



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 1 April 2026

Present:

Cllr Christine Ambrose Smith
Cllr Christine Colbert
Cllr Lavinia Edwards
Cllr Mark Goldsack (Vice-Chair)
Cllr Martin Goodearl
Cllr Bill Hunt (Chair)
Cllr James Lay
Cllr Ross Trent
Cllr Alan Sharp
Cllr John Trapp
Cllr Christine Whelan

Officers:

Patrick Adams – Senior Democratic Services Officer
Kevin Breslin – Locum Planning Lawyer
Sophie Browne – Planning Team Leader
Kevin Drane – Tree Protection Officer
Daisy Hill – Senior Planning Officer
David Morren – Strategic Planning and Development Management Manager
Christopher Smith – Environmental Health Officer
Gavin Taylor – Major Projects Officer

In attendance:

Martin Blunden, Greenfire Solutions
Cllr Lucius Vellacott, as local member
ECDC Comms
Members of the public

60. Apologies and substitutions

Apologies for absence were received from Cllr Chika Akinwale.

61. Declarations of interest

None

62. Minutes

The Minutes of the meeting held on 4 March 2026 were agreed as a correct record, subject to the inclusion of the following as the seventh paragraph on page 13:

- In reply to Cllr Christine Whelan, Sam Robinson confirmed that the developer had not met anyone from the County Council Highways department on site.

63. Chair's announcements

The Chair announced that after many years in the role, Sarah Parisi was moving from planning administration into a new position at the Council. The Chair thanked Sarah for her work.

64. 25/00303/FUM – North of Church Road, Wicken

Gavin Taylor, Major Projects Officer, presented a report (AA183, previously circulated) recommending approval for the installation of up to 400MW of Battery Energy Storage Systems and associated infrastructure for a temporary period of 35 years. He explained that the proposed conditions in the report had been amended to include the recommendations from the Greenfire report and to delegate authority to the Strategic Planning & Development Management Manager to finalise the pre-commencement conditions, if necessary.

The Committee received the following statement from objector Bill Pepper, Chair of Wicken Parish Council:

“Having lived in Wicken for 20 years, I cannot recall a planning application which has caused such a negative reaction and universal opposition more than this one. Residents are quite rightly very concerned about this application and this has been expressed directly to me, to the parish council and to East Cambridgeshire District Council, via comments on the planning portal. We believe that the application is contrary to the following policies in the Local Plan and which notably were also the grounds for refusal of the recent Burwell battery storage application, a smaller and arguably less visual development than this one. We believe that it is contrary to policy ENV1 – landscape and settlement character, due to the inappropriate location and the resulting visual impact of the development in the rural countryside. The proposed development amongst other places will be clearly visible from the A1123, the Wicken to Soham road, blighting the unique open vistas across Soham Mere towards Ely and its cathedral. Visually the proposal is directly comparable to dumping a large drainage storage compound on a greenfield site in open countryside and is tantamount to the industrialisation of the rural landscape. We also note that in paragraph 4.1.1 of the supporting planning statement, which states that the planning site is a logical location, adjacent to the existing solar park. We would however, strongly argue that it is not logical at all. The proposal will not draw any power from the solar park, relying instead on electricity coming all the way from the Burwell substation some two miles away and we would further say that the proposal only adds to the visual and audio intrusion of this countryside setting. We also consider that the proposed landscaping scheme is merely

perfunctory, superficial and amounts to nothing more than putting lipstick on a gorilla. We further believe that the application is contrary to policy ENV2 – design, due to the loss of amenity and public recreation. The site is directly adjacent to public rights of way and the proposal due to the noise from constant humming of cooling fans and visual intrusion would negatively impact on the enjoyment of walkers, cyclists and more. Just at the weekend I took my dogs for a walk along the footpaths, adjacent to the site, and enjoyed skylarks singing and roe deer grazing, all of which will vanish if the proposal proceeds, despite the claims of increased biodiversity. The Council has also recently opened, at great expense, the much anticipated Wicken to Soham cycleway and the proposal will only detract from this well-used and very popular route. We also believe that the application is contrary to ENV9 – pollution, due to the associated noise affecting nearby residents and also the risk of toxic fumes to both Wicken and Soham residents in the event of fire. The nearest houses to the development site are a mere third of a mile away. We also have concerns in the event of a fire of a sufficient water supply and possible contamination of the adjacent drainage system and we also have doubts regarding security given the rural and isolated location. In addition to the above, we believe that there are sufficient health and safety issues regarding the access route to the site and its suitability. The proposed route is nothing more than a narrow sub-standard farm track, broken and uneven in many places and the fact that it is shared with a popular public footpath obviously leads to health and safety concerns. We also note the concerns of Charlotte Cane our local MP and her petition for national safety standards for battery storage and given the obvious and well publicised risk, surely such a standard should be adopted before large schemes such as this are approved. In summary, Wicken Parish Council objects to the application for all the same reasons and more, given for the Burwell Bess refusal, least of all the detrimental effect to the rural landscape and we trust that the Committee supports the views of many in both Wicken and Soham parishes. I would just like to note also that as a parish council we did not receive official notification of the application; we only heard about it via our local councillor.”

Councillors were invited to ask questions to Bill Pepper.

In reply to Cllr James Lay, Bill Pepper confirmed that there were two homes a third of a mile away from the proposed site.

In reply to Cllr Christine Ambrose Smith, Bill Pepper reported that the site had been determined as being in Soham and so Wicken Parish Council were not sent an official notification of the planning application.

In reply to Cllr Lavinia Edwards, Bill Pepper stated that in his opinion the proposed application would have a greater impact on the surrounding countryside than a similar one at Burwell.

In reply to Cllr John Trapp, Bill Pepper explained that according to Google Maps, the distance of the site to residents appeared to be similar to that of the Burwell application. In reply to Cllr Christine Ambrose Smith, he stated that the site was too close to residents.

In reply to Cllr Alan Sharp, Bill Pepper stated that a number of residents currently use the proposed access road as a footpath.

The Committee received the following statement from Jon Storey on behalf of the applicant.

“The proposed Bess supports the electrification of the grid, reducing our reliance on foreign energy imports. The recent wars in Ukraine and Iran have highlighted the need for the UK to become energy independent and reduce our susceptibility to volatile oil and gas prices. The Government is committed to becoming energy independent through significant grid upgrades and strong support for green energy development. The intermittent nature of renewables and grid frequency impact means that there is significant need for storage, especially as the UK’s energy demand is expected to at least double by 2050. The UK government is committed to achieving net zero emissions by 2050, meaning that this target relies heavily on renewable energy while maintaining energy security and the reliability of the network. This is reflected locally too, with East Cambs declaring a climate emergency in 2019, along with the adoption of an environmental plan, recognising a global biodiversity emergency. The proposal will deliver a net gain of 129% with an enhancement of the watercourse in the wetland area. The surrounding landscape has no local or statutory designations. The location of the battery storage development has been sited near existing energy infrastructure to minimise its impact on the landscape. Further screening measures, through hedgerow and tree planting would mitigate the visual impact of the proposal. The location of the battery units have been pushed away from Soham and Wicken bridleway to minimise the impact on this public route. The BESS units are located approximately 490 metres from the nearest property and the supporting noise assessment, which has assessed the worst case scenario, shows not significant adverse impact on the national framework. Low frequency noise has also been assessed, which shows a low impact. It is recognised that there will be noise at the bridleway, south of the proposal, however, this will be a small portion of it and only when the scheme is operating. The proposal incorporates a right of way strategy, which separates construction traffic from right of way users and includes temporary bollards to keep people safe on footpath 27 during the construction period. Drainage infrastructure has been designed to retain any firewater and prevent any potentially contaminated water from reaching the environment. A geotextile membrane is also located beneath the base platform to prevent leaching of hydrocarbons and suspended solids on site into the fluvial network during operation. The national framework provides significant support for battery storage development and the draft framework looks to strengthen this even further. Local policy ENV6 is consistent with the framework, providing strong support for local carbon infrastructure, which can only be outweighed by significant adverse impacts. The applicant and the Local Planning Authority do not identify any adverse impacts and we recommend the application be approved.”

The Committee received the following statement from Vivek Kodige on behalf of the applicant.

“Building on my colleagues’ remarks, I must reiterate the strategic imperative underpinning this application. The geopolitical conflicts in Ukraine and Iran have exposed a severe vulnerability inherent in relying on imported fossil fuels. Achieving true energy security requires domestic renewable generation and utility scale battery storage is the fundamental prerequisite for capturing that power and maintaining a resilient national grid. While this national need is undeniable, we fully acknowledge our obligations to ensure absolute safety locally. ECDC commissioned an independent verification and compliance report from Greenfire Solutions. The independent appraisal rigorously evaluated the proposed site against the newly adopted National Fire Chiefs Council version 2 guidance. I wish to highlight three critical safeguards validated by the independent report and our detailed safety strategy. First, regarding technology. We are mandating lithium iron phosphate chemistry, which is explicitly recognised by the Government and verified by Greenfire Solutions to offer superior thermal stability and a significant lower probability of thermal runaway compared to older battery types, effectively engineering out the highest risks. It is widely recognised by fire authorities and Government guidance as the safest lithium iron chemistry commercially available for utility scale storage. Second, concerning safety design. The battery units are positioned 490 metres from the nearest residential property, the independent report confirms this distance substantially exceeds the National Fire Chiefs Council’s 30 metre minimum set back. Greenfire Solutions have also reviewed our internal layout, confirming that the cluster spacing is designed to prevent fire propagation between units as a worst case scenario. Third, fire fighting infrastructure. National Fire Chiefs Council version 2 guidance requires a minimum static supply of 180,000 litres. We are providing two separate 240,000 litre static water tanks, one at each access point, plus the attenuation basin. Greenfire Solutions verifies that this design not only exceeds the volume requirement but ensures that the Fire and Safety Rescue Service has immediate water access regardless of wind direction. In conclusion, this application delivers national infrastructure, using a rigorous safety framework, that has been independently audited and confirmed to meet or exceed current national fire safety standards.”

Councillors were invited to ask questions to Jon Storey and Vivek Kodige.

In reply to Cllr Mark Goldsack and Cllr James Lay, Vivek Kodige explained that there would be a noise from the BESS when it was charging or discharging, but this would not be continuous.

In reply to Cllr Christine Colbert, Vivek Kodige stated that the report from Greenfire Solutions had confirmed that the spacing between the units would prevent a fire from spreading. The site was monitored off site and would be shut down if there were any anomalies.

In reply to Cllr Christine Colbert, Jon Storey reported that additional hedgerows would be planted for landscaping reasons, but not as a noise screen. Chris Smith, Environmental Health Officer confirmed that vegetation of this kind would do little to reduce any noise, although screening it from view could have a psychological impact.

In reply to Cllr Christine Whelan, Jon Storey explained that the Fire and Safety Rescue Service had advised on layout but there had been no discussions on the Fire Service's response time in the event of a fire.

In reply to Cllr John Trapp, Jon Storey reported that if there was a fire, the water would be tested and a tanker could remove it from the site.

In reply to Cllr John Trapp, Jon Storey confirmed that a grid connection existed for the BESS, although this was not required for planning permission.

In reply to Cllr Martin Goodearl, Vivek Kodige explained that the BESS would ensure that energy could be stored when more electricity was being generated than being used. There was no plan for the solar generated electricity to directly power homes.

In reply to Cllr Christine Ambrose Smith, Jon Storey stated that the water on site was to suppress the fire and prevent it from spreading, but not to actually put it out.

In reply to Cllr Ross Trent, Jon Storey confirmed that there were no plans to extend the site and this restriction was included as one of the conditions.

In reply to Cllr Alan Sharp, Jon Storey explained that the site had been identified due to its proximity to the grid. He added that there was no suitable brownfield land available and the loss of greenfield land would be offset by delivering biodiversity net gains, as detailed in the report.

In reply to Cllr John Trapp, Jon Storey explained that the site was 5.3 hectares and the BESS would occupy 2.2 hectares of the site.

In reply to Cllr Alan Sharp, Vivek Kodige stated that measures would be put in place to ensure that the system used to monitor the site would be secure from cyber-attack.

In reply to Cllr James Lay, Vivek Kodige explained that in the event of a fire, there would be an evacuation zone of 100 metres from the site, which did not include any residential properties.

Kevin Breslin, the Locum Planning Lawyer, advised that a document provided by Soham Town Council should not be considered by the Committee as it had been submitted a few minutes before the meeting started which was insufficient time for councillors, officers and the applicant to read and evaluate it. David Morren, Strategic Planning and Development Management Manager, supported this view and the document was not distributed to the Committee.

David Warren of Soham Town Council stated that he had not been given time to consider the update from officers relating to this application, which in his view contravened the 21-day consultation rule, so he recommended that the application be deferred to allow him time to read the update and the Committee

time to consider his document. The Chair, Cllr Bill Hunt, stated that he was not prepared to have any further discussion about this matter. He advised David Warren that he had not submitted his request to speak within the deadline but nevertheless he was inviting him to address the Committee.

The Committee received the following statement from Charles Warner of Soham Town Council:

“My background is in aerospace and I am used to working in a zero risk environment. In these environments, everything is certified, detailed and checked down the last nut and bolt. Very, very few aircraft fall out of the air, due to these rigorous checks and I find the documents presented to you today are not conclusive. We believe that they rely on over-optimistic assumptions and the point of my document was to try and provide information to you, the members of the Planning Committee, to challenge proposals where necessary and ensure that public safety is rigorously considered at the planning stage. In five minutes it is going to be very difficult for me to consolidate but I have listened to you very carefully in what you have said in your line of questioning and the areas where I am looking at is gas plume analysis, which is what happens when a battery catches fire and the containers vent themselves. The general assumption of a maximum of one container catching fire is completely unrealistic. You should plan for a maximum failure not for a minimum failure, otherwise you do not have the procedures in place to deal with it. Cyber security has been mentioned. That is critical to any infrastructure such as this. With instances of cyber hacking all over the place and the most recent ones include the Polish grid system by the Russians and also the Iranians breaking into the FBI computer in America. So, if this were to occur and the safety overrides were taken out, the remote controls were disconnected and it was a malicious attack, you can get more than one battery fire, of that I feel fairly certain. Planning approval is over reliant on regimes answering questions because they have a vested interest in what they are doing and I have tried to go through this and highlight some of the issues. We spoke about fire earlier, several of you have mentioned that and I have compiled a fire chart in the back of my papers, which is comparing sites around East Anglia and it also compares sites in the real world and what really happened. If you look at Burwell, which is a 50 mega-watt system, they have contained water of 480,000 litres and they do not have any water tanks. Hightown Drove had 240,000 litres and contaminated water of 450,000 litres. Anchor Lane has 1,365,000 litres of water and the Wicken proposal has water tanks of 480,000 litres. You will note that in the proposal the water goes into a drain and is held. Well, you have a problem if 480,000 litres of firewater going into a hole in the ground, which has 228,000 litres. That really is a fairly fundamental mistake. I have not been able to read the fire precautions, however, I have been in touch with the National Fire Chiefs Council and they do issue guidelines on what is supposed to be done with various sizes of battery storage units. 10-50 mega-watts is 200,000 to 300,000 litres, 50-150 mega-watts is 300,000 to 600,000 litres. Larger systems, 150-300 mega-watts 500,000 to 1,000,000 litres and the recommendation for our size of battery storage at Wicken is 800,000 to 2,000,000 litres. So, whilst they say they have talked to the local Fire Services, this is issued by the National Fire Chiefs Council, which trumps any local fire brigade manager saying that he could manage it. The National Fire Chiefs Council also advise that cyber security

should be seriously considered when designing the safety systems of these containers. I have seen nothing in the proposal that gives me any confidence that this has been an active part of this planning application. I believe that the gas plume analysis only considers immediate danger to life and health and there is a whole raft of safety procedures, concerning contamination fires that have not been considered in this application. Clearly the fire safety on this site is way off beam. In Thurrock, Essex they had a fire in a single container under construction. They used 800,000 litres of water putting it out and it was brought back into control in 24 hours.”

Councillors were invited to ask questions to Charles Warner.

In reply to Cllr John Trapp, Charles Warner stated that in the view of the National Fire Chiefs Council, 500,000 to 1,000,000 litres of water were required over four hours for an installation of this size.

In reply to Cllr James Lay, Charles Warner explained that in the event of a fire a gas plume could result in contaminated air of 30 parts per million, which was over the threshold of 22 parts per million for the threatening of life. This could be a more serious problem if the wind is not blowing hard enough to disperse the harmful chemicals in the air. In reply to Cllr Christine Colbert, Charles Warner stated that these figures were from the UK Health Security Agency.

In reply to Cllr Christine Ambrose Smith, Charles Warner explained that there had been recent battery fires at Liverpool and Thurrock.

The Committee received the following statement from local member Cllr Lucius Vellacott:

“Having heard the applicants speak, I am afraid that they are clearly unfamiliar with Wicken, which is a shame. I have brought this application to the Committee because firstly it is a chance for the public to express their opinions on the matter, but also because this Committee’s primary function is to apply different weighting on material planning considerations. I think that there is a general feeling that this application is not appropriate, but what colleagues will have to be very careful to do, is to have sound planning reasons for their decision. We have to look at specific planning terms and regulations, we cannot change the location, we cannot change what the technical documents say and we are very heavily restricted, as I have learnt throughout the course of this application, by the Government on applications like these. Under the new National Planning Policy Framework we effectively have to assume that the technical data is right, we effectively have to assume that the application is necessary, I do not believe that it is, but I understand that this is not a planning consideration. The applicant has outlined how critical this application is, but again that is not up to the Planning Committee, to decide as a material consideration. We need to look at the use of land and whether it is an appropriate use of land. For me there is a material circumstance staring us in the face, which is enough to warrant refusal, that is the contravention of policies ENV1 and ENV2, pertaining to the impact on the landscape. We know that and in the officer report it is very clear that it is contrary to those policies, but because of the Government’s presumptions, the officer is quite rightly saying that the Committee should approve the application

because that is not sufficient under the Government's National Planning Policy Framework to refuse it. I disagree; I believe that the Committee should apply a different weighting to the impact on the landscape and that is where the Committee can apply weight. I think that the weight is even further justified due to the proximity of houses on one side and the protected view across to Soham and Ely Cathedral on the other. Obviously, the impact on agricultural land has been mentioned as well. So, I called it in for that reason, not necessarily to critique the technical judgements on fire and water but mostly to ensure that we have a sound reason to refuse it in terms of what the Government are suggesting with these types of applications. For me the lack of compliance with ENV 1 and ENV 2 and the Soham and Barway Neighbourhood Plan is not available for trade off against benefits as defined by Government. The issues with fire are very serious and naturally they fall under other legislation. In situations like these the officer is obviously very restricted but in matters where a condition can be applied, it should be. So, I would be keen for the Committee to focus on the impact on the landscape to that effect. Obviously the planning process, particularly under the new National Planning Policy Framework, is going to be heavily restricted to considering use of land, this is not an appropriate use of that piece of land, you have to look at the application in front of you, where it is and all the information presented to you and it does not amount to an appropriate development in my view. The Government's presumption in favour is very strong, an appeal is possible of course, but still I believe that a refusal is necessary and justified. The key difference for me, between this and any other application, is the unique landscape. We have the Burwell precedent, and that is for you to consider. Obviously in the village there is a strong feeling and I have to represent my residents. I have not met anyone in favour of this and their concerns are deep and heart-felt. We have to ensure that there are clear planning reasons to reject the application. In my judgement that is the contravention of ENV 1 and ENV 2 and even the Government's presumption in favour is not enough to proceed. So, there is a strong desire to refuse and a clear planning reason to do so. I recommend that the Committee refuses the application."

Councillors were invited to ask questions to Cllr Lucius Vellacott.

In reply to Cllr John Trapp, Cllr Lucius Vellacott stated that the applicant should demonstrate the need for the BESS, but this was not the responsibility of the Committee who needed to focus on planning reasons.

In reply to Cllr James Lay, Cllr Vellacott explained that the owner of the land was immaterial in planning terms. The application needed to be determined on whether construction on the land was appropriate.

The Chair invited comments from officers.

The Strategic Planning and Development Management Manager explained that new Government guidance had been published in March, which confirmed renewable energy planning applications could not be rejected for being built on agricultural land. He introduced Martin Blunden of Greenfire

Solutions who had carried out an independent report on fire safety on behalf of the Council.

Martin Blunden reported that he was the Managing Director of Greenfire solutions and had 34 years of experience in the fire and rescue sector. He had retired in 2022 as the Chief Officer of the Fire and Rescue Service in Scotland. He was the national strategic lead for the National Fire Chiefs Council on health and safety and operational learning. He explained that BESS technology was relatively new and in the last ten years lessons had been learnt which had reduced the risk of fire significantly. For example, new installations, such as the one proposed in the application, used safer batteries, which were more carefully monitored. In 2018 the risk of fire was 1 for every 1.5 giga-watts, this had reduced to a fire risk of 0.0016 per giga-watt. This meant that the risk of a fire in a new installation was one every 156 years for the first two years of operation, dropping down to a risk of one every 312 years from year three to year 35 of its operation. The strategy for tackling fires at electricity batteries had changed to isolating the fire and letting it burn itself out, instead of attempting to put out the fire. He explained that in the event of a fire there was serious risk to health between 18-40 metres of the fire, so the Fire Service would put a 50 metre cordon from the BESS. Firemen would not be required to wear breathing apparatus if they were 50 metres from the fire, as it would be unnecessary and there would be no danger to health at about 100 metres from the site. He reported that under the old guidance the National Fire Chiefs Council had recommended that 228,000 litres of water be available on site but this had reduced to 180,000 to 228,000 litres, as it had been discovered that the water can be recirculated, as it was not contaminated.

In reply to Cllr John Trapp, Martin Blunden explained that in his view there would be enough water on site to contain a fire.

Councillors were invited to ask questions to the officers.

In reply to Cllr Mark Goldsack, the Major Projects Officer explained that there was a network of rights of way around the site, with some bridleways to the east. He stated that the National Planning Policy Framework made it clear that the application was classed as renewable energy. The BESS allowed energy to be stored and reduced the demand on fossil fuels.

The Strategic Planning and Development Management Manager explained that the National Planning Policy Framework gave substantial weight to the benefits of energy security and how it aided economic development. Applicants were not required to demonstrate the need for renewable energy.

In reply to Cllr John Trapp, the Major Projects Officer stated that an energy substation was on site.

In reply to Cllr Alan Sharp, it was stated that a condition could be added to improve the project's cyber security.

In reply to Cllr Alan Sharp, the Environmental Health Officer explained that a noise impact assessment had been undertaken and the application met the requisite standards.

In reply to Cllr Christine Colbert, Martin Blunden explained that every fire released toxic fumes and a BESS fire could be comparable to a car fire.

The Committee moved into debate.

Cllr Christine Ambrose Smith acknowledged the importance of energy security, particularly in times of conflict. She felt many of her fears about the project had been allayed, though she was still concerned about impact on food security and the risk of cyber crime. She was cautiously in favour of the application.

Cllr James Lay declared that he was opposed to the application due to hazards associated with the project.

Cllr John Trapp felt that the evidence supported the application and energy resilience was important. He suggested that the location was acceptable, although he had concerns regarding the proximity of the bridleway and emergency access to the site. He was minded to support the application.

Cllr Christine Colbert was concerned about the application but was reassured that an additional application would be required to increase the number of containers on site.

Cllr Martin Goodearl recognised the need for more renewable energy, but he had doubts about the merits of the application and concerns about the project's carbon footprint.

Cllr Alan Sharp stated that food security was also important and the site was on 5.3 hectares of agricultural land. He stated that the materials for the site would probably be imported from China and he doubted that this country could have much impact on the overall global carbon footprint. He recognised the Government's guidance on this issue but felt that the application was in contravention of Local Plan policies ENV 1 and ENV 2. He expressed his opposition to the application.

Cllr Mark Goldsack thanked Martin Blunden of Greenfire Solutions for his report on fire safety, which he found reassuring. He accepted the reality of climate change but was concerned about the use of imported materials for the construction of a BESS, due its carbon footprint. However, he believed that the impact on the landscape, as laid out in policies ENV 1 and ENV 2 could be mitigated. He supported the application.

Cllr Lavinia Edwards opposed the loss of agricultural land over the 35 years of the project. She stated that she would vote against the application.

In reply to Cllr John Trapp, the Major Projects Officer stated that condition 27 in the report referred to the need to maintain the public right of way on the bridleway.

In reply to Cllr Bill Hunt, the Major Projects Officer listed the four conditions in the Greenfire Solutions report that had been added to the recommendations, replacing condition 11 in the report. It was agreed that a condition insisting on cyber security measures should be added

Cllr Bill Hunt proposed and Cllr Mark Goldsack seconded that the application be agreed, in line with the officer's recommendations, as amended. A vote was taken and with 7 votes in favour, 4 votes against and no abstentions the Committee

resolved to **approve** the application, subject to the following:

- (i) Grant delegated authority to the Strategic Planning & Development Management Manager to finalise the conditions, including the substitution of condition 11 regarding fire mitigation with the following four replacement conditions recommended in the Greenfire Solutions report:
 - i. Detailed Battery Safety Management Plan, (with criteria (j) added to include a cyber security plan)
 - ii. Emergency Response Plan & Tactical Fire Response Plan
 - iii. Access Arrangements
 - iv. Sensitive Receptor Plan & Smoke Plume Analysis

65. 25/01320/FUL – 31 Ten Mile Bank, Littleport

Daisy Hill, Senior Planning Officer, presented this report (AA184, previously circulated), which recommended that the retrospective application for a change of use from agricultural land to a builders' yard with 13 new homes with access to parking and landscaping be refused.

John Alexander made the following statement on behalf of the applicant:
"Mr Dakin has complied with everything that has been asked of him and he has lived on the site for seven years before being contacted by planning officers. There have been no complaints from neighbours or the public about the site, a fact that has been confirmed by the Environmental Services department. Page 11 of the report gives two reasons for refusal. I will leave number one for the two members who have called it in, as I have not got a clue. Number two stated that insufficient information has been provided to demonstrate that the development would be safe from flooding throughout its lifetime. Well, it is a 28 page report, done by consultants who are experts on flood prevention and drainage on the fens. They know the area well. It says in the report that it is in accordance with national planning guidance and supports the planning practice guidance. What does safe during our lifetime mean? I do not know what it

means, I don't suppose you do. The flood protection report mentions the effect of global warming, change of weather, heavy rainfall etc. I suggest that all the residents of Ten Mile Bank wouldn't be able to predict what will happen in 40-50 years' time, none of us can. I read articles in the press and on the internet, prophets of doom saying that the fens are going to be underwater in 50 years' time. No-one knows. Does this site increase the risk of flooding? No, it doesn't. The flood report states that surface water flooding is 0.1 to 1% chance of flooding each year. Flood risk is considered very low by the Environment Agency map. The Littleport and Downham Internal Drainage Board have not objected to the change of use. Practically, the site has a two metre wide ditch, running along the whole border, which is approximately two metres deep and it separates it from the agricultural land next to it and the local farmer who owns the land cleans the ditch out every year. During the wettest winter that we have ever had, Mr Dakin's land and the farmland did not flood. It is pretty safe in that respect. We were originally told that refusal was because it wasn't in keeping with the area. Well, there is a skip hire site, quite substantially larger than Mr Dakin's site, which is less than 100 yards away as the crow flies from his site. There are a number of businesses that have got plans, showing three businesses between the bypass and Mr Dakin's site, along Ten Mile Bank. Yes, he has building materials, but he doesn't have any building materials delivered to his site. The building materials that he's got are what he has taken with him when he has cleared them off site and if the opportunity arises, he will actually use those materials. Whereas the skip lorries readily go down that piece of road. You have been to the site, Mr Dakin has a very wide security gate, he goes into the site forwards and he comes out of the site forwards and there have been no planning objections from the Highways Authority. So, all the consultees have no objections. I thank the two members for calling this in. I assume that they are Littleport members, I don't know. I was a Local Government Officer for 27 years, Director of a neighbouring district council for six years and I always believed that members had a better knowledge of their patch than officers."

Councillors were invited to ask questions to Mr Alexander.

In reply to Cllr Mark Goldsack, John Alexander stated that no other building company operated from the site, the gates were kept shut and secure.

In reply to Cllr John Trapp, John Alexander explained that this was a change of use application and no residents had been affected by flooding.

In reply to Cllr Alan Sharp, John Alexander confirmed that the ditch on the side of the road and the soakaway prevented flooding.

The Strategic Planning and Development Management Manager explained that there had been insufficient information regarding the flood risk and that was why it was listed as a reason for objection.

In reply to Cllr Christine Ambrose Smith, John Alexander reported that the applicant's yard had a sensor light to make the area more secure.

Officers were invited to make any additional comments.

The Strategic Planning and Development Management Manager suggested that a condition regarding security lighting could be added to the decision.

The Committee moved into debate.

Cllr Martin Goodearl spoke in favour of the application, as the site was 1.5 miles from Littleport, there had been no complaints and it was no different from other nearby sites. Cllr Christine Ambrose Smith agreed.

The Strategic Planning and Development Management Manager advised that if the Committee were minded to approve the application they should include conditions to prevent external lighting on the site, that no fuel, contaminants or industrial waste be stored on site and only materials belonging to the owner occupier should be stored on site.

Cllr John Trapp expressed his support of the application, although he suggested that the height of the fence should be restricted.

Cllr Alan Sharp supported the application, with conditions regarding the lighting and flooding.

Cllr Bill Hunt stated that other more intrusive development had been agreed in the area and the area had not flooded since 1947. He supported the application.

Cllr Mark Goldsack respected the knowledge of the two local members and supported the reuse of materials by those in the building trade. He supported the application.

Cllr Martin Goodearl proposed and Cllr Christine Ambrose Smith seconded that the application be approved, with the conditions listed above. A vote was taken and it was unanimously agreed

To resolve to **approve** the application, subject to the following conditions:

- (i) Development should be carried out in accordance with the submitted drawings and documents.
- (ii) No external lighting shall be erected within the application site until details of the proposed lights, their specification, location, the orientation/angle of the luminaires, predicted light spill and hours of proposed use have been submitted to and approved in writing by the Local Planning Authority. Any external lighting that is installed shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.

- (iii) No hazardous substances, chemical, or potential contaminants (including but not limited to fuels, oils, or industrial waste) shall be stored on the site at any time.
- (iv) Three months of the decision date, a scheme to dispose of surface water runoff for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details.
- (v) Within 3 months of the decision date, a Flood Contingency Plan for the development, which should include an appropriate method of flood warning and evacuation to ensure the safe use of the development in extreme circumstances, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details.
- (vi) The use of the builders' yard hereby permitted shall be limited solely to the storage of materials and equipment incidental to the personal business or domestic requirements of the owner/occupier of the dwelling known as 31 Ten Mile Bank, Littleport, Ely, Cambridgeshire, CB6 1EE and for no other purpose (including any commercial plant hire, retail sales, or storage for third parties). Upon the owner/occupier ceasing to occupy the site, the use hereby permitted shall cease, and all stored materials shall be removed from the land.

66. TPO/E/07/25 – Tree Preservation Order – Sutton, Ely

Kevin Drane, Trees Officer, presented a report (AA185, previously circulated) which recommended the approval of the confirmation of Tree Preservation Orders for one Chanticleer Pear and one Cedar.

An objector, Kenneth Love, made the following statement.

“My wife and I are joint owners and occupiers of the property. Regarding the Chanticleer Pear, Wikipedia, as well as other websites and authorities, state that the fruit of the pear contains an abundance of cyanide laced seeds. The odour is compared to rotting fish and the smell attracts flies, which are the primary pollinators, rather than bees. The RHS on their website, recommend the wearing of gloves and other protective equipment when handling and touching the tree due to its toxicity. For a person or pet, particularly someone with a compromised immune system, touching or ingesting the fruit or leaves could have serious health implications. At a height of some 40 plus feet, it is not a small scale tree. The tree is in a small front garden on a housing development, not a park. Leaf clearing from the gutter is excessive due to the height of the tree and its proximity to the house. Whilst the trunk is offset from the windows by nine feet, the branch spread is some fifteen feet to the windows. Damage to

the gutters and fabric of the building is not part of regular maintenance. The streetlight, though set forward from the tree, is round a bend from the tree, blocking light from the footpath. The size and toxicity of the tree cannot be reasonably and sensibly regarded as the right tree in the right place. Regarding the Cedar, the RHS again recommend the planting of no closer than 35-45 feet away from any building, due to its root and branch spread. The tree is planted on blue clay and takes a considerable amount of water from the soil, leaving nearby foundations and utilities vulnerable and liable to collapse due to subsidence. The tree is resinous and so is more flammable. The suggestion of pruning of lower branches would not significantly improve light or outlook to the lower room or the bedroom. Pruning cannot be completed until between January 2032 and January 2035, as stated in the ECDC letter dated 14 February 2026 sent to us. To cover the exposed roots with soil will cause the garden to be even more uneven and dangerous. The tripping hazard cannot be prevented as no barriers or fences are permitted in Sutton Park, which renders the home owner unable to mitigate any danger to the public. The suggestion to gravel over the front lawn would make the front of the property look like another car park in that road. The trees are in a small front garden in a housing development, not a park. Strimming the lawn is not a practical solution. The tree is already too high for its position and context, with no historical value. The tree prevents further ornamental planting, the foliage is quoted by the RHS as causing breathing problems and will affect asthma sufferers and is a health and safety risk to both the occupiers and the public. This tree is a parkland and open spaces species, not for a small front garden. The tree is shallow rooted and the roots are already highly visible. With climate change and long hot summers and wet winters, Cedars are vulnerable. There is already an indication of heave and this makes the tree vulnerable to toppling in high winds. The tree is of little to no value to wildlife and has outgrown its original context. It is of poor form and is not aesthetically pleasing. Both the Pear and the Cedar are wholly unsuitable for their locations. Each tree poses a health and safety risk to both the occupiers and the public. The Pear with its toxic cyanide fruit and foliage and the Cedar with its effect on anyone with asthmatic and breathing problems. It is questionable under the human rights act that the public at large have rights over private individuals and the proper and reasonable enjoyment of their property and the subjective amenity value of the trees. I believe that the TEMPO scoring has been poorly and unjustly too highly marked and advocated. Removal of both trees and replanting with species more suited to a small front garden, as set out in my 211 application form, would be more beneficial to wildlife and the environment. In January 2023, ECDC allowed the removal of a tree at number 12 Sutton Park, due to shading and route disturbance. A planning application was also refused in 2025 on the grounds that the lack of natural light would cause demonstrable harm to the occupier and failure to prove higher amenity through natural light and outlook would be in direct conflict with planning policies. Finally, damage caused by either tree is excluded by our home owners building insurance, due to the closeness, proximity and height of the trees. This places an ongoing and unfair burden on us.”

Comments were invited from officers.

The Tree Protection Officer stated that the toxicity related to the seeds of a pear tree, which were no more toxic than the seeds of apple or cherry trees. The smell issue was related to the Bradford Pear and was rare to occur in the case of the Chanticleer Pear in question.

Councillors were invited to ask questions to the officer.

In reply to Cllr Mark Goldsack, the Tree Protection Officer stated that all trees were capable of causing damage to property, but there was no evidence of that in this case. If that changed the issue would be reassessed.

In reply to Cllr Christine Ambrose Smith, the Tree Protection Officer explained that both trees were commonly planted in developments in the district, as they had a low demand for water and reached a relatively small height in maturity.

In reply to Cllr Alan Sharp and Cllr John Trapp, the Tree Protection Officer explained that small scale pruning could take place now to both trees.

The Committee moved into debate.

Cllr Christine Whelan stated that they were lovely, healthy trees and so should be protected. Cllr John Trapp agreed. Cllr Alan Sharp stated that the trees could be pruned and if there any evidence that they were causing damage then this matter could be revisited. Cllr James Lay agreed that the Committee should follow the advice of the Tree Protection Officer. Cllr Christine Colbert expressed concern that if either of the trees did cause damage, then the Council might be financially liable.

Cllr Christine Whelan proposed and Cllr John Trapp seconded the recommendation in the report. A vote was taken and with 10 votes in favour, none against and 1 abstention the Committee agreed

to resolve to **approve** the confirmation of the tree preservation order for the following reason:

The trees are prominent features, visible from the public realm, in good health, offering significant visual contributions to the amenity of the local landscape in this part of Sutton.

67. Planning Performance Report – February 2026

David Morren, Strategic Planning and Development Management Manager, presented a report (AA186, previously circulated) summarising the performance of the Planning Department in February 2026.

In reply to Cllr John Trapp, the Strategic Planning and Development Management Manager explained that the figures in brackets related to the locally set Key Performance Indicator figures, which were more challenging than the nationally set performance targets.

In a response to a question from Cllr Christine Ambrose Smith, the Strategic Planning and Development Management Manager confirmed that the planning system was changing, with a new appeal system that would put emphasis on the pre-application process, which was a good thing. The cost of a pre-application varied according to the size of the project. The aim was not to make money for the Council and a report on this matter would be brought to the next meeting of the Committee. In reply to Cllr Alan Sharp, the Strategic Planning and Development Management Manager explained that the adopted protocol, which had been in place for approximately a year and a half, was not changing. Efforts had been made to process applications more quickly and the annual performance figures that were reviewed at the last Commission meeting reflected this.

The Committee agreed

to resolve to **note** the report.

The meeting concluded at 5:57 pm.

Chair.....

Date.....

DRAFT