



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 3 December 2025

Present:

Cllr Chika Akinwale (left at 3:54 pm)
Cllr Christine Colbert
Cllr Lavinia Edwards
Cllr Mark Goldsack (Vice-Chair)
Cllr Keith Horgan (substitute)
Cllr Julia Huffer (substitute)
Cllr Bill Hunt (Chair)
Cllr James Lay
Cllr John Trapp
Cllr Ross Trent
Cllr Lucius Vellacott (substitute)
Cllr Christine Whelan

Officers:

Patrick Adams – Senior Democratic Services Officer
Kevin Breslin – Locum Planning Lawyer
Selina Raj Divakar – Planning Team Leader
Kevin Drane – Trees Officer
Rachel Gordon – Interim Planning Team Leader
David Morren – Strategic Planning and Development Management Manager

In attendance:

ECDC Comms
Six members of the public

31. Apologies and substitutions

Apologies for absence were received from Cllr Christine Ambrose Smith, Cllr Martin Goodearl, Cllr Alan Sharp and Cllr John Trapp. Cllr Julia Huffer substituted for Cllr Ambrose Smith, Cllr Lucius Vellacott substituted for Cllr Goodearl and Cllr Keith Horgan substituted for Cllr Sharp.

32. Declarations of interest

Cllr Keith Horgan declared a personal interest in agenda item 5, the application 24/01126/OUM at Mereside Works, Soham, as a ward member for Soham

North and a member of Soham Town Council. He explained that he did not serve on the Town Council's planning committee, had not made any public pronouncements on the application and was coming to the Committee with an open mind. Cllr Mark Goldsack also declared a personal interest in agenda item 5, as both a district councillor and a county councillor for the town of Soham. He confirmed that he was coming to the Committee with an open mind. Cllr Chika Akinwale declared a personal interest in agenda item 6, the Tree Preservation Order at Prickwillow, as the local ward member who was coming to the meeting with an open mind.

33. Minutes

The Minutes of the meeting held on 5 November 2025 were agreed as a correct record.

34. Chair's announcements

The Chair reported that this was Selina Raj Divakar's last Planning Committee meeting before she left the authority. The Chair wished her all the best in her new job.

35. 24/01126/OUM – Mereside Works, Soham

Selina Raj Divakar, Planning Team Leader, presented a report (AA110, previously circulated) recommending approval for an outline application for the erection of a residential led mixed use development comprising of up to 99 units, with all matters reserved except for access at 25 Mereside, Soham.

The Committee received the following statement from objector Gillian Miller: "Plans in June 2020 specified building directly behind 15 and 15a Mereside and also behind the Willows. I understand the reasons for not building behind the nursery school. On the most recent plans my and my neighbours' properties 15 and 15a will be the only homes directly overlooked, blocking both the light and our privacy and also reducing the values of the properties. I suggest that the proposed homes 11 and 12 should not be built but replaced by planting new trees, helping to make up for the mature trees, which will have to be felled. I estimate that to be about 10 trees.

"Planning permission for 90 homes was refused in June 2024, as ill thought out. How can you now justify building an additional nine homes?"

The Committee then received the following statement from objector Donna Martin:

"The land in question provides the sole natural drainage basin to land west of Soham High Street. Any development on this site will cause flooding to existing older properties at 67, 69, 71, 73 and 75 Mill Corner and significantly to numbers 73 and 75, which have experienced six major house floods in 30 years. I speak for all residents at Mill Corner and Mereside who not only oppose development on the site in question but are afraid of it. Number 73 Mill Corner has flooded so many times the owner can no longer afford the excess on her insurance.

"The open drainage ditch on my property collects run off ground water from the bottom of Clay Street and buildings on this part of Mill Corner adjacent to and to the east of Soham station. At times of heavy rainfall the ditch does not have the capacity to hold the amount of water discharged into it, often causing minor flooding. This ditch flows into an underground pipe, which directly connects to the land under consideration. Due to persistent flooding from 1995 and the discovery that Soham Lode discharges into the same land when the River Ouse is in flood and cannot take water from Soham Lode, in 1997 East Cambridgeshire District Council dug a relief channel spanning the western boundary of the land under consideration. In 2020/21, following the applicant's attempt to clear the site by use of machinery, my ditch flooded to the extent that the water pressure was so great, it began to undermine my outbuildings. It took two years for the County Council flood and water team to investigate the matter. When they eventually sent a tanker, the operator stated that they disposed of 8,000 gallons of water but the ditch was refilling from the pipe that ran from the site this applicant is proposing to develop. When the matter was finally dealt with, the landowner denied any responsibility for soil blocking the channel, and we were told that we had been holding an estimated half a million tonnes of water.

"This developer, which some of you wish to support, intends to build homes on this site. The developer states that as part of the development they wish to include a wetland wildlife habitat. This is a wetland wildlife habitat. The area in question is low lying in the region of 20 feet below sea level. It is criss-crossed with ditches, which provide drainage for homes in Mereside. County Council Highways who are regularly in attendance at flood events at Mereside state that nobody really knows how it works. When Soham Lode cannot discharge into the River Ouse, the Environment Agency opens the sluice and allows the water to flood into the land this developer wishes to build homes on. Land where the ditches will already be full of water. In 2022 it was confirmed to me by the Environment Agency that they do not intend to change this arrangement. I have seen the proposed development site under two metres of water. Attenuation tanks beneath Soham Station constructed deliberately for the purpose of draining the land under discussion have proven that they cannot cope during times of heavy rainfall. This proposal cannot be considered in isolation due to the sensitive nature of the drainage system and how it affects homes in the immediate surrounding area. Flooding here is not a one in one hundred year event. The purpose of outline planning is to consider the suitability of a site. The main consideration being the sustainability and future proofing against global warming and higher risk of flooding events. At a public meeting the development company, when questioned, could not say how water courses would be maintained. Neither could they say how they would dispose of run off without adding to an already existing issue. The suggestion of underground attenuation tanks does not work in clay and would cause so much ground water displacement it would increase the seriousness of existing issues. To date, despite many requests, I have not been able to obtain full drainage plans for this site, neither have I been able to obtain a map of drainage post Soham train station development. This week after submitting a Freedom of Information Act request to East Cambridgeshire District Council, I was told that no update to

drainage plans exist. Surely it is folly to proceed in this decision without full knowledge of how millions of gallons of the ground water that will discharge from the hard standing and roofs that this development would create, would be disposed of without causing flooding to many existing homes. I put it to you that any development on this site is unsustainable.”

Following questioning from Cllr Mark Goldsack to Gillian Miller it was noted that the actual locations of any buildings in plans were only indicative as these would have to be agreed under the reserved matters application.

In reply to Cllr Christine Colbert, Donna Martin stated that she had contacted the Environment Agency about her drainage concerns, who in turn had liaised with the Council in this matter. She was concerned about the development, as rain from the site would run off into the drainage ditch by her home, which had regularly flooded in the past.

The Committee received the following statement from the consultant Richard Conroy:

“My name is Richard Conroy from Total Planning. I would like to thank the case officer, I think that she presented the scheme incredibly well, alongside a comprehensive report that explains this outline application. The detail has not come before Members yet and it will come at the reserved matters stage.

“This application is at an outline stage. The key things being considered are the principle of development and access. With regards to access, I think that it is important to bear in mind that there is previous consent for this site, that was referred to earlier, for 31 houses. So, the vehicular access is very similar to that, so in principle the Council has accepted this vehicular access. Obviously, this development could bring forward a larger number of dwellings. So, we have to consider the transport infrastructure impact of a larger number of dwellings. We undertook new traffic surveys on local junctions in September. We have provided an updated transport statement to the officers that has been reviewed by Cambridgeshire County Highways team, who found that there was no adverse impact in terms of the local Highways network. This site, as described by the case officer, is consistent with the principles laid out in the Council’s Local Plan. It provides a mix of employment and civic uses. It will generate consistent day time activity and attract local services. It will potentially provide a new civic public realm space, next to the station. It provides opportunities for public open space and key routes from the station to the site. It is a flexible development proposal. It will also potentially deliver a new sense of place and a strong sense of arrival around the new station that has been delivered for Soham.

“In terms of the Local Plan and the principle of development, the principle has been established through the site allocation. What we are proposing is consistent with that. Officers welcome it and I believe that Members should be supportive of those general arrangements. The vehicular access has been accepted before. What we are proposing now has been accepted by the County Council Highways team. We have had to carefully consider drainage and flooding because there are drainage ditches within the site and the point made

about neighbouring properties draining into this site is correct, but our proposals set out mitigation measures, which will actually expand the amount of ditch capacity space for flooding, so as a result of these measure that risk of flooding will actually be reduced. That is why the lead local flood authority have raised no objections to the scheme, as it has the potential to reduce the flood risk for neighbouring properties.

“Lastly on affordable housing, a White Paper that has been published by central government that places affordable housing de facto at 20%, as opposed to 30%, which is what the Council’s local policy originally states.”

Neil Pistol, one of the land owners made the following statement:

“With regards to flooding and drainage, we have spent a lot of time and money looking at this. We cleared the drains some two years ago and we understood that the low level of the site has to accommodate approximately 1.5 million gallons of water as a precaution for flooding when the Lode overflows. To accommodate that the culverts and ditches need to be deepened and significantly widened to take this water and if we can do this it will actually increase the flow through the site and stop the flooding up at Mill Corner, which we proved when we cleared the site some two years ago. I don’t believe there has been any significant flooding since then.”

In reply to Cllr Keith Horgan’s questions about the transport assessment, Richard Conroy stated that a new survey had been carried out in September, observing traffic at junctions throughout the course of the day and week. Cllr Horgan suggested that the concerns of the Town Council and officers should be addressed in a new survey. Neil Piston confirmed that a new survey would have to be carried out, but the Highways Authority had confirmed that their survey had been a worst-case scenario and even then, they had no serious concerns about the development. The Planning Team Leader explained that the developer had been advised by the County Council to re-do their transport assessment, however, as detailed in the report, the County Council had stated that the development would not have a severe impact on the local highway network and the road junction would continue to operate within capacity.

In reply to Cllr Keith Horgan, Richard Conroy explained that the outline application was requesting permission for up to 99 homes and the Council would need to decide what was acceptable at the reserved matters stage. He confirmed that he had read the Soham and Barway Neighbourhood Plan.

In reply to Cllr Chika Akinwale, Richard Conroy explained that a viability assessment had indicated that the developer could only deliver 20% affordable homes. In reply to Cllr Keith Horgan, Richard Conroy explained that the viability assessments carried out by the developer disagreed with the Council’s assessment. He added that small increases in building materials could make a large impact on profits and many other sites were also struggling with the viability issue due to the current market, which the Government had recognised, hence the White Paper referred to earlier.

In response to Cllr Chika Akinwale's question about the need for 1 and 2 bedroom homes, Richard Conroy explained that the developer was liaising with the Council regarding the housing mix and would discuss ways in which the authority's aspirations would be met.

In reply to Cllr Chika Akinwale, Richard Conroy explained that a flooding consultant had confirmed that the proposed drainage work would actually reduce the risk of flooding in the area. Neil Piston confirmed that the plans included widening the drainage channel where Donna Martin lived and the exact specifications would need to be agreed at the reserved matters stage.

In reply to Cllr Ross Trent, Richard Conroy agreed to ensure that residents were consulted on the design of the development before being submitted for agreement at the reserved matters stage.

In reply to Cllr Chika Akinwale, Richard Conroy reported that locations had been identified for play spaces and would have to be agreed at the reserved matters stage. He confirmed that the plan was to ensure that 10% of the homes would be accessible for disabled people.

Councillors were asked if they had any questions for the officers.

In reply to Cllr James Lay, the Strategic Planning and Development Management Manager explained that drainage issues would have to be resolved in the reserved matters application and not at the outline stage. The Lead Local Flood Authority had confirmed that drainage issues could be resolved.

In reply to Cllr Chika Akinwale, the Planning Team Leader assured the Committee that the Soham and Barway's Neighbourhood Plan would be given significant weight during discussions on reserved matters. The developer would have to contribute to the Soham commons fund to provide recreational activities for residents. The Housing mix in the development would need to comply with the Neighbourhood Plan and Local Plan.

In reply to Cllr Keith Horgan, the Planning Team Leader explained that the national planning policy allowed buildings to be higher than recommended in the Neighbourhood Plan if they did not dominate landscape and respected the character of the area. This would need to be reviewed further in the reserved matters application. She also confirmed that matters highlighted in the ecology report would form part of the discussions under the Section 106 Agreement.

The Committee moved into debate.

Cllr Lucius Vellacott expressed his support for this outline application for development which was on brownfield land, was on the edge of town and in the Local Plan. However, he hoped that the Council would push for a minimum of 30% affordable housing in discussions on the reserved matters. He proposed that an additional recommendation be added to ensure that the Committee would receive any associated reserved matters applications. This was seconded by Cllr Christine Colbert.

Cllr Keith Horgan stated that he would support the outline recommendation, although he had concerns that would have to be resolved under the reserved matters application. He highlighted that the site had been allocated 90 homes in the Local Plan and the application had increased this to 99 units.

Cllr Mark Goldsack supported the outline application. The site had been allocated for development for years. He noted that much was promised under reserved matters, with drainage and the policies in the Town Council's Neighbourhood Plan of particular importance. He strongly supported the amendment proposing that reserved matters issues come back to the Committee.

Cllr Julia Huffer stated that building on brownfield site was preferable to building on farmland and so she supported this outline application. The concerns of neighbours regarding drainage and being overlooked needed to be resolved under reserved matters if the reserved matters application was to be approved. She mentioned that the site at Bellway was delivering 30%-40% affordable housing and so she did not accept that this application could only deliver 20% affordable homes.

Cllr Christine Whelan expressed concerns about both the promise of only 20% affordable housing and the volume of traffic entering the site. She doubted that many commuters would use the station, as trains were infrequent and there was no direct route to London. She was not convinced that the traffic survey was viable.

The Chair expressed his support for the application and hoped that all the concerns identified by the Committee would be dealt with under the reserved matters application.

Cllr Lucius Vellacott proposed and Cllr Christine Colbert seconded the recommendation in the report, with the one additional recommendation discussed above. A vote was taken and with 10 votes in favour, 0 votes against and 1 abstention.

It was resolved:

- (i) to grant delegated authority to the Strategic Planning & Development Management Manager to finalise the terms and completion of the s106 legal agreement;
- (ii) that following completion of the s106, planning application 24/01126/OUM be approved, subject to the conditions set out in Appendix 1;
- (iii) that the Committee delegates authority to refuse the application in the event that the applicant does not agree any necessary

extensions to the statutory determination period to enable the completion of the s106 legal agreement;

- (iv) that any associated reserved matters applications be considered by the Committee.

36. T/PO/E/03/25 – Main Street, Prickwillow

Kevin Drane, Trees Officer, presented this report (AA111, previously circulated), which recommended that the Committee confirm the Tree Preservation Order (TPO) E/03/25 for the woodland off Main Street, Prickwillow.

The Senior Democratic Services Officer read out a statement from objectors to the application, Rebecca and Sean Quinn:

“We live at 42 Main Street, Prickwillow and own the house which backs directly onto the area which is the subject of this TPO. As both my husband and I work full time we are unable to attend the hearing today. This is meant with no disrespect at all to the Committee but as a teacher and a lawyer we have student/client commitments which prevent us attending a hearing in the middle of the day.

“We originally submitted an objection to the TPO during the summer. The Council acknowledged our objection and provided further information. We have since responded to this by email and provided further photographic evidence of the trees overhanging significantly into our garden. We have also discussed our concerns with the applicants.

“We have at all times maintained that it is not the concept of the TPO per se we object to, it is the scope of it and the failure of the applicants to adequately maintain the land it relates to and the implications this has for us going forward if the TPO is granted as drafted.

“Our main concerns are:

1. Scope of the TPO
2. Maintenance of the land

“The TPO covers a wider area than the area where the trees which were the subject of the original grant funding are planted. It comes right up to the boundary of our property where there are other trees of a different type.

“The Council has stated that there are clear views of the woodland from publicly accessible locations such as between properties on Main Street and the drainage museum, which are sufficient for the woodland to have a public amenity value. We feel this is a real stretch, as the views are limited and there is very little space between the houses allowing the view.

"In our opinion, the applicants do not adequately maintain the area. This routine maintenance was a condition of the grant to plant the trees in the first place, and this obligation is not fulfilled in any shape or form at the present time. We have repeatedly requested that the trees be maintained around the area that immediately buffers the boundary line of our property and they have failed to do so, despite saying if we ever needed anything doing, just to tell them. They even came round following our objection and we explained our concerns and still nothing has been done. This situation will undoubtedly not improve once the TPO is formalised.

"Whilst we have been advised that the presence of a TPO does not stop reasonable maintenance, we would be legally required to submit requests for approval before anything at all can be done to the trees which are the subject of the TPO. This will inevitably cause us to incur time and inconvenience. Failure to do so would leave us liable to costs and sanctions.

"We feel that the onus should not be on us to do this. We are very busy professionals and feel the onus should be on the owners of the land to conduct reasonable and proactive maintenance so that issues do not arise, rather than us having to constantly waste time and energy to solve problems not of our making.

"We do not feel we should have to seek approval for issues which were existing before the commencement of the order. We would have imagined that reasonable and considerate action should be insisted upon before either order is formalised. We see no equity in us having to apply for permission to solve pre-existing issues.

"The applicants have not planted any trees in their own sight line from their property, yet the trees come right up and, in some cases, actually significantly intrude over our boundary line. This causes health and safety issues as they overhang our daughter's trampoline by at least 15 feet. When asked to control the nettles that protrude through onto our child's trampoline, we were told yes, but they are great for the peacocks. No action or engagement with us has occurred since this conversation in the summer.

"We have suggested a small buffer zone so that the TPO does not include trees on our boundary line, which were not part of the original planting and are in fact of a different species of tree altogether. This would mean we were able to prune such trees should they overhang our property, without having to apply for approval. We consider this a reasonable compromise and adjustment to ensure no ongoing issues, no time wasted and no unnecessary expense. We would then have no objections. We provided a plan of such a buffer to the Council previously.

"We do not consider that we should be penalised for the applicant's failure to maintain their own project, one which does not negatively impact on them at all but does us, especially when the scope of the TPO could legitimately be restricted to the original planting without any negative implications for anyone.

“Many thanks for taking the time to consider our response.”

The Committee received the following statement from owner of the wood, Sonia Lewis:

“We moved to Prickwillow in 1998 and we had just over a hectare of grassland which had not been used for years and years. So, this was when we started to plant our wood. The small whips were deciduous native trees and barely showed above the grass and at that time there was only one other house in sight. The Hereward Housing terrace, which was there, was due for demolition and it wasn't until many years later that two large, detached houses were built and incidentally those people who live on either side of those who are objecting, like the wood. The first occupants regarded the wood as an asset, saying that they would rather have woods than houses.

“The trees have constantly amazed us. In no time at all we had birds, insects and butterflies take up residence. Two species of butterfly delighted me. I was learning, I found out about the buckthorn, which is the food for the brimstone and we planted a few buckthorns and in came the brimstone butterflies within the next spring. We also have speckled woods there, which wouldn't be possible without trees. I record this in a wood diary and any change in species goes in this. We have sparrowhawks, buzzards, green and speckled woodpeckers. They all have nested, along with other more common garden birds such as blackbirds, thrushes, robins, siskins etc. and more recently we have seen a revival of hedgehogs, which is lovely, and bats roost in the alders.

“The wood continues to give back so much. John, my husband, made ladder back chairs from the ash and cherry trees. I fire my pots in a wood kiln and I make glazes from the wood ash. Each year we open our wood during July weekends for open studios, and anybody can come. We have tried to follow good management practices in our wood. We have been on a sharp learning curve, and we have had help from the Small Woods Association.

“So, we were thinking, in particular, because of our age, we decided to apply for this TPO, because we are not going to last forever. Sadly, my husband has demonstrated this because he died at the end of August, but this merely emphasises the fact that when I die the trees will still be here. I like to think that they are a legacy for all of us.”

Councillors were invited to ask question.

In reply to Cllr Julia Huffer, Sonia Lewis explained that the wood had been well established before the neighbours objecting to the TPO had moved in.

In reply to Cllr James Lay, Sonia Lewis reported that there was one active beehive in the wood and she hoped to expand on this.

In reply to Cllr Chika Akinwale, Sonia Lewis confirmed that she was prepared to work with the Council to draw up a simple management plan to keep the trees from encroaching on boundaries. She added that her son, who lived

locally, was prepared to take on responsibility for looking after the wood when the time comes.

In reply to Cllr Keith Horgan, Sonia Lewis confirmed that she was aware that only deadwood could be taken from trees that were under a Tree Preservation Order, without a consent order.

In reply to Cllr Mark Goldsack, Sonia Lewis explained a tree surgeon, who did work for the Wildlife Trust, had assisted with the maintenance of the trees and she wanted to work with the neighbours to address their concerns.

Councillors were invited to ask the officers questions.

In reply to Cllr Keith Horgan, the Trees Officer explained that all neighbours were made aware of any Tree Preservation Orders close to their land, a list of all trees with Tree Preservation Orders was available on the Council's website and there was no charge for getting a consent order to prune trees covered by a Tree Preservation Order.

In reply to Cllr Chika Akinwale, the Trees Officer explained that it was not possible to add a condition of a management plan to a Tree Preservation Order. In reply to Cllr Mark Goldsack, the Trees Officer explained that the conditions agreed when a wood was planted were not the same as ongoing maintenance conditions for an established wood. The Strategic Planning and Development Management Manager added that planning permission was not required for planting trees.

The Committee moved into debate.

Cllr Julia Huffer stated that she believed that the concerns of the neighbour could be addressed, the wood was well established in an area where woodland was scarce and should be enjoyed for years to come. She supported the officer's recommendation.

Cllr Lucius Vellacott asserted that this was one of the few woodlands in East Cambridgeshire and was a community asset. Simple maintenance was acceptable under the terms of a Tree Preservation Order and so he supported the officer's recommendation.

The Chair proposed and Cllr Julia Huffer seconded the recommendation in the report. A vote was taken and the Committee unanimously agreed

to resolve:

to Approve the confirmation of the Tree Preservation Order (TPO) E/03/25 for the woodland off Main Street, Prickwillow.

37. TPO/E/04/25 – Main Street, Little Downham

Kevin Drane, Trees Officer, presented this report (AA112, previously circulated), which recommended that the Committee confirm the Tree Preservation Order (TPO) E/04/25 for a Lime Tree at 97 Main Street, Little Downham.

Cllr Chika Akinwale left the meeting at 3:54 pm.

The Committee received the following statement from an objector, Brian Higginson, who was acting as an agent to the homeowner.

“I just want to deal with a few simple facts to start with. Kevin alluded to the fact that the tree owners had a report from their own surveyors, Argenta who stated that ‘in my opinion it would be incorrect to retain T3 given the evidence we possess.’

“The house is subsiding; it’s got cracking damage. It’s not just the house; there’s a garage next to it and the lime tree is beyond the garage. We talk about the need to have lime roots in a trial pit. If we think about the flank of the garage, if we dig a big trial pit and if we find roots, be it lime or poplar, we can try and link it to a tree. This lime tree is quite close to the garage. It is so close that I think that it is beyond reasonable doubt that we would find lime roots, so why should we have to dig a trial pit to find them in the first place?

“I think that you have to be aware that one of your residents in the district has a subsidence problem, which they want resolved and we are trying to resolve it. If we don’t do this, it just drags out the process and it takes longer and longer, so that the suffering carries on. I think that to a degree we must be aware that there is damage occurring.

“There is a little note here from the subsidence engineer, who just said that the garage is badly damaged by subsidence, as illustrated by level monitoring. Along with the main house, the right house boundary wall between the two properties.

“So, we have evidence that we have shrinkable soil. We have evidence of trees, we have evidence of seasonal movement, which links it to vegetation. The one thing that we don’t have is lime roots in a big trial pit. I think that if this tree was on the periphery of the property and some distance from the garage, you would need more evidence, but it is so close. It is beyond reasonable doubt that the lime tree is associated with the damage. Obviously if you put a TPO on the tree and we apply to remove it and you refuse, the insurer is within his right to look for compensation.”

Councillors were invited to ask Brian Higginson questions.

In reply to Cllr Keith Horgan, Brian Higginson explained that the insurance engineers had decided where to dig trial pits and so he could not explain why no trial pits had been dug by the garage.

In reply to Cllr Lucius Vellacott, Brian Higginson explained that he assumed that the lime tree must have caused subsidence damage due to its proximity to the garage.

In reply to Cllr Julia Huffer, Brian Higginson accepted that poplar trees did more subsidence damage than lime trees. However, the lime tree in question was in its early maturing stage, where trees removed more water from the soil and lime trees were assessed as “medium” in terms of likelihood to cause subsistence damage. Poplar trees were assessed as “high”.

In reply to Cllr Christine Colbert, Brian Higginson explained that the maximum distance for lime trees to cause damage was 20 metres away, whilst in 50% of cases the lime tree was within 6 metres of the damage. So the known facts indicated that the tree was causing damage to the garage.

In reply to Cllr Mark Goldsack, Brian Higginson reported that the insurance company had been kept informed of all developments regarding this matter and currently they saw no reason to dig an additional trial pit, although that view could change. If movement continued after the poplar tree was removed, this would prove that the lime tree was causing damage.

Councillors were invited to ask questions to the officer.

In reply to Cllr Keith Horgan, the Trees Officer reported that the lime tree was planted prior to 1993, which was before the garage and the home were built. He explained that Building Control had reported that the home’s foundations should be designed by an engineer due to the proximity of trees. The foundations of the garage did not need to be reported to Building Control.

In reply to Cllr Mark Goldsack, the Trees Officer assured the Committee that if the stump of the poplar tree was left after the tree was removed, it would be treated to ensure that there was no further growth.

In reply to Cllr Keith Horgan, the Trees Officer stated that when a tree needed to be removed, the insurance company would liaise with the tree owner to decide who would pay for its removal.

The Committee moved into debate.

Cllr Julia Huffer stated that lime tree was there in 1993, before the house and garage had been built. There needed to be clear evidence that the tree was damaging the garage before it could be removed and as this evidence had not been provided, she asserted that the Committee should agree with the officer’s recommendation and approve the confirmation of the Tree Preservation Order. Cllr Keith Horgan agreed and suggested that stronger foundations should have been added to the garage when it was built so close to a tree. Cllr James Lay suggested that the onus was on the objector to prove that the lime tree was doing damage by digging a trial pit, as had been done with the poplar tree. Until this was done the Tree Preservation Order should remain in place.

The Chair stated that if it was proved that a tree was doing damage, it could be removed. However, if a tree that was not doing damage was removed, it could not be restored.

Cllr Julia Huffer proposed and Cllr Keith Horgan seconded the recommendation in the report. A vote was taken and the Committee unanimously agreed

to resolve:

to Approve the confirmation of the Tree Preservation Order (TPO) E/04/25 a Lime Tree at 97 Main Street, Little Downham.

38. Planning Performance Report – October 2025

David Morren, Strategic Planning and Development Management Manager, presented a report (AA113, previously circulated) summarising the performance of the Planning Department in October 2025. He explained that the report provided only details of the appeals that had been received that month.

Cllr James Lay asked if an annual performance report could be brought to the Committee. In response to questioning, the Strategic Planning and Development Management Manager suggested that the Operational Services Committee discussed Planning's Service Plan, whilst this Committee focussed on performance data. He asked whether the Committee wanted the annual report to be based on a calendar year or the civic year. A vote was taken and with 7 votes in favour, 1 against and 2 abstentions it was agreed that the Committee should receive an annual performance report at the end of the calendar year. The Strategic Planning and Development Management Manager explained that this report would go to February's Committee.

In response to a question from Cllr Mark Goldsack, the Strategic Planning and Development Management Manager explained that the Council was receiving fewer planning applications but these applications were for larger developments and were more complex. The Council had provided the Government with information on the number of completions and would be providing them with details of the authority's current five year land supply later this month. This data would be put on the website and also shared with the Committee.

In response to Cllr Keith Horgan, the Strategic Planning and Development Management Manager reported that figure in brackets in the determinations table was the performance target. He believed that it should be possible to indicate how long it was taking to process planning applications that had missed their performance targets. He added that the average time for processing applications had reduced and work was being done to resolve applications that had been on the waiting list the longest.

It was resolved:

- (i) that the Planning Performance Report for October 2025 be noted;
- (ii) that the Committee receive a performance report for the calendar year in February.

The meeting concluded at 4:42 pm.

Chair.....

Date.....