Equalities and Diversities

- 7.10.1 In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

7.11 Planning Balance

- 7.11.1 There is undoubtedly a lot of support for the application as evidenced by the number of positive comments received. There are also a number of positive elements to the application such as supporting wildlife and the positive benefits that the proposal brings to those who volunteer at the current establishment. In addition, the hospital would provide training opportunities for veterinary nurses. Letters of support have also been submitted from vets, other wildlife hospitals and charities including the British Hedgehog Preservation Society.
- 7.11.2 However, when considering the material planning considerations, the proposal is unacceptable in principle, results in harm to the character and appearance of the area and lacks sufficient information to assess the impacts of the proposal to residential amenity, highway safety, parking and biodiversity. In addition, the proposal is not complying with the legal requirement to provide 10% Biodiversity Net Gain due to an incorrect baseline habitat.
- 7.11.3 It is considered that while there is a lot of support for the proposal, there have been objections received from residents who live close to the site and from the Parish Council. Weight has been given to the letters of support from vets and other wildlife professionals, however, there are no material planning considerations that outweigh the significant conflicts with policies outlined in this report and the resulting five reasons for refusal.

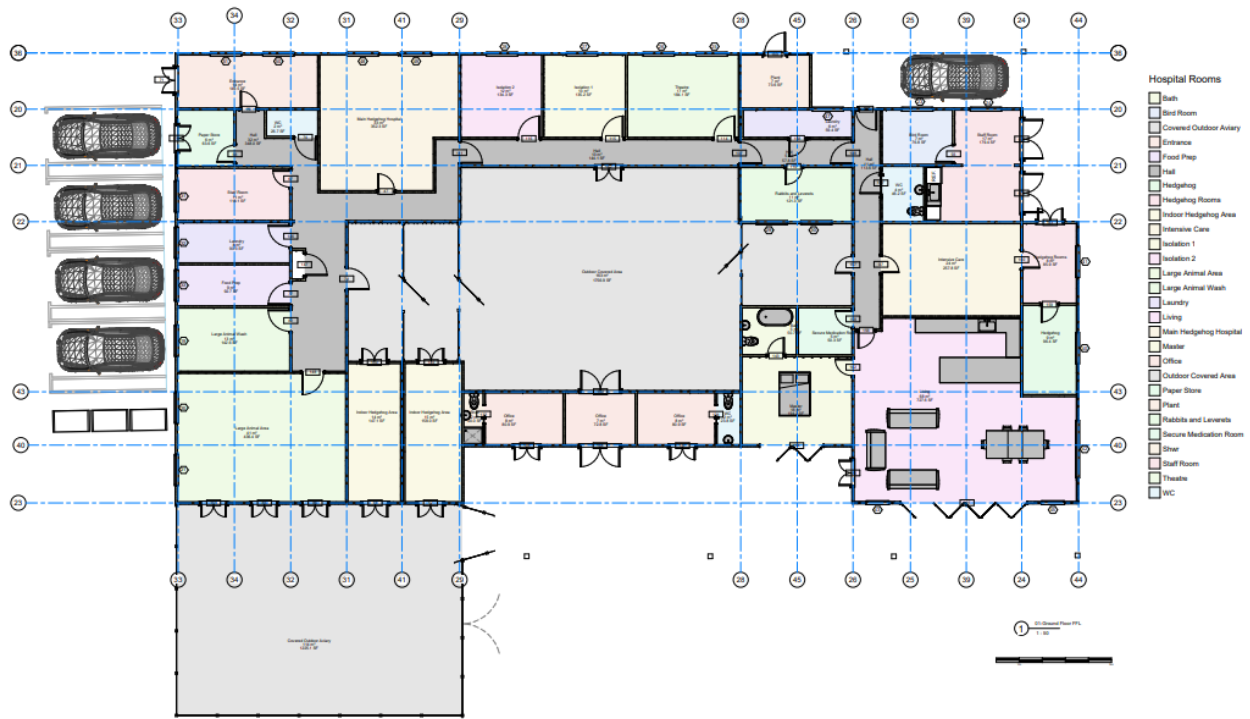
8.0 APPENDICES

8.1 None

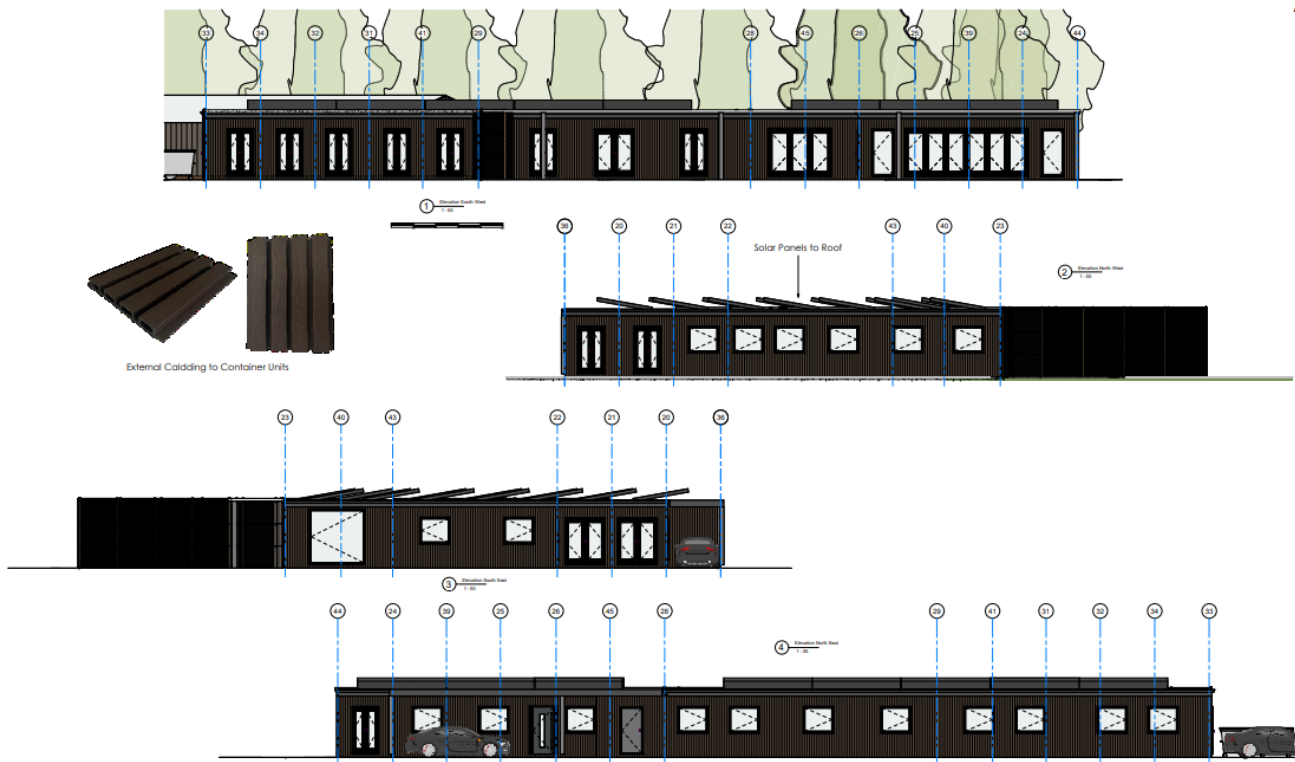
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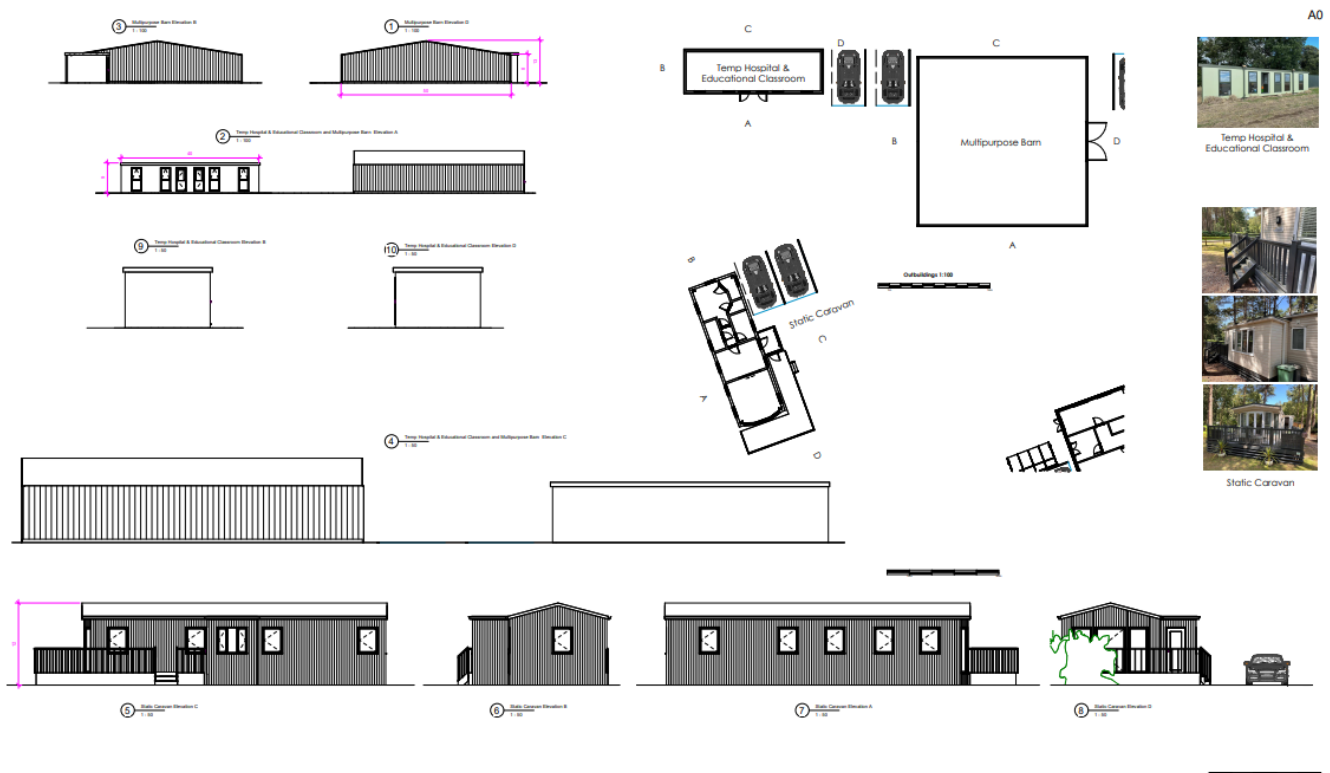
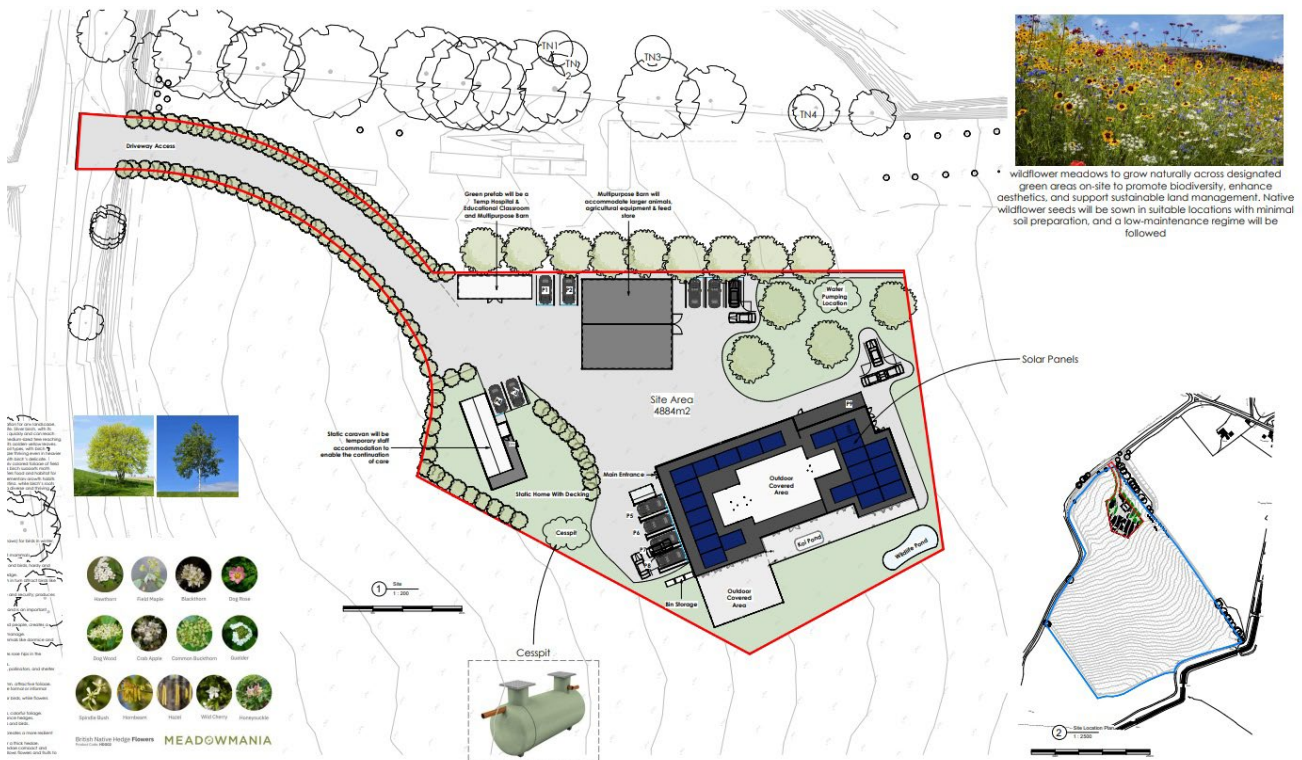
The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.

25/00371/FUL



A0





25/00407/TPO

Land North and West of Broughton Hall

46 Lode Road

Lode

T1 Horse Chestnut – Fell and treat stump with eco plugs

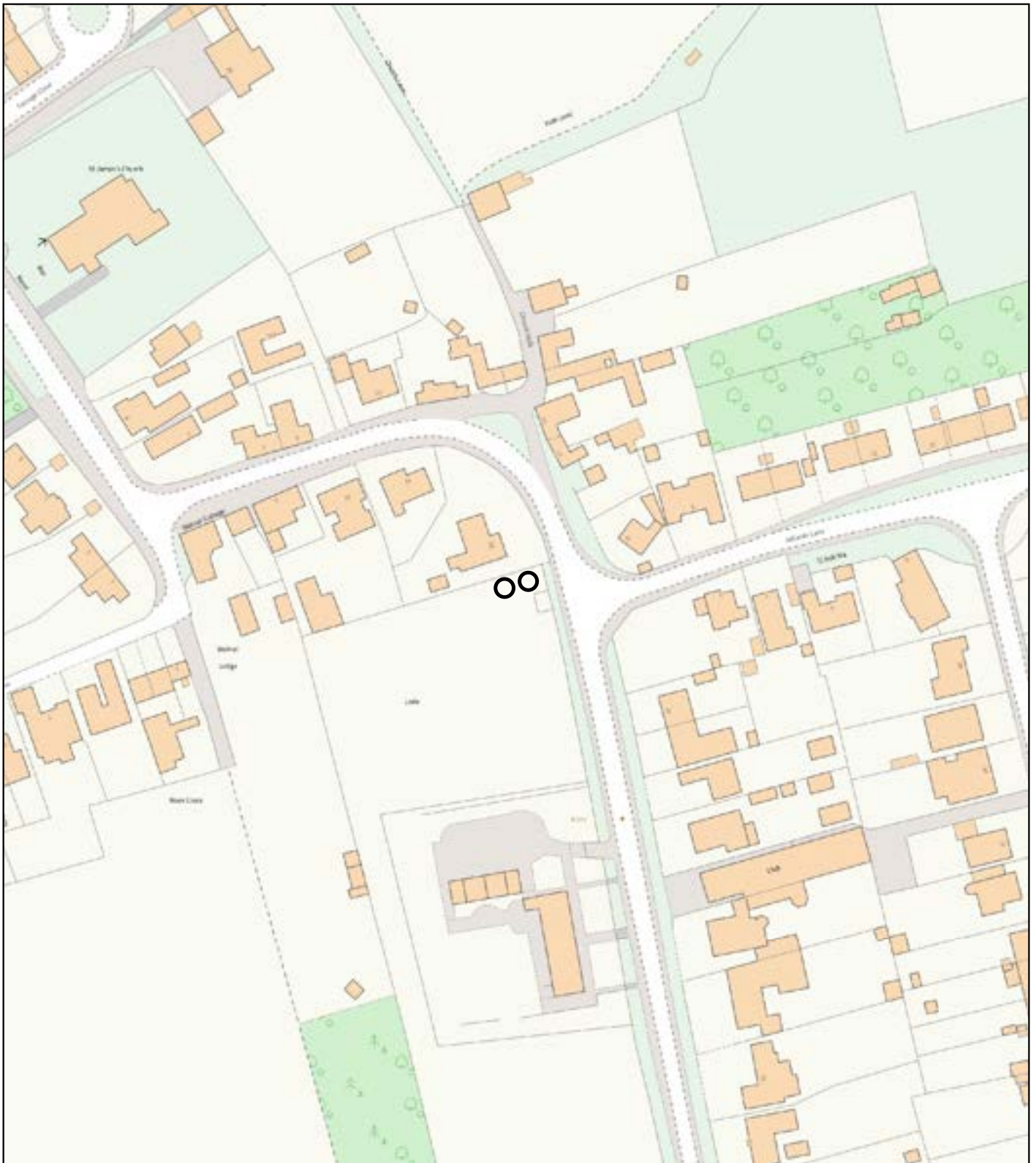
T2 Horse Chestnut – Fell and treat stump with eco plugs

Due to claimed tree related soil shrinkage

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SUG3VUGGGT100>





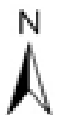
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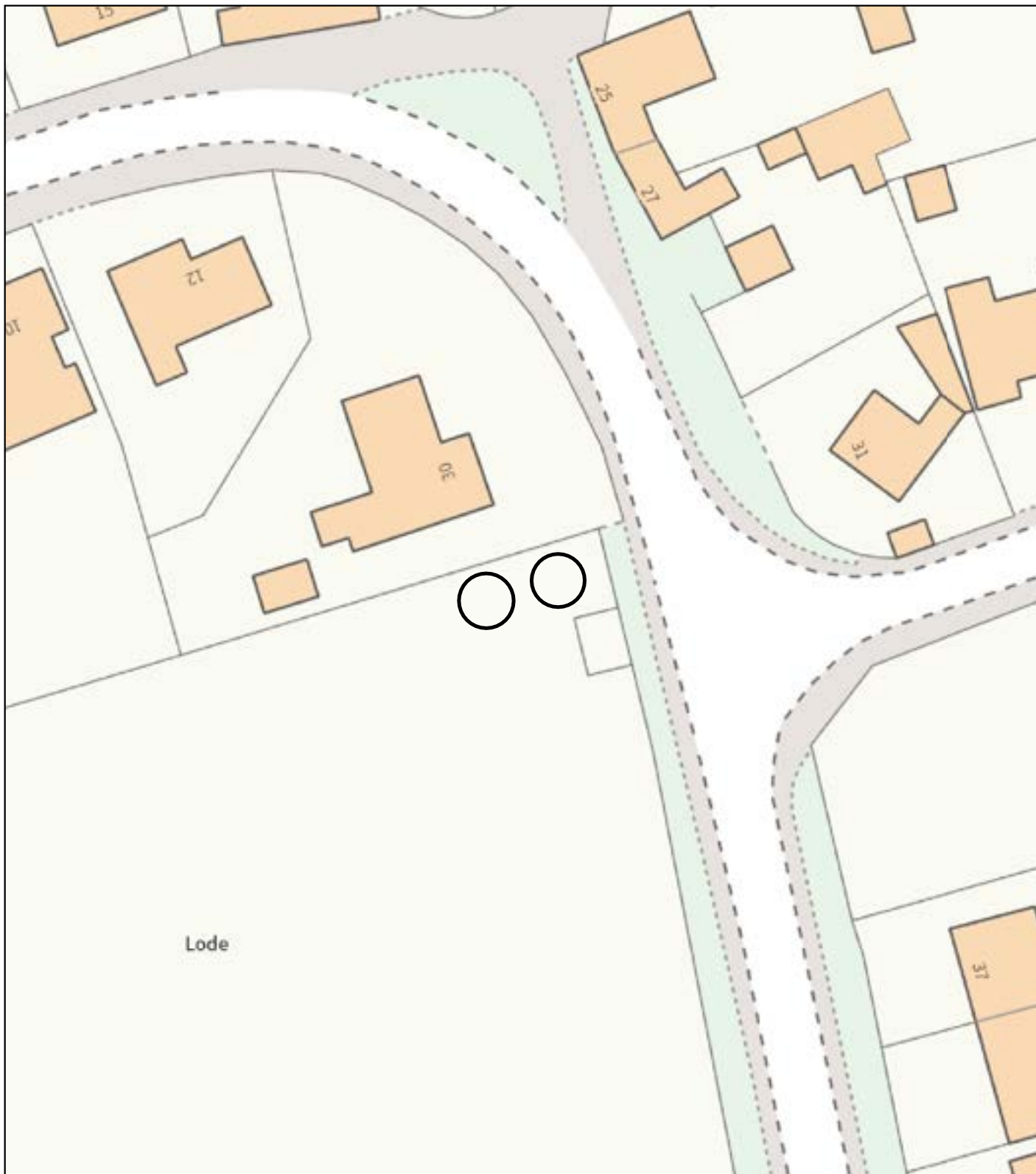
Land North And West Of
Broughton Hall
46 Lode Road
Lode

East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:1,500



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25/00407/TPO



Land North And West Of
Broughton Hall
46 Lode Road
Lode

East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:500



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TITLE: 25/00407/TPO

Committee: Planning Committee

Date: 2 July 2025

Author: Trees Officer

Report No: AA31

Contact Officer: Kevin Drane, Trees Officer
kevin.drane@eastcambs.gov.uk
01353 616332
Room No 011 The Grange Ely

Site Address: Land North And West Of Broughton Hall 46 Lode Road Lode

Proposal: T1 Horse Chestnut - Fell and treat stump with eco plugs

T2 Horse Chestnut - Fell and treat stump with eco plugs

Due to claimed tree related soil shrinkage

Applicant: Property Risk Inspection

Parish: Lode

Ward: Bottisham

Ward Councillor/s: Charlotte Cane
John Trapp

Date Received: 9 April 2025

Expiry Date: 4 June 2025

1.0 RECOMMENDATION

- 1.1 These trees are protected by Tree Preservation Order E/06/83 and located within the conservation area. Members are recommended to REFUSE the application for the following reason(s):
- The trees offer significant public amenity to the area as indicated by the consultation responses received from members of the public.
 - There are means available that would stabilise the adjacent property allowing the trees to be retained.
 - The combined monetary value of the tree's amenity would be £315,917 Which demonstrate how high their value to the landscape and community is. They are between 110-170 years of age with a potential life expectancy of 300+ years.

- Although the applicant has been able to establish the link between the movement of the building and the trees the trees are of such significance to the local amenity that their retention should be given greater consideration and it is the officers opinion that there is significant risk that the removal of these trees may be a short term solution due to the proximity of other trees of similar water demand that could be identified for removal as they grow should movement of the property continue or re-occur after the initial tree removals have taken place as their area of influence is sufficient to reach the property at their current size.

- 1.2 The application is being heard by committee because it was called in by Councillor Trapp for the following Reason:
- a. That Lode Parish Council object to the loss of the trees as it would have a detrimental effect on the village environment in numerous ways.
 - b. These Horse Chestnuts are particularly significant given their size and age and therefore their carbon capture potential, the shade they provide and the habitats they hold.
 - c. The trees were in situ decades before the house affected was built. We are concerned that the felling of such important trees will create a precedent for such action in the future.
- 1.3 Members are advised that refusal of this application is likely to result in a significant costs claim to EDCD for any repairs to the property relating to damage that occurs after the application determination which could be in the region of £90,000 to £130,000 dependent on the extent of works required such as underpinning, drain repairs, re-decoration etc.

2.0 SUMMARY OF APPLICATION

- 2.1 *The application in front of members is for the removal of two mature Horse Chestnut trees that are protected by Tree Preservation Order E/06/83 that was confirmed 22/09/1983 as the trees have been linked to subsidence of the adjacent property 30 Lode Road via the report submitted with the application summarised as follows.*
- a. Damage to front left-hand corner and in the form of diagonal and vertical tapering cracks with a maximum crack width of 2-3mm. The damage denotes a downward movement to the left-hand side of the property towards the Horse Chestnut trees. The level of damage is slight and is classified as category 2 in accordance with BRE Digest 251.
 - b. The level monitoring that we have completed has shown clear seasonal movement consistent with root induced clay shrinkage.
 - c. The trial pit to the front LH corner of the property showed the foundations to be a concrete strip foundation to a depth of 700mm bearing on to a gravelly clay subsoil. There are roots to the underside of the foundations and to a depth of 1800mm. These have been identified as being from a Horse Chestnut tree.
 - d. Defects with the drainage system, does not appear to be having an influence on the sub-soil, probe results show that the soil has a good bearing capacity and is not weakened by leaking drainage system.
 - e. Pruning or significant 'pollarding' of the tree's would not provide a reliable or sustainable remedy to the subsidence in this case.

- f. The Insurers understand the requirement to offer replacement planting in the event consent to fell is granted.

2.2 It should be noted that the trees are located on land outside the control of the applicant as such they will not be able to ensure that replacement planting is undertaken or maintained sufficiently to allow its establishment.

2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link [Simple Search](#).

3.0 PLANNING HISTORY

3.1 **21/01676/TPO** Approval was granted in December 2021 to reduce the crowns of these two trees back towards the boundary line by up to 2.5m.

4.0 THE SITE AND ITS ENVIRONMENT

The site lies outside the defined settlement boundary for the village of Lode in an area designated by the Council as countryside adjacent to the Green Belt and within the Lode Conservation Area (CA).

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees [LIST] and these are summarised below. The full responses are available on the Council's web site.

Parish - 14 May 2025

Lode Parish Council strongly objects to the decision that these trees be removed and asks that this decision be reconsidered. Lode has recently seen a substantive loss of significant trees which has had a detrimental effect on the village environment in numerous ways. These Horse Chestnuts are particularly significant given their size and age and therefore their carbon capture potential, the shade they provide and the habitats they hold.

The trees were in situ decades before the house affected was built. We are concerned that the felling of such important trees will create a precedent for such action in the future.

We would ask that ECDC considers issuing these trees and other similar sized trees in the village with specific TPOs.

5.3 Neighbours – six neighbouring properties and the Parish council were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Value the appearance of these old trees, not only from my property but also from the centre of Lode.
- Prune them instead of felling them, replace them with less thirsty trees.

- These trees are a significant part of the local landscape and should not be completely cut down. However some CAREFUL cutting back of branches overhanging the adjacent property might be acceptable.
- The trees pre-date the adjacent dwelling itself, the foundations of the dwelling not designed to take tree growth into account.
- The trees are of significant visual and environmental amenity and must be retained.
- Lode Parish Council strongly objects to these trees being removed. These Horse Chestnuts are particularly significant given their size and age and therefore their carbon capture potential, the shade they provide and the habitats they hold. The trees were in situ decades before the house affected was built.
- We are concerned that the felling of such important trees will create a precedent for such action in the future.

6.0

THE RELEVANT LEGISLATION

The Town and Country Planning (Tree Preservation)(England) Regulations 2012 regulation 17 Where an application is made to the authority for consent under an order in accordance with regulation 16 the authority may—

- (a) grant consent under the order, either unconditionally or subject to any such condition as is specified in paragraph (2); or
- (b) refuse consent under the order.

Regulation 19 Where the authority—

- (a) refuse an application for consent under an order or grant consent subject to conditions;
 - (b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under an order, or grant such an application subject to conditions; or
 - (c) fail to determine any such application as is referred to in sub-paragraphs (a) and (b) within the period of 8 weeks beginning with the day after the date on which the application was received by the authority,
- the applicant may by notice appeal to the Secretary of State. allows the decision to be appealed.

Regulation 24 (1) If, on a claim under this regulation, a person establishes that loss or damage has been caused or incurred in consequence of—

- (a) the refusal of any consent required under these Regulations;
- (b) the grant of any such consent subject to conditions; or
- (c) the refusal of any consent, agreement or approval required under such a condition,

that person shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this regulation—

- (a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or

(b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under these Regulations for the felling in the course of forestry operations of any part of a woodland area—

(a) they shall not be required to pay compensation to any person other than the owner of the land;

(b) they shall not be required to pay compensation if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is subject to an appeal to the Secretary of State, the date of the final determination of the appeal; and

(c) such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any case other than those mentioned in paragraphs (2) or (3), no compensation shall be payable to a person—

(a) for loss of development value or other diminution in the value of the land;

(b) for loss or damage which, having regard to the application and the documents and particulars accompanying it, was not reasonably foreseeable when consent was refused or was granted subject to conditions;

(c) for loss or damage reasonably foreseeable by that person and attributable to that person's failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or

(d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under these Regulations or the grant of any such consent subject to conditions.

6.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

6.1.1 The impact of the loss of these trees would have a significant effect on the visual amenity of the area. The applicant in their submitted reports has not made reference to the effect of the removal of the two trees on the remaining member of the group this tree will be exposed to wind stresses that it has not developed a root or branch structure to tolerate, if the remaining tree is not also significantly crown reduced there is a high and real risk that there will be significant branch and limb loss and potential root plate failure of the tree resulting in its total loss and risk of harm to any within reach of the tree this could result in damage to the nearby overhead services. This will result in additional costs to the tree owner and further impacts on the amenity of the area.

6.1.2 There are engineering solutions available such as piling that would provide long-term stabilisation of the property, but this is an option that is significantly more costly than the removal of the trees. Piling would also make the property resistant to the impacts of climate change and the ongoing soil drying issues linked to this.

- 6.1.3 The tree reports recommendations for the stumps to be treated with ECO plugs is also concerning and shows a lack of understanding of tree biology. ECO plugs contain Glyphosate which is a broad-spectrum systemic herbicide which is translocated to growth points, which with the proximity of the tree trees them being the same species means that there will be root grafts between the three trees enabling the chemical to move into the retained tree and kill it or significantly impact its health and vitality.
- 6.1.4 If the application is refused then ECDC will need to coordinate and expedite repairs and stabilisation of the dwelling (30 Lode Road) as a matter of urgency so as to reduce costs to ECDC and the impacts on the resident's reasonable enjoyment of their property.

6.2 Human Rights Act

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Equalities and Diversities

In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

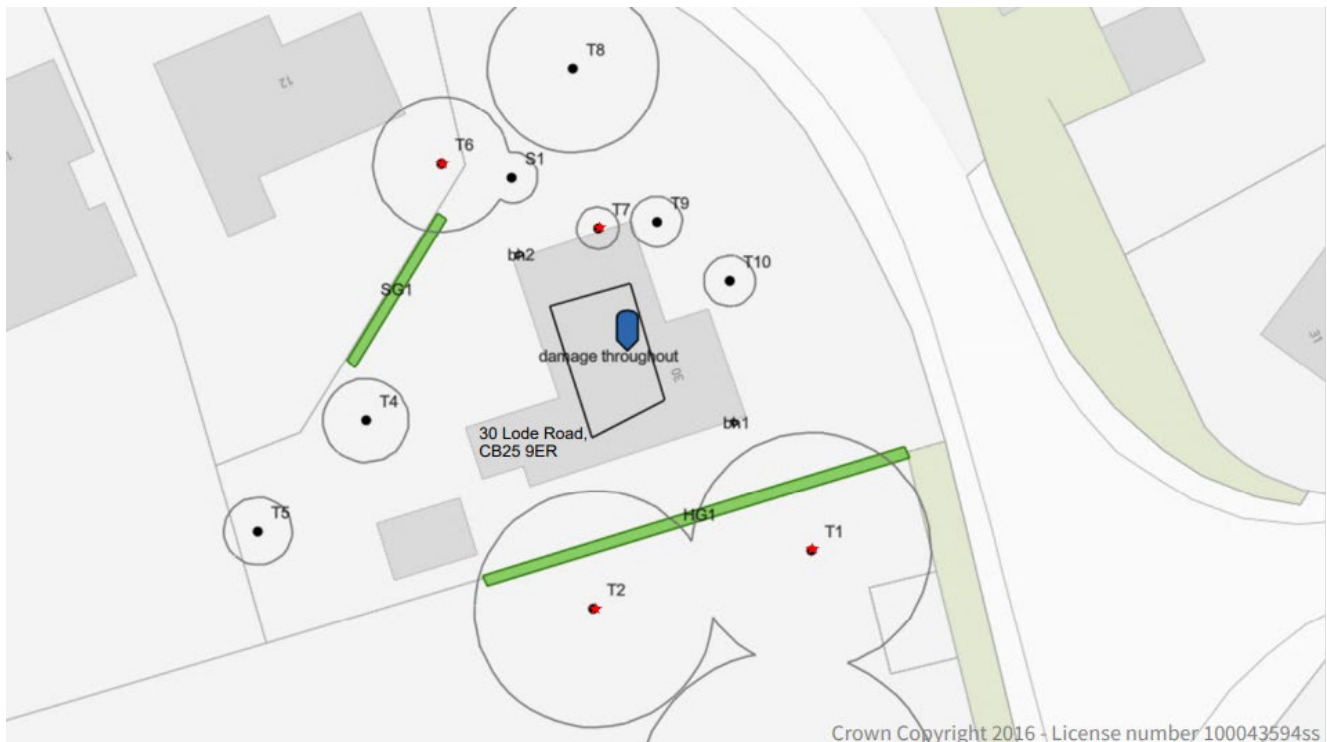
7.0 APPENDICES

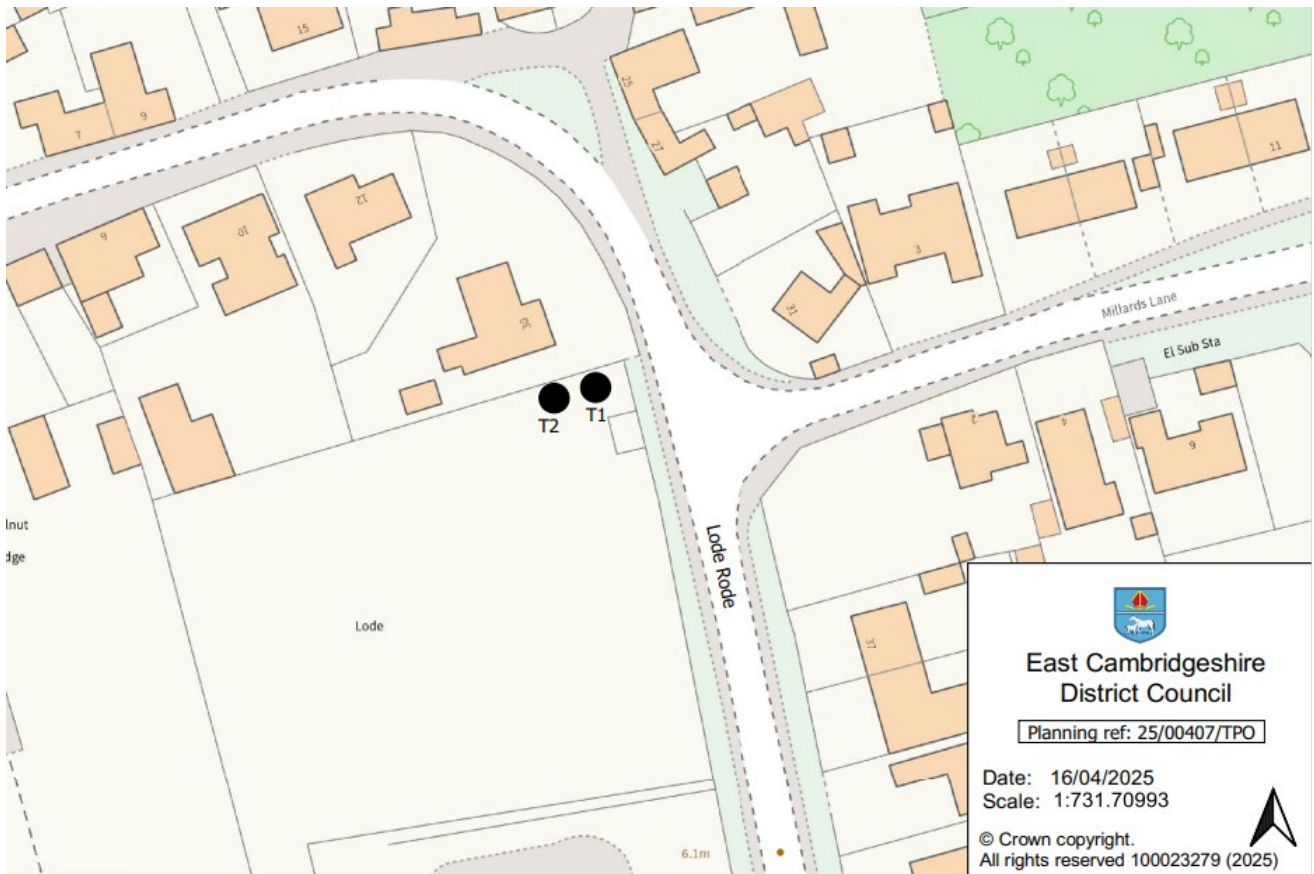
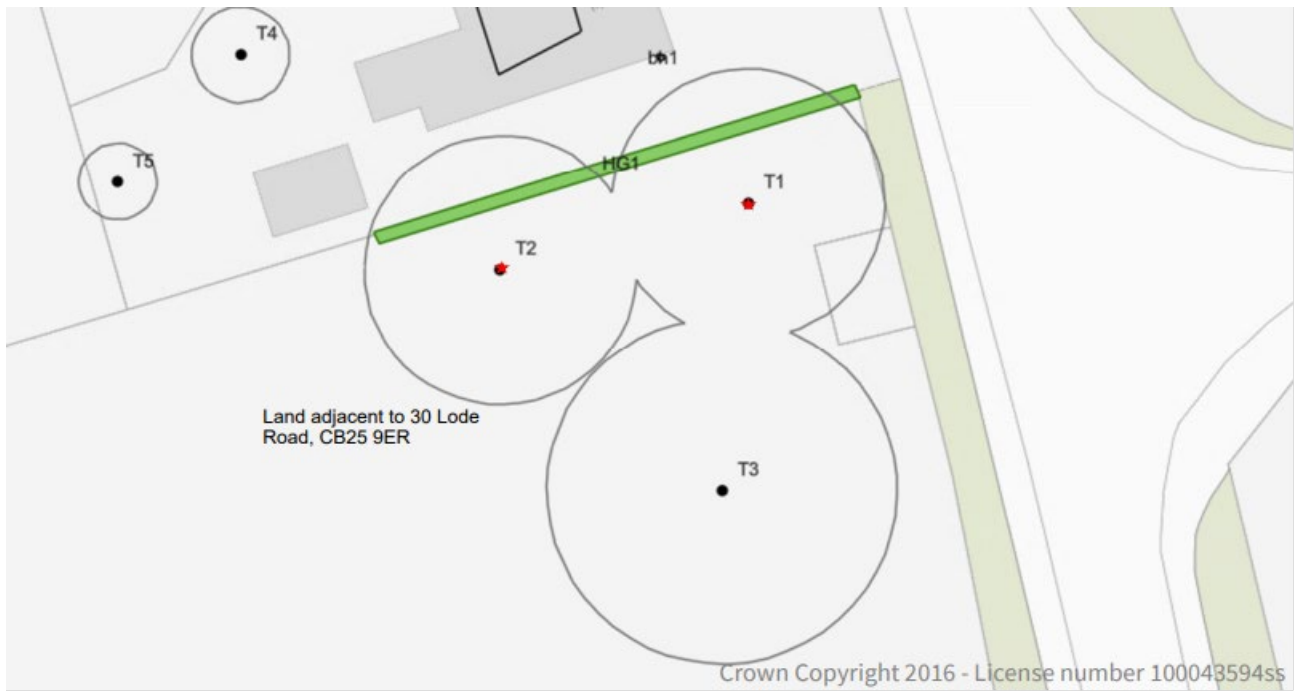
- 7.1 The following conditions are recommended if the committee approve the application.
1. That the felled Horse Chestnut tree(s) T1 and T2 shall be replaced by two Hornbeam tree(s), 2m high, planted with suitable stakes and ties in the same location as tree(s) T1 and T2 unless agreed in writing with the Trees Officer.

- To safeguard and enhance the character of the area, to provide ecological, environmental and bio-diversity benefits and to enhance the setting within the immediate locality.
- 2. That all replacement trees shall be planted within the first planting season (November to March inclusive) after the felling of the original tree(s).
- To comply with good arboricultural practice and/or forest management.
- 3. That if any replacement tree should die during the first 5 years from planting it shall be replaced with another, unless otherwise agreed in writing with the Council.
- To safeguard and enhance the character of the area, to provide ecological, environmental and bio-diversity benefits and to enhance the setting within the immediate locality.
- 4. Provide notification of planting condition completion to the trees officer by post or email treesteam@eastcambs.gov.uk (supporting photographs preferred).
- To confirm the applicant's fulfilment of their legal obligation for the completion of the replacement planting as conditioned.
- 5. That ALL the work consented to in this notice is completed within 24 months of the date of this notice. If the work is not completed by that time then any part of this consent that has not been carried out shall be considered void and a new application must be made to the Council.
- In line with the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and Part 6 of the Localism Act 2011 amended section 210 of the Town and Country Planning Act 1990.

PLANS

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.





25/00436/FUL

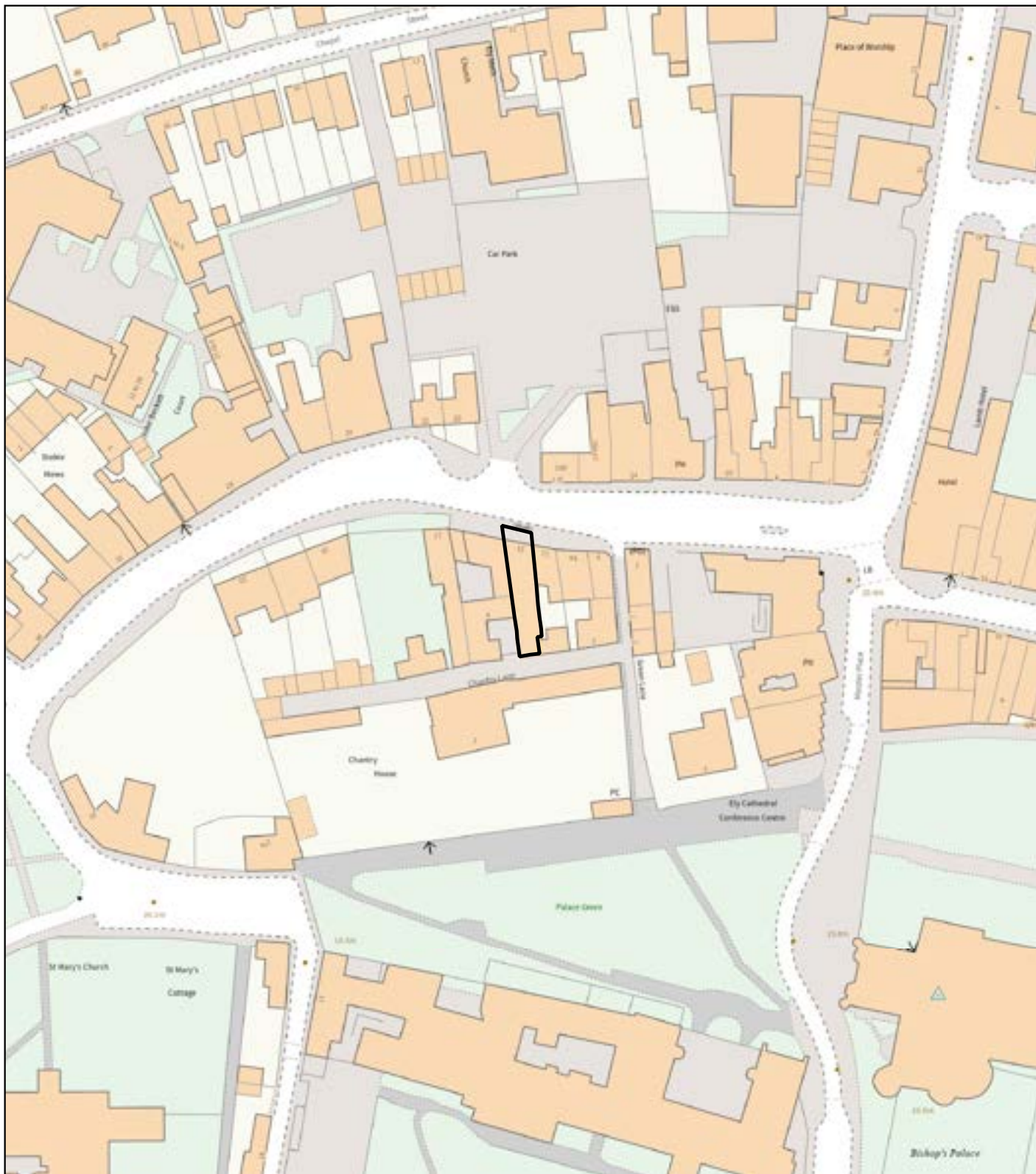
The Old Dispensary
13 St Marys Street
Ely
CB7 4ER

Change of use to secure office retrospective

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SUUSIDGGH9X00>





25/00436/FUL & 25/00437/LBC

The Old Dispensary
13 St Marys Street
Ely

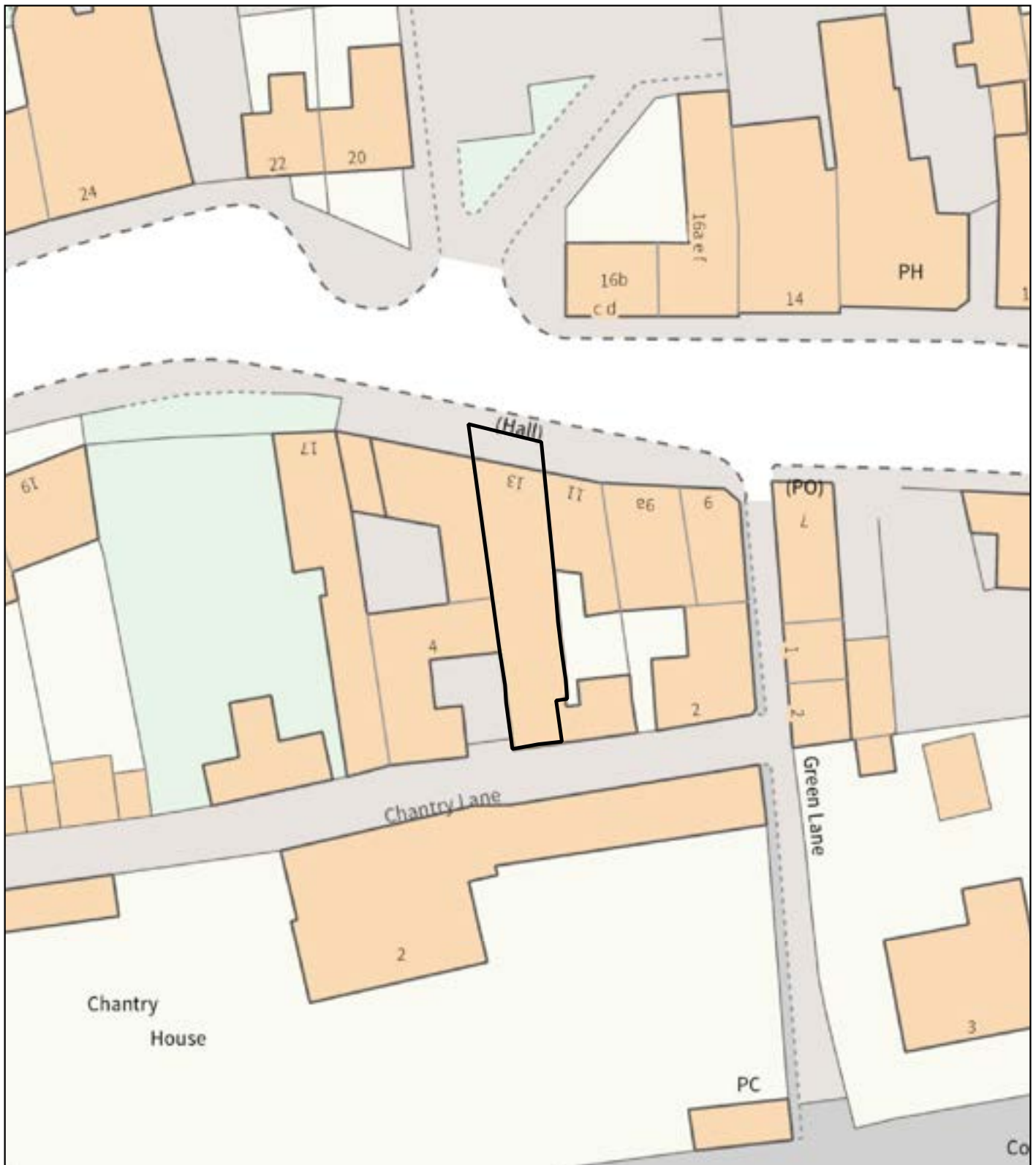


East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:1,250



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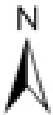
25/00436/FUL & 25/00437/LBC

The Old Dispensary
13 St Marys Street
Ely



East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:500



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TITLE: 25/00436/FUL

Committee: Planning Committee

Date: 02 July 2025

Author: Planning Officer

Report No: AA32

Contact Officer: Cassy Paterson, Planning Officer
Cassy.Paterson@eastcambs.gov.uk
01353 616250
Room No 011 The Grange Ely

Site Address: The Old Dispensary, 13 St Marys Street, Ely, Cambridgeshire, CB7 4ER

Proposal: Change of use to secure office retrospective

Applicant: The Old Dispensary Ely Ltd

Parish: Ely

Ward: Ely West

Ward Councillor/s: Christine Colbert
Ross Trent
Christine Whelan

Date Received: 8 May 2025

Expiry Date: 3 July 2025

1.0 RECOMMENDATION

- 1.1 Members are recommended to APPROVE the application subject to the conditions set out in Appendix 1.
- 1.2 The application is being heard by the committee because it triggers the Council's Constitution in respect of the applicant's position within the council.

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks to change the use from a community use under Class F2 to Office use under Class E(g)(i), and the office would be used as a secure MP's office. There is a subsequent retrospective application for Listed Building consent where works have already taken place to set up the office space under application 25/00437/LBC.

- 2.2 Due to the retrospective works to a Listed building which requires consent, this application has been submitted to regularise the unauthorised changes and the new use of the building. The Council has not taken enforcement action, regarding the alterations to the Listed Building which have occurred on the site, due to the current application being considered. The absence of enforcement action to date is not a matter which can be considered as part of the determination of the application.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link [Simple Search](#).

3.0 PLANNING HISTORY

3.1 25/00437/LBC

Change of use to secure office retrospective

Pending Consideration at Planning Committee

93/00537/FUL

Refurbishment & Extension (25.9m²) of Day Centre for the Elderly

Approved

20 August 1993

93/00538/LBC

Refurbishment & Extension of Day Centre for the Elderly (Part Demolition)

Approved

20 August 1993

13/00471/LBC

Historic Plaque to be erected

Approved

29 August 2013

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is a Grade II Listed building known as the dispensary, which is constructed of stone and brick with a slate roof and traditional windows. The last known use of the building was as a community facility that is located within the defined development envelope and Conservation area of Ely. The building is situated just outside of the defined Town Centre boundary of Ely and located within the secondary retail frontage. It is well connected by public transport and a number of free public car parks. The dispensary is formed of two parts, the most historic double-height front section that can be seen from St Mary's road and a modern extension at the rear, which is single-storey and supports facilities such as a small kitchen and w/c. The site is situated within flood zone 1.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees Conservation Officer, Parish Council, Local Highways and Environmental Health and these are summarised below. The full responses are available on the Council's web site.

Parish - 28 May 2025

The Council has no concerns with regards to these applications.

Conservation Officer - 16 May 2025

- The dispensary was built as a double-height open hall with a lower adjunct (which has a modern service extension) and notwithstanding the insertion of suspended ceilings in the C20, this spatial character has largely survived. Any internal compartmentation is in tension with this character but it is accepted that the proposed use presents unique security requirements which cannot be satisfied in any other Dcintcon way. Nevertheless the subdivision is less invasive than many other potential uses (eg residential) and has been designed to be fully reversible.
- The secondary glazing applied to the stone transom & mullion window in the front elevation is discreet and reversible and conforms to normal conservation practice in these circumstances. Whilst the implementation of works to listed buildings without authority cannot be endorsed, on balance the impacts of the scheme are considered acceptable in conservation terms.

Recommendation: no objection

Local Highways Authority - 30 May 2025

- No objection, would not materially impact the functioning of the public highway

Environmental Health – 19 June 2025

- The Environmental Health officer would have no concerns to raise provided that the opening hours are conditioned as per those stated in the applicant's additional information.
- However, the applicants should be advised that planning permission does not confer immunity from action under statutory nuisance. Either by local authority or a private individual.

Consultee For Other Wards In Parish - No Comments Received

Ward Councillors - No Comments Received

- 5.2 A site notice was displayed near the site on 15 May 2025 and a press advert was published in the Cambridge Evening News on 22 May 2025.
- 5.3 Neighbours – Three neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Concerns regarding the location of waste bins due to the narrow lane at the rear of the building
- Chantry Lane should be kept clear of obstructions at all times

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 12	Listed Buildings
ENV 11	Conservation Areas
COM 1	Location of retail and town centre uses
COM 3	Retaining community facilities
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Climate Change SPD
Natural Environment SPD
Ely Conservation Area

6.3 National Planning Policy Framework (December 2024)

- 2 Achieving sustainable development
- 4 Decision-making
- 6 Building a strong competitive economy
- 7 Ensuring the vitality of town centres
- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

7.1 Principle of Development

7.2 Policy GROWTH 2 of the ECDC Local Plan 2015 (as amended 2023) permits development within the policy-defined development envelope – within which the application site lies – provided there is no significant adverse effect on the character

and appearance of the area and that all other material planning considerations and relevant Local Plan policies are satisfied.

- 7.3 Policy GROWTH 5 of the ECDC Local Plan 2015 (as amended 2023) also states that the District Council will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 7.4 The proposed site is located at just outside the defined Ely Town Centre boundary and located within the secondary retail frontage. Accordingly, the consideration of the principle of development would be assessed under policies COM 1 and COM 3 of the Local Plan (2015).
- 7.5 Policy COM 3 sets out that would lead to the loss of a non-commercial community facility (existing sites or sites last used for this purpose) will only be permitted if:
- *It can be demonstrated there is a lack of community need for the facility, and that the building or site is not needed for any alternative community use – and in the case of open space, that the site does not make an important contribution in amenity, visual or nature conservation terms; or*
 - *Development would involve the provision of an equivalent or better replacement community facility (either on-site or in an appropriately accessible alternative location); or*
 - *Development would involve the provision of an alternative community facility which brings demonstrable greater benefits to the settlement or neighbourhood - except in the case of open space, sports and recreational facilities which should be retained where possible in accordance with paragraph 74 of the National Planning Policy Framework.*
- 7.6 Policy COM 1 states that Outside the town centres of Ely, Soham and Littleport, proposals retail and 'town centre uses' may be permitted under the following circumstances:
- *The sequential approach has been followed and there are no suitable sequentially preferable sites available.*
 - *The site is suitable for the proposed use and the building form and design is appropriate in the local context.*
 - *The scale and type of development is directly related to the role and function of the centre or its locality, in accordance with the hierarchy in Policy GROWTH 2.*
 - *For retail developments of 280m² net floorspace or larger, there would be no adverse effect on the vitality and viability of the nearest town centre, or on any other centres, as demonstrated in a Retail Impact Assessment.*
 - *The development would enhance the character and attractiveness of the centre and its locality, and not adversely affect residential amenity; and*
 - *The development would be accessible by a choice of means of transport (including public East Cambridgeshire Local Plan Adopted April 2015 (as amended 2023) Part One: Spatial strategy and policies 92 transport, walking and cycling), and the local transport system is capable of accommodating the potential traffic implications.*

- 7.7 The proposal seeks to change the use of the property from a non-commercial community use to a Class E, Office use that would provide a secure MP's office space that, if secure rules allow, could also be rented out when the office is not in use to the community.
- 7.8 To demonstrate compliance with policy COM 3, the applicant has provided a statement to support the application, which concludes that during the time of their ownership, that they have not been approached by the community to retain any space of any previous community need at this building, they have also demonstrated a significant number of nearby community facilities that could be used alternatively should it be necessary. The priority use would be for a secured parliamentary office for the MP; however, outside of the business hours, provided that rules allow, they intend to still allow the community to use the office space for meetings.
- 7.9 Due to the nature of the proposal, it would be considered that whilst the community use would be lost as a result of this proposal, it would have a greater benefit to the settlement area by way of having the local MP within a building that is central to the community they serve as well as the potential added benefit of allowing the offices to be used by the community after office hours.
- 7.10 The proposal seeks an office use which falls under Class E(g)(i), and the application has been assessed and considered compliant with policy COM 3 on this basis. To prevent a potential change of use of the building within class E without the prior consideration of the Local Planning Authority, it is considered reasonable to restrict the use to Class E (g)(i).
- 7.11 Whilst the location of the proposed building sits outside but adjacent to the envelope of Ely Town centre, the unit has a street frontage that falls within the secondary shopping frontage. Whilst the current use as a community facility falls outside the scope of a town centre use, the proposed use would fall within a town centre use and therefore the second clause of policy COM 1 will be addressed as part of this proposal.
- 7.12 It is considered that a sequential approach would not be required due to the location of the site directly adjacent to the town centre boundary. Being within the secondary shopping frontage, the proposed non-retail use is a highly suitable, as offices do not require passing trade to operate. Furthermore, no significant external changes are required to facilitate the change of use. The position of the building is in a highly connected area with sustainable transport links and st Marys Street public car park directly opposite the site. It is considered a well-connected facility suitable for an MP's office. The proposal would also consider whether the use is consistent with the hierarchy of policy GROWTH 2. The residential amenity will be assessed in depth further within this report; however, the use would not be considered to be above the scope of the previous community use and opening times would be restricted via condition to ensure that the residential amenity would be protected in accordance with policy COM 1 and ENV 2 of the Local Plan.
- 7.13 It is therefore considered that the proposal would comply with both policy COM 1 and COM 3 of the Local Plan, and the proposed use as an MP's office would have

significant benefits to the wider settlement of Ely and the local community that would outweigh the harm posed by the of a loss of community facility.

7.14 Residential Amenity

7.15 Policy ENV2 of the Local Plan requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers.

7.16 The proposal seeks to make no external changes to the building. The proposed change of use from Community use to office for the use of the MP would see the opening times from 8:00 am to 7:00 pm. Outside of those office hours, there will be some meetings that would include a community use element, that would run longer until 10:30 pm up to 10 times a month. The statement from the applicant also confirms that there would be occasional Sunday and bank holiday use, but this would be to a maximum of 24 days per year. The current use as a community facility has no restricted hours of use and can therefore be used at any time without restriction. The Environmental Health Officer was consulted and concluded that the opening times as set out within the additional information is conditioned; they would have no concerns regarding residential amenity. A condition to restrict the hours of use shall be applied to any permission to ensure that no harm comes to the neighbouring amenity through overbearing and noise in accordance with policy ENV 2 of the Local Plan.

7.17 It is also noted from the neighbour consultations that there is considerable concern over storing waste on a private road known as Chantry Lane. The applicant has submitted a statement that confirms that all waste produced would be stored within the building, and therefore, no external waste storage would be placed to the rear of the building. A condition would be attached to any permission to ensure that the waste is stored internally and would not impede the public highway, and therefore no harm would come to the public after or harm the residential amenity of nearby occupiers.

7.18 Visual Amenity

7.19 Policy ENV2 requires all development proposals to be designed to a high quality, enhancing and complementing the local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs.

7.20 Policy ENV1 of the Local Plan 2015 (as amended 2023) requires proposals to ensure that location, layout, scale, form, massing, materials and colour create positive, complementary relationships with existing development and enhance where possible.

7.21 The proposal seeks to make no external changes to the Old Dispensary. The internal works to accommodate the proposed use, including internal walls and secondary glazing to the front window, would not be considered to cause harm to the character and appearance of the host building or the wider streetscene, in accordance with Policy ENV 2 of the Local Plan.

7.22 Historic Environment

- 7.23 Policy ENV 11 of the Local Plan sets out that development proposals within or affecting a Conservation Area should:
- Be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area.
 - Seek to retain attractive traditional materials and features such as original doors, windows.
- 7.24 Policy ENV 12 states that proposals to extend, alter or change the use of a Listed Building will only be permitted where they would:
- Preserve or enhance the significance of the building and not involve substantial or total loss of historic fabric.
 - Be compatible with the character, architectural integrity and setting of the Listed Building; and
 - Facilitate the long-term preservation of the building.
- 7.25 Due to the listed nature of the building and its position within Ely's Conservation area, the Conservation Officer was consulted, who concluded that the modern alterations made in C20 to insert suspended ceilings has retained the spatial character of the building and the further introduction of the compartmentalisation for secure offices that requires a unique security level would also not significantly alter the character of the Listed building and would be less invasive to the building than other potential uses and furthermore it has been designed to be fully reversible.
- 7.26 The officer went on to conclude that whilst works to the listed building without authority cannot be endorsed, the proposal, on balance, is considered acceptable, and it would have a neutral impact upon the significance of the listed building. The change of use would not be considered to alter the integrity of the Listed building by way of no external changes to the building and the internal works are reversible and would not cause harm to the heritage asset in accordance with policy ENV 12 of the Local Plan.
- 7.27 Highways**
- 7.28 Policy COM 7 sets out that development should be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport appropriate to its particular location. Opportunities should be maximised for increased permeability and connectivity to existing networks
- 7.29 Policy COM 8 sets out that development proposals should provide adequate levels of car and cycle parking and make provision for parking broadly in accordance with the Council's parking standards (including parking for people with impaired mobility).
- 7.30 The application proposes no parking or cycle provision as part of this proposal. It is considered that the existing community use, where large numbers of people could attend this site without the use of onsite parking, was considered acceptable under application 93/00537/FUL. The proposal would be considered to be a less intense use, and the site is sustainably connected through public transport as well as

public footpath and a free council car park located directly opposite the site. It would be considered that this proposal would be unlikely to cause harm to the public highway in accordance with COM 7 of the Local Plan.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Equalities and Diversities

In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

7.31 Planning Balance

7.32 The proposal for a change of use would provide a new secure office for the local MP for East Cambridgeshire, whilst still allowing the offices to be used by the community for meetings. The application has demonstrated that the benefits of the change of use would outweigh the loss of a community facility, and it is considered that no harm would come to the significance of a listed building as a result of this proposal. It is therefore, considered that the proposal should be recommended for approval.

8.0 APPENDICES

1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Additional information		13th June 2025
Location Plan		17th April 2025
Plan as Proposed		17th April 2025
Plan as Proposed		17th April 2025

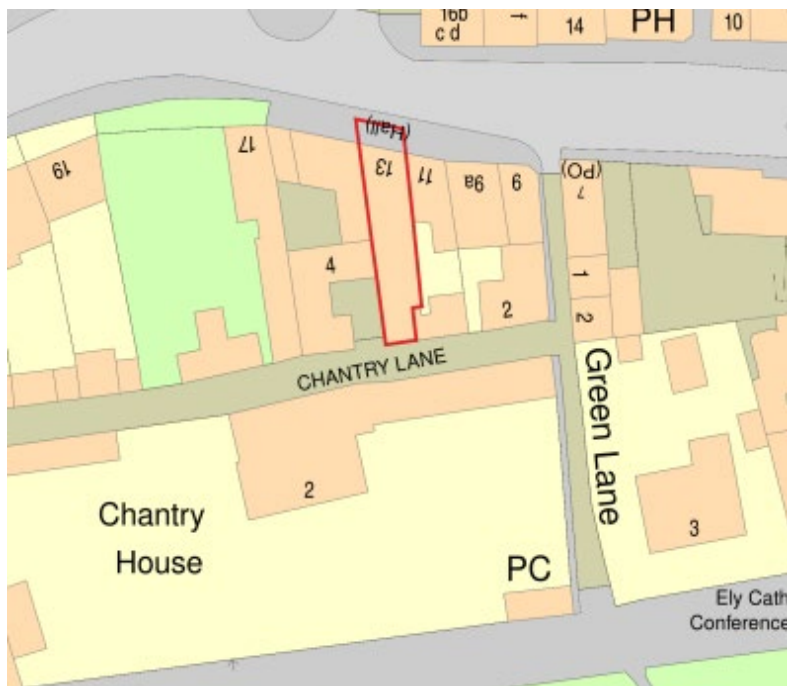
- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The use hereby permitted shall take place only between the hours of 8:00 am to 7:00 pm each day Monday to Sunday, including Bank Holidays and Public Holidays.
- 3 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 4 The use of the premises for meetings or activities taking place between 1900 and 2230 shall be restricted to pre-arranged bookings only, involving tenants, registered community groups, or other approved users, up to a maximum of 10 times per month. No drop-in use shall occur after 19:00.

The premise shall not be open to any persons after 22:30 on any day.

A log of all late bookings (including the date, time, user group and nature of use) shall be maintained and made available for inspection by the LPA upon request
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 5 The commercial waste shall be stored wholly within the building and shall only be placed out on the evening prior to collection.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 6 The building, shall be used for purposes within Class E(g)(i) Office use; of the Town and Country Planning (Use Classes) Order 1987 (as amended) and, notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), shall not be used for any other purpose whatsoever without the express written consent of the Local Planning Authority.
- 6 Reason: The application has been assessed as acceptable and complying with policy COM 3 on this basis.

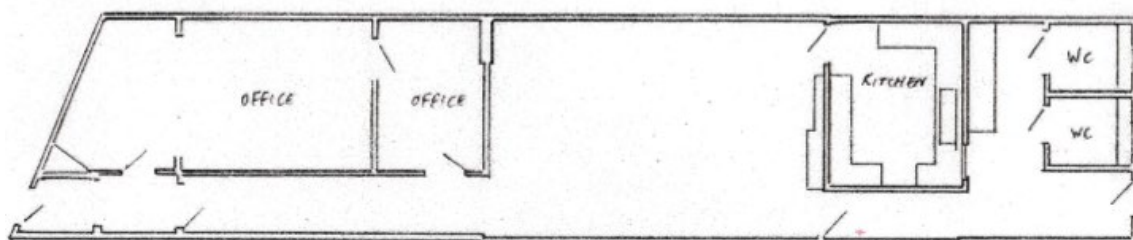
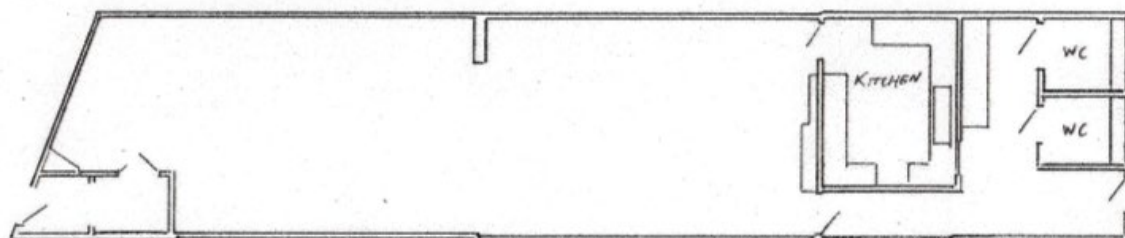
PLANS

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.



13 ST MARY STREET FLOOR PLAN

BEFORE



SCALE 1:100
1m 2m 3m 4m

AFTER WORK IS COMPLETED

25/00437/LBC

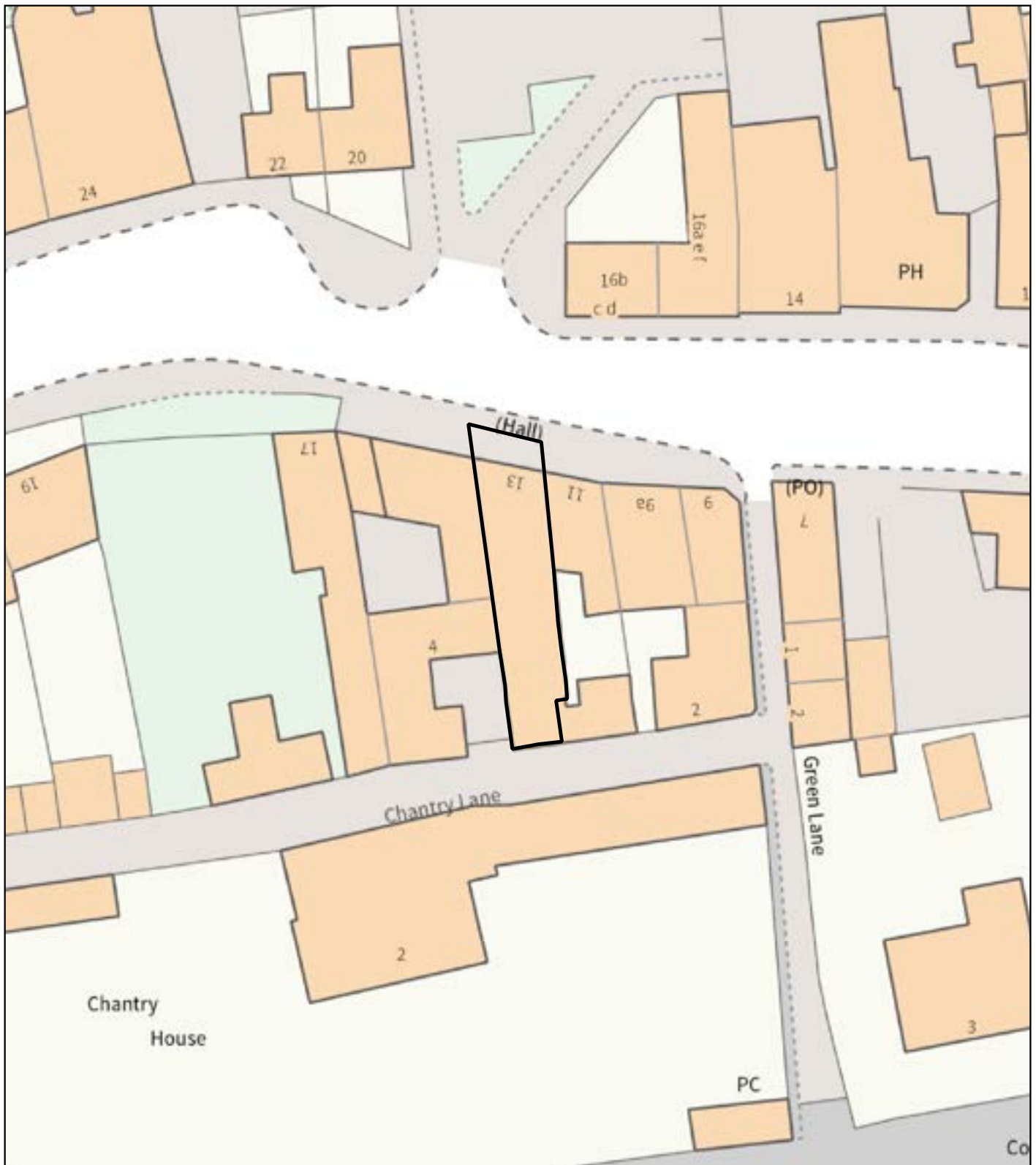
The Old Dispensary
13 St Marys Street
Ely
CB7 4ER

Change of use to secure office retrospective

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SUUSIDGGH9Y00>





25/00436/FUL & 25/00437/LBC



The Old Dispensary
13 St Marys Street
Ely

East Cambridgeshire
District Council

Date: 16/06/2025
Scale: 1:500



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TITLE: 25/00437/LBC

Committee: Planning Committee

Date: 02 July 2025

Author: Planning Officer

Report No: AA33

Contact Officer: Cassy Paterson, Planning Officer
Cassy.Paterson@eastcambs.gov.uk
01353 616250
Room No 011 The Grange Ely

Site Address: The Old Dispensary 13 St Marys Street Ely Cambridgeshire CB7 4ER

Proposal: Change of use to secure office retrospective

Applicant: The Old Dispensary Ely Ltd

Parish: Ely

Ward: Ely West

Ward Councillor/s: Christine Colbert
Ross Trent
Christine Whelan

Date Received: 8 May 2025

Expiry Date: 3 July 2025

1.0 RECOMMENDATION

- 1.1 Members are recommended to APPROVE the application subject to the conditions set out in Appendix 1.
- 1.2 The application is being heard by the committee because it triggers the Council's Constitution in respect of the applicant's position within the council.

2.0 SUMMARY OF APPLICATION

- 2.1 The application site is located within the defined development envelope and Conservation area of Ely. The building is grade II listed and is a former day care centre. The application seeks retrospective consent for the internal works made to the Listed building to form a secure office for the Local MP. The purpose of this application is to understand if there is harm caused to the fabric of the listed building as a result of the work made. The internal works include the retrofit of a secure

office area to the front of the building that would measure 10m in length and has a width of 3.4m.

2.2 Due to the retrospective works to a Listed building which requires consent, this application has been submitted to regularise the unauthorised changes. However, the retrospective nature of the application is not a matter which can be considered as part of the determination of the application. The Council has not taken enforcement action, regarding the alterations which have occurred on the site, due to the current application being considered. The absence of enforcement action to date is not a matter which can be considered as part of the determination of the application.

2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link [Simple Search](#).

3.0 PLANNING HISTORY

3.1 **25/00436/FUL**
Change of use to secure office retrospective
To be determined by Committee

93/00537/FUL
Refurbishment & Extension (25.9m²) of Day Centre for the Elderly
Approved
20 August 1993

93/00538/LBC
Refurbishment & Extension of Day Centre for the Elderly (Part Demolition)
Approved
20 August 1993

13/00471/LBC
Historic Plaque to be erected
Approved
29 August 2013

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is a Grade II Listed building known as the dispensary. The last known use of the building was as a community facility that is located within the defined development envelope and Conservation area of Ely. The building is located within the Centre of Ely and is well connected by public transport and a number of free public car parks. The dispensary is formed of two parts, the most historic double-height front section that can be seen from St Mary's road and a modern extension at the rear, which is single-storey and supports facilities such as a small kitchen and w/c.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees: Conservation Officer, Parish Council, Local Highways and Environmental Health and these are summarised below. The full responses are available on the Council's web site.

Parish - 28 May 2025

The Council has no concerns with regards to these applications.

Conservation Officer - 16 May 2025

Historic England's 2016 Advice Note 2 'Making Changes to Heritage Assets' states:

'The plan form of a building is frequently one of its most important characteristics and internal partitions, staircases (whether decorated or plain, principal or secondary) and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements, including the insertion of new openings or extension underground, will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations.

The junction between new work and the existing fabric needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting. Where possible it is preferable for new work to be reversible, so that changes can be undone without harm to historic fabric. However, reversibility alone does not justify alteration; If alteration is justified on other grounds then reversible alteration is preferable to non-reversible.

Doors and windows are frequently key to the significance of a building. Replacement is therefore generally advisable only where the original is beyond repair, it minimises the loss of historic fabric and matches the original in detail and material. Secondary glazing is usually more appropriate and more likely to be feasible than double glazing where the window itself is of significance.'

The dispensary was built as a double-height open hall with a lower adjunct (which has a modern service extension) and notwithstanding the insertion of suspended ceilings in the C20, this spatial character has largely survived. Any internal compartmentation is in tension with this character but it is accepted that the proposed use presents unique security requirements which cannot be satisfied in any other Dcintcon way. Nevertheless the subdivision is less invasive than many other potential uses (eg residential) and has been designed to be fully reversible.

The secondary glazing applied to the stone transom & mullion window in the front elevation is discreet and reversible and conforms to normal conservation practice in these circumstances. Whilst the implementation of works to listed buildings without authority cannot be endorsed, on balance the impacts of the scheme are considered acceptable in conservation terms.

Recommendation: no objection

Local Highways Authority - 30 May 2025

- No objection, would not materially impact the functioning of the public highway

Environmental Health - 14 May 2025

- Not clear how waste will be managed as part of the proposal, the officer has requested that the commercial waste duty of care document notes be provided to the applicant.
- There are no opening hours listed on the application form. If there are existing opening hours attached to the existing use, these should be considered due to the proximity to residential dwellings.

Consultee For Other Wards In Parish - No Comments Received

Ward Councillors - No Comments Received

- 5.2 A site notice was displayed near the site on 15 May 2025 and a press advert was published in the Cambridge Evening News on 22 May 2025.
- 5.3 Neighbours – Three neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.
- Concerns regarding the location of waste bins due to the narrow lane at the rear of the building
 - Chantry Lane should be kept clear of obstructions at all times

6.0 THE PLANNING POLICY CONTEXT

- 6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)
- ENV 12 Listed Buildings
- 6.2 Supplementary Planning Documents
- Design Guide
Natural Environment SPD
- 6.3 National Planning Policy Framework (December 2024)
- 15 Conserving and enhancing the natural environment
16 Conserving & enhancing the historic environment
- 6.4 Planning Practice Guidance
- 6.5 *Section 16 Planning (Listed Buildings and Conservation Areas) Act 1990*

7.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

- 7.1 Planning Comments

7.2 The main consideration of this application is the impact on the Grade II Listed Building. This application is to determine how this proposal would affect the fabric of a Listed Building.

7.3 Historic Environment

Policy ENV 12 states that proposals to extend, alter or change the use of a Listed Building will only be permitted where they would:

- Preserve or enhance the significance of the building and not involve substantial or total loss of historic fabric.
- Be compatible with the character, architectural integrity and setting of the Listed Building; and
- Facilitate the long-term preservation of the building.

7.4 Paragraph 200 of the NPPF sets out that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. It states that 'as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'

7.5 Paragraph 208 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.6 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.7 The internal change includes alterations to the front windows to include secondary glazing and the introduction of internal secure office space to the front portion of the building.

7.8 The Conservation Officer was consulted on this application and concluded that the secondary glazing applied to the windows on the front elevation is discreet and reversible and confirming to normal conservation practice.

7.9 The Conservation Officer sets out that modern alterations made in the C20 to insert suspended ceilings has retained the spatial character of the building and the further introduction of the compartmentalisation for secure offices that requires a unique security level would also not significantly alter the character of the Listed building and would be less invasive to the building than other potential uses and furthermore it has been designed to be fully reversible.

7.10 The Conservation Officer concludes that whilst works to listed buildings without authority cannot be endorsed. The proposal on balance, is considered acceptable, and it would have a neutral impact upon the significance of the listed building and is therefore considered to comply with policy ENV 12 of the East Cambridgeshire Local Plan (as amended 2023), the NPPF and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.11 Other Material Matters

7.12 Consultation responses have been received for this application from Highways, Environmental Health and neighbours, which cannot be considered under this application as the only material planning consideration is the effect this proposal would have upon the fabric of the Listed Building. However, these considerations have been addressed under the change of use application 25/00436/FUL and do not form part of the Listed Building Consent.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Equalities and Diversities

In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

7.13 Planning Balance

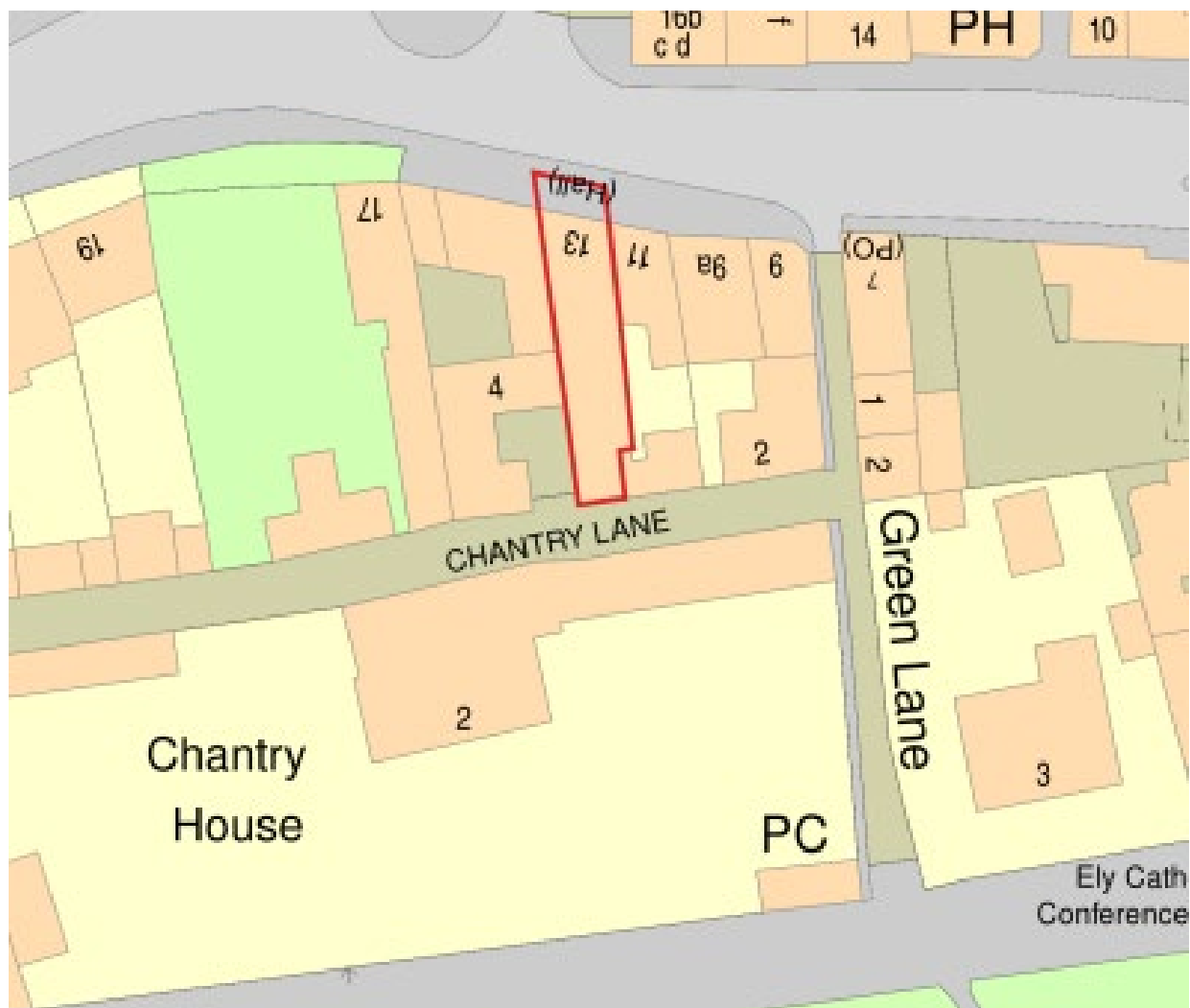
7.14 The retrospective application for the internal works, to a grade II listed building is considered on balance, to be acceptable, and the impact upon the heritage asset would have a neutral impact upon the significance of the listed building and is therefore considered to comply with policies ENV 12 of the East Cambridgeshire Local Plan (as amended 2023), the NPPF and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.0 APPENDICES

Appendix 1 – Recommended conditions

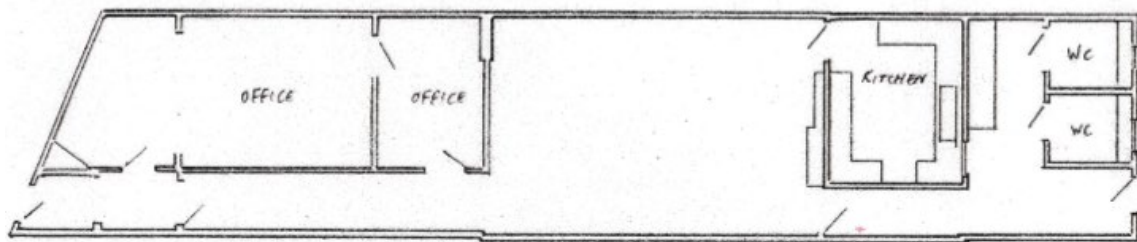
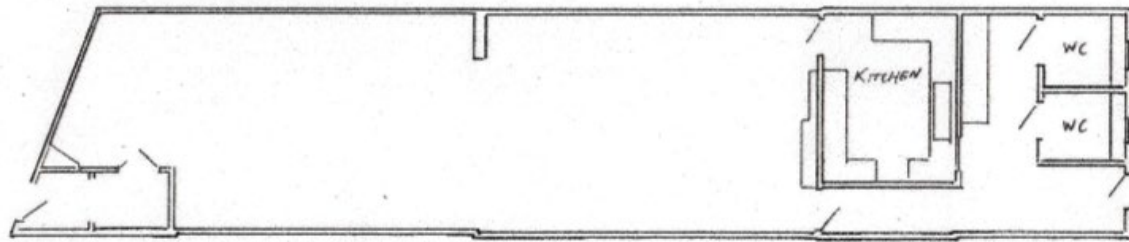
PLANS

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.



**13 ST MARY STREET
FLOOR PLAN**

BEFORE



SCALE 1:100
1m 2m 3m 4m

AFTER WORK IS COMPLETED

Appendix 1: Recommended Conditions

1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Location Plan		17th April 2025
Plan as Proposed		17th April 2025
Plan as Proposed		17th April 2025

- 1 Reason: To define the scope and extent of this permission.
- 2 The internal works hereby permitted shall be retained in accordance with the approved plans
- 2 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Planning Performance – May 2025

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

All figures include all types of planning applications.

Determinations

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees	Pre App
Determinations	126	4	26	32	20	27	21	8
Determined on time (%)		100% (90% within 13 weeks)	70% (80% within 8 weeks)	100% (90% within 8 weeks)	80% (90% within 8 weeks)	56% (80% within 8 weeks)	95% (100% within 8 weeks)	n/a
Approved	114	3	23	25	15	28	16	n/a
Refused	15	1	3	7	5	1	1	n/a

Validations – 95% validated within 5 working days (ECDC target is 85%)

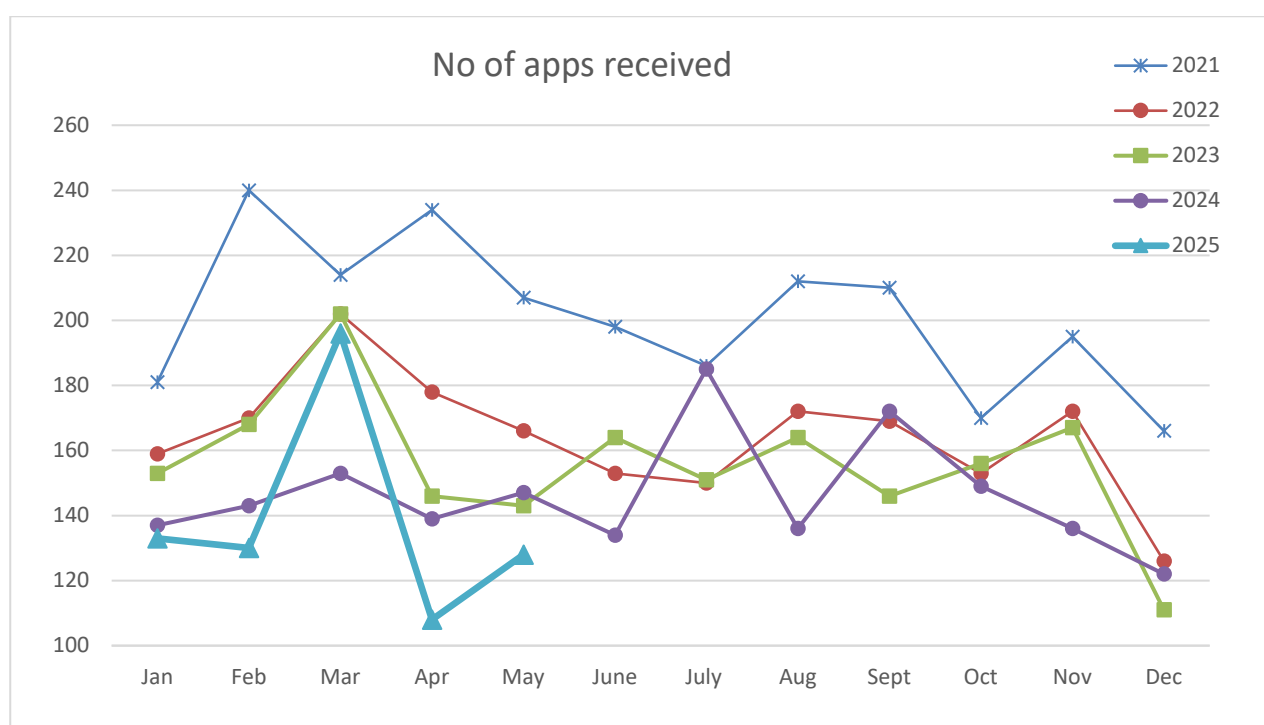
	Total	Major	Minor	Householder	Other	DIS /NMA	Trees	Pre App
Validations	117	2	18	20	20	16	20	20

Open Cases by Team (as at 17/06/2025)

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees	Pre App
Team North (5 FTE)	218	16	56	20	34	67	0	25
Team South (6 FTE)	107	6	16	27	19	23	0	16
No Team (3 FTE)	41	0	0	0	1	1	37	2

(No Team includes – Trees Officer and Conservation Officer)

The Planning department received a total of 128 applications during May which is a 13% decrease of number received during May 2024 (147) and a 19% increase to the number received during April 2025 (108).



Valid Appeals received – 5

Planning reference	Site Address	Decision Level
24/00461/FUL	Oak Farm House Woodditton Road Kirtling	DEL
24/00462/LBC	Oak Farm House Woodditton Road Kirtling	DEL
24/01119/FUL	Site To The East Of 38A Chapel Lane Wicken	DEL
24/01145/FUL	Site To The East Of 38A Chapel Lane Wicken	NON DET
24/01234/FUL	Land To East Of 38 And 38A Chapel Lane Wicken	NON DET

Appeals decided – 4

Planning reference	Site Address	Decision
23/01003/FUL	Flint Cottage 44 Church Lane Cheveley	DISMISS
24/00048/OUT	Land North East Of 3 Soham Road Fordham	DISMISS
24/00479/FUL	48 Mill Lane Stetchworth Newmarket	DISMISS
24/00842/FUL	108 Centre Drive Newmarket	DISMISS

Upcoming Hearing dates – 0

Enforcement

New Complaints registered – 18 (0 Proactive)

Cases closed – 25 (0 Proactive)

Open cases per Officer (2.6fte) – 171 (16 Proactive)/2.6fte = 66 FTE

Notices served – 1

Comparison of Enforcement complaints received during May

Code	Description	2024	2025
ADVERT	Reports of unauthorised adverts	0	1
COND	Reports of breaches of planning conditions	7	1
CONSRV	Reports of unauthorised works in a Conservation Area	0	0
DEM	Reports of unauthorised demolition in a Conservation Area	0	0
HEDGE	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
LEGOB	Legal Obligation monitoring	0	0
LEGOR	Legal Obligation report	1	0
LISTED	Reports of unauthorised works to a Listed Building	0	1
MON	Compliance Monitoring	0	0
OP	Reports of operational development, such as building or engineering works	4	6
OTHER	Reports of activities that may not constitute development, such as the siting of a mobile home	1	0
PLAN	Reports that a development is not being built in accordance with approved plans	4	2
PRO	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	2	0
TRECON	No notice of tree works in a Conservation area	0	0
TREHDG	Hedgerow Regulations breach	0	0
TRETPO	Unauthorised works to TPO tree	0	0
UNTIDY	Reports of untidy land or buildings harming the visual amenity	1	0
USE	Reports of the change of use of land or buildings	4	7
TOTAL		24	18