

PLANNING COMMITTEE



WEDNESDAY, 14 MAY 2025 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner, Councillor S Imafidon and Councillor E Sennitt Clough,

Officers in attendance: Matthew Leigh (Head of Planning), Gavin Taylor (Principal Development Officer), Richard Fitzjohn (Senior Planning Officer), Stephen Turnbull (Legal Officer) and Jo Goodrum (Member Services & Governance Officer)

P133/24 **F/YR24/0457/F**
LAND AT TREADING FIELD, TREADING DRAIN, TYDD ST GILES
INSTALLATION OF 49.9MW GROUND MOUNTED SOLAR PHOTOVOLTAIC
PANELS WITH ASSOCIATED BATTERY STORAGE, SUBSTATION AND
ANCILLARY PLANT AND INFRASTRUCTURE, AND ERECTION OF SECURITY
FENCING AND POLE MOUNTED CCTV CAMERAS

Richard Fitzjohn presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Brenda Barber, Ward Councillor for Leverington and Wisbech Rural. Councillor Barber explained that in December 2024 she brought forward a motion to Full Council which was entitled Preservation of Fenland Landscape and Recognition of the Area of Fenland as a Critical Food Producing Area and, in her view, local farmland is some of the best and most versatile in the country according to Natural England and should be kept as farmland for food security, with the unique Fenland landscape recognised as such. She referred to the motion and explained that it was unanimously approved by members at Full Council and whilst it appears that Natural England has no objection to the proposal, the reasons why they have no objection as detailed in the officer's report is because they feel that there is no permanent loss of best and most versatile land, but, in her opinion, 42 years is a significant length of anyone's lifetime.

Councillor Barber added that there are also caveats including the fact that the company will need a commitment for the preparation of reinstatement, restoration and aftercare plans which would include returning the land to its former land quality. She made the point that the applicant has also stated that there is no permanent loss of agricultural land quality that is likely to occur provided that the appropriate soil management is employed and the development is undertaken to high standards, but questioned how assurances can be given that this will happen as due to the timescales the applicants' comments will need to be taken at face value.

Councillor Barber made the point that there is no proof that land of a poorer quality does not exist for the application and referred to Paragraph 174b and footnote 53 of the National Planning Policy Framework (NPPF) which states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and eco system services including economic and other benefits of the best and most versatile agricultural land and of trees and woodland. She questioned whether the application contributes and enhances the natural and local environment, with her role as a Councillor being to represent the views of her constituents and all of the submissions to planning from residents are not in favour of the proposed solar farm.

Councillor Barber added that the area where the proposal is to be situated is where local people walk their dogs and ride their horses and the area is the residents beautiful and natural Fenland landscape. She added that they are worried about larger vehicles using the smaller country roads, noise from the inverters, the battery storage units and the possibility of fires in those areas and local residents are also concerned with regards to the intrusion of 10ft high CCTV cameras along with the bright lights near their homes.

Councillor Barber advised the committee a similar solar farm was destroyed during a rainstorm in Anglesey in Wales and, as a matter of interest, a resident who lives near the application site has stated that the area is currently used for growing food and straw and the straw is sent to power stations in March and Sleaford and, therefore, in her view the land is already helping both to generate electricity and to provide food security and in turn national security. She stated that the solar panels might be necessary, however, questioned why the best agricultural land needs to be used to locate them on, with the biggest area of land in the proposal actually being located in Lincolnshire and South Holland District Council have just refused their element of the application.

Councillor Barber stated that at Full Council in December, every member present voted in favour of protecting the farmland from this sort of thing and she added that members of the Planning Committee cannot approve this application after making a pledge at Full Council by agreeing to the motion. She added that the committee should do the right thing by joining the decision of South Holland District Council by refusing the application.

Members asked Councillor Barber the following questions:

- Councillor Gerstner stated that 140 hectares of prime agricultural land will produce 1,100 tonnes of prime wheat and that in turn will produce 2 million loaves of bread.

Members received a presentation in accordance with the Public Participation Procedure, from representatives of Pathfinder Clean Energy (Pace) - Luke Shackleton, Development Manager, Callum Wright, Planning Manager, Ben Murphy, Planning Consultant specialising in renewable energy projects and Gill Eaton, his colleague.

Callum Wright explained that the Tydd St Giles project has undergone three years of active and ongoing development, and the project team have engaged with statutory consultees from the start which in turn formed a constructive dialogue with the Council resulting in scheme amendments and proactive conditions which reduced harm. He explained that this was complemented by an intensive site selection process which fed into a site justification document which was agreed by the planning officers and is set out in the officer's report, with the report highlighting that the Fenland region as a whole was selected based on grid capacity and formed the basis of the applicants search and there is a distinct need.

Callum Wright explained that it was noted that the district has a policy which supports the development of sustainable infrastructure, making the point that the point of connection is on site located within the red line and is connected via a mast to an existing 132 cable which will prevent the need to have lengthy cable route works and will enable project viability. He explained that there is a lack of prohibitive planning designations, and he added that sequential tests have been undertaken for flood risk and have used the lowest quality ALC available in accordance with the NPPF.

Callum Wright added that as well as bringing clean and green energy to Fenland there is a community benefits fund which will amount to £349,000 and will contribute to local community projects in the area. He expressed the opinion that the company creates the potential for and has the willingness to forge partnerships with academic institutions in the area to provide presentations and site visits once the site is operational and they can also present significant biodiversity enhancements and the creation of habitats along with a commitment to enhance the bridle ways which will pass through the site.

Callum Wright explained that he recognises the need for diversification within the rural economy to sustain UK food security along with recognising the need for energy security, which was highlighted in recent years by the spike in electricity prices following global turmoil such as the Ukraine War and it demonstrates how these two industries can support each other and in turn stabilize UK commodities. He explained that in 2024, UK Solar supported 20,000 jobs and contributed 1.9 billion in gross added value to the UK economy, and should the application be approved it will not only support employment via local contractors to deliver construction packages and agricultural contracting as well as offering national employment via the various roles that solar development brings such as finance, legal and technical.

Luke Shackleton advised that the UK solar energy industry as of 2024 saw 3,600 hectares under solar in conjunction with agricultural production, whilst 3,700 hectares were under solar with no agricultural production. He made the point that PACE is committed to the continuation of food production with design specifications enabling grazing alongside the solar and both planning and legal agreements incorporate decommissioning obligations to ensure the reinstatement of the land.

Gill Eaton explained that a site search has been undertaken in accordance with Government policy and they have worked closely to respond to community concerns, with the work having been undertaken with expert ecology teams and with officers throughout the application process. She made the point that the NPPF is clear that significant weight should be given to renewable energy and changing the energy system does mean changes to part of the local area and whilst she does appreciate that this causes concern the impacts have been fully considered, and the officers are in agreement that any impacts are outweighed by the benefits the application brings.

Gill Eaton expressed the view that it is an application that the team are proud to bring before the committee, and she encouraged members of the committee to support the proposal.

Members asked the following questions:

- Councillor Sennitt Clough stated that Councillor Barber had explained that South Holland District Council have not given the other application which falls under their jurisdiction planning consent and asked how that will impact the application site with regards to some of the statistical information which has formed part of their presentation? Callum Wright explained that the reason for refusal for the South Holland application was based on the use of agricultural land and the land contained within that portion of the site contains higher quality than those located within the Fenland area. He added that notwithstanding that point the use of the land has been shown to be necessary in meeting the Government's goals for solar generation and the amount of land needed across the UK to reach those goals is very small in the context of the whole country. Callum Wright expressed the opinion that in terms of the actual viability of the application both the South Holland application and the Fenland application stand alone in their own right. He explained that the South Holland application was determined under delegated powers, and he added that there is much less best and most versatile land (BMV) on this portion of the site.
- Councillor Sennitt Clough referred to the presentation screen and asked for the map to be displayed to understand the grade 1 land that falls in the Fenland application site. Ben Murphy explained that there is no Grade 1 land in any part of the site, and it is only BMV, with the site consisting of Grade 3A which is moderate and Grade 2 land which is considered good. He added that the Grade 2 land is almost entirely within the South Holland section of the site and the Fenland section is almost entirely Grade 3A.
- Councillor Gerstner stated that he has supported solar farms in the past and asked how many solar panels it will take to cover the area? Callum Wright explained that the estimated number of modules is between 80,000 to 90,000.
- Councillor Gerstner asked what the panels are made of? Callum Wright explained that they are predominantly made of silicon and reports appear to suggest that they are 96% recyclable.

- Councillor Gerstner asked where the solar panels are made? Callum Wright advised that most of the manufacturers are based in China.
- Councillor Marks referred to the size of the application site which is 140 hectares which by his calculation equates to 170 football pitches and is a significant area of glass which is of concern to him even considering the removal of a third of that size for roadways it is still a very large covering of glass. He added that he has concerns with regards to flooding due to a large expanse of ground which will be covered and questioned what would happen in a significant rainfall episode as he feels that the local rivers will be overwhelmed, with there being a run off rate of probably two or three litres per second for the fields and then suddenly there is going to be additional run off going into the local rivers and he asked whether these factors have been considered. Gill Eaton stated that a great deal of work was undertaken in the pre-application stage with the statutory consultees relative to flooding to address all of their considerations. She added that the officer's report is extensive in relation to flooding matters and there is a detailed submission which includes all aspects which are related to the flood assessment and drainage including comments back from the statutory consultees which confirm that. Callum Wright stated that they have met the policy requirements and have worked with the experts effectively, but should it be a contentious matter then he would be very proactive in allowing for additions to the conditions set out should the committee require that. Gill Eaton stated that the application is policy compliant and accords with the NPPF when considering flooding matters, with a great deal of time spent prior to the submission of the application to address many aspects relating to flooding by working with specialist consultants. Councillor Marks made the point that whilst many things are policy compliant when it comes to flooding policies they do not always work out the way that they should do.
- Councillor Marks stated that with regards to the size and scale of the proposed development he has concerns with regards to the migrating swans who may visit the site and he asked whether the solar panels will be bird proof? Ben Murphy explained that since the outset of the project the team have worked with a specialist ecologist who is very aware of the bird species in Fenland and the wider area with swans being a critical one and as a result the solar arrays have been specifically designed to avoid any impacts on swan flight paths. He explained that a glint and glare assessment has been undertaken as one of the surveys to ensure that there is no impact on birds and the team has also worked closely with both the County Council ecologist and the Council's own ecologist to ensure that there will not be any impact on swans and other protected species. Ben Murphy stated that the habitat creation and biodiversity net gain that will arise because of the development will significantly enhance the natural environment for those species.
- Councillor Marks asked how many people are likely to be employed on site during the operation of the solar farm over 40 years because at the current time there are farmers who farm their land who will encounter job losses. Luke Shackleton advised that on the site there will be agricultural contractors for things such as hedge trimming and topping when it is needed and there will be 2,000 sheep on the site which will require a number of farmers to look after them, with there being a couple of tractor drivers during the peak season as sheep farming is much more labour intensive. He made the point that from a day-to-day perspective the sheep farming will bring more employment and the agricultural contracting for maintaining the hedges will need to be maintained in a different way to comply with the habitat maintenance monitoring plans. Gill Eaton referred to the officer's report at 1.2, which refers to the economic sustainability benefits and in terms of the supporting the reliability of the grid in terms of local businesses, making the point that it is not about direct employment on site, but it is supporting the businesses in the local area.
- Councillor Marks stated that there had been a recent fire with solar panels being blamed as the cause and questioned what mitigation measures are in place to negate the fire risk associated with the batteries as he has concerns that the nearest fire station is 20 minutes away as during the summer months it will increase the risk of fire due to the glare from the solar panels. Gill Eaton explained that the officer's report summarises the assessment which has been undertaken with regards to fire risk, they have followed good practice and

have liaised with the local fire service and there have been no objections from the statutory consultees. She made the point that there are conditions which relate to the further information that has been submitted relating to fire and access considerations have been considered. Callum Wright added that they have engaged with the Cambridgeshire Fire and Rescue Service who have made comments on the proposal, and he is aware that there is an element of misinformation around fire safety and added that public safety should be the utmost concern. Callum Wright explained that they will be lithium iron batteries and the recent fires that have taken place used a different type of technology, which were consented prior to the lithium iron phosphate, and it was material called nickel magnesium cobalt but since that time, the technology has been updated. He explained that all consented projects since the updates to the National Fire Chief guidance have not had any incidents since, but any management plan will be followed as it is the highest priority for the company alone outside of planning.

- Councillor Marks stated that he works with wet lead and lithium batteries daily and whilst working with wet lead is easy, lithium batteries are a nightmare, as they need to be transported in a specific way. He made the point that he does have concerns over the technology as there have been car transporters which have suffered from fires when carrying cars with lithium batteries and should a fire take place on the application site then the fire service are not based in the locality to be able to deal with an emergency and he asked what safety measures are in place should an incident occur. Callum Wright stated that the conditions are in place to provide a management plan and an evacuation strategy which can be amended if required. He added that most of the measures in place are to do with the spacing between the containers and the provision of water on the site along with the multiple accesses. Callum Wright explained that each unit is self-contained and remotely monitored along with the reliance on statistics and made the point that there are preventative measure in place, adding that there are 4.7gw installed in the UK and the guidance is increasing and the only way that it can be achieved is by collaborating with locals and stakeholders in producing those management plans.
- Councillor Benney asked what the carbon footprint is of the application? Callum Wright stated that he does not have the facts and figures associated with the application but explained that members of the team have forecast that it is significantly less than the use of non-renewable energy sources such as fossil fuels. He added that there are some factors that are undeniable with regards to transporting materials but once the sites are operational there is a significant drop. Councillor Benney stated that he does not feel that is very reassuring that the carbon footprint of the site is not known.
- Councillor Benney questioned on how much of the industry is based on a Government subsidy because as a taxpayer he would like to know where his money is going and also how much of his tax money is propping up schemes which do not stack up on their own? Luke Shackleton explained that all renewable schemes are no longer subsidised as they are all commercial projects and subsidies came to an end in 2016. He added that is when PACE was established because prior to that all of the company's experience has come from building subsidy driven sites and as technology has moved forward and panels have become cheaper to produce it has made what was a subsidy required project now commercially viable to stand alone. Councillor Benney stated that he disagrees with the points which Luke Shackleton has made as from his own experience with his solar panels he believes that somebody is subsidizing his own electricity. He added that the panels for this application are being imported from China, and he questioned whether the shipping costs have been taken into consideration as the green issues appear to be high on the list of priorities being spoken about. Councillor Benney expressed the view that it appears to be an agenda which is being pushed very much on the committee and the numbers do not appear to stack up. He added that if PACE were a commercial market in a real commercial world without a Government subsidy then they would not be able to stand alone, and he added that he is surprised with the answer he has been provided. Callum Wright added that PACE does have a very extensive technical team and although are a smaller based company there is a team who are covering all of those factors. He stated that the team

before the committee are the development representatives and, therefore, he would rather not provide information which can prove to be harmful when people are misinformed. Callum Wright explained that they follow ethical guidelines and procurement who ensure that the right contractors are used, with the team present at the committee to explain the merits of the planning application. Gill Eaton made the point that the NPPF provides the over arching planning guidance to local authorities and is very clear that when determining planning applications for renewable energy the need is demonstrated, and significant weight should be given, with it being clear Government advice relative to the weight of all renewable energy projects.

- Councillor Benney made the point that the officer's presentation states that on balance it is considered that the identified benefits outweigh the harm which would result from the proposed development. He added that there are two sides to every argument and just because it states that it is policy in the NPPF it does not mean that there is not a counter policy which would outweigh that. Councillor Benney stated that he feels that there is just a small aspect of a policy being quoted to him when he knows that there is a totally different aspect to that policy. Gill Eaton stated that she fully understands that which is why the officer's report provides a balanced detailed assessment relative to the entirety of the NPPF.
- Councillor Benney stated that during the presentation it was pointed out that the site has been carefully selected, adding that East Anglia is the breadbasket of the country and has been known as that for many years. He asked the applicants why they had selected an agricultural area to be covered with solar farms as, in his opinion, there are other areas of land which are of far poorer quality in other parts of the British Isles where this could be located and why they chose to site it on a rural agricultural area and think that it is acceptable to locate it near to the residents who live here. Gill Eaton stated that she understands the concerns which have been raised and she explained that a very detailed technical exercise is undertaken with regards to site searching and considerations which relate to proximity to the National Grid, as well as all of the planning considerations which are relative to individual sites. She added that consideration is also given to the technical ability, screening, planning policy and the availability of a supportive landowner so that a scheme can be brought forwards. Gill Eaton explained that in relation to the site study area, a detailed site search is undertaken which included forensically analysing the availability of the land in the area, considering good practice and following Government policy in relation to methodology. She made the point that there are not set requirements to provide site search assessments, but the team have gone above and beyond and undertaken those and have also run through all the considerations relative to flood risk. Gill Eaton explained that they have provided the most compelling arguments as required by policy relative to agricultural land considerations, sequential tests relating to flooding and have avoided the other high designations such as national parks, areas of outstanding natural beauty, etc so they have set out in detail their full analysis in relation to the why here considerations. Councillor Benney acknowledged the response but feels there is natural beauty in Tydd St Giles and that the residents would support that. He expressed the view that Fenland has its own character and just because it does not have national park status does not mean it does not have value to its residents and he believes more consideration should have been given to this site.
- Councillor Mrs French stated that this site sits within North Level IDB area and the Board's Straight Reach Drain, Lady Nunn Drain and Treading Drain form boundaries of flow directly through the site and asked whether there would be any pumping stations on the site? Callum Wright responded that there were not. Councillor Mrs French expressed surprise at this answer as this is a very large area. Gill Eaton referred to the officer's report at Paragraph 5.15 which details there is no objections raised by the Internal Drainage Board. Councillor Mrs French expressed the view that the IDB might not have any objections but they do have several pumping stations. Gill Eaton responded that they have undertaken detailed assessments with the planning team since March 2024 in relation to all considerations raised and there has been no further information requested of them and

there are detailed planning conditions, with the officer's recommendation reflecting that decision.

- Councillor Connor referred to the mention of 2,000 sheep that may graze on the land at any one time and asked in the event of a fire or a flood what is the exit strategy, if there is one, to move the sheep off the land? Luke Shackleton responded that a grazing management plan has not been produced yet but animal welfare will be high on the agenda. Councillor Connor questioned what exit plan there is, these sheep will have to go through a gate or gates and animal welfare is a big concern for him. He feels that with sheep there will be long grass there, which if there is a fire would spread quickly and he does not think this has been thought about.
- Councillor Gerstner stated that he is an electronic engineer by trade and a good one, even though he says so himself, and whilst he is not an expert on solar panels the efficiency of a solar panel is only good when it is brand new, it drops off in its efficiency factor by 1% on average per year so the output from the solar panels is only as good as the efficiency factor and that does not take into account, as has been said, that they are produced in and shipped from China and they could be 12 months old before they are even used. He feels there is a cumulative effect of the efficiency factor that in 40 years' time, which is claimed to be the timescale for the solar panels to be on the land, they will probably have lost 40% of their efficiency factor and will be producing nowhere near the amount of electricity that they are claiming at the very beginning. Councillor Gerstner continued that the UK already has a lot of resilience in environmentally friendly electricity production and that is in offshore wind farms and on average solar panels efficiency factor is between 20-22% of output, with a wind turbine being between 30-40% of output so a wind turbine is double the output efficiency factor of solar panels and the resilience in UK energy security terms is very much complete as some days wind turbine energy is producing 80% of the country's electricity. He asked for an explanation of solar panels in comparison to wind turbines? Callum Wright responded that their models are based on a 40 year lifetime of the project, with the degradation figure being actually 0.4% over time and the development team make those models based on 25 years when the degradation starts, they do not start to degrade until they are fully commissioned and there will be regular maintenance checks on site to make sure that the efficiency of the panels is monitored. Gill Eaton added that the NPPF does not require applicants to demonstrate overall need, it is taken as a given that there is a need for renewable energy projects and that need carries significant weight in the planning balance.
- Councillor Gerstner stated that cumulative effect degrades that figure even more and asked if they agreed? Ben Murphy responded at present the percentage of agricultural land in the UK that is occupied by solar panels is about 0.08% and taking even the highest estimates to hit the UK's 2030 net zero targets that would need to increase to approximately 1% of all of the UK's agricultural land. He expressed the opinion that if the latest Government report is looked at relating to this, which is the Land Use Consultation published in February 2025, the Government predicts that there will be no net loss of food production arising as a result of the land use change from agriculture to solar because of innovations in the industry and the diversification of farming by introducing things like solar schemes are key to providing that economic boost to the farming industry to allow innovation and diversification. Gill Eaton added that the officer's report at paragraph 10.23 covers food production as well in terms of assessment and the planning balance.
- Councillor Imafidon referred to fire risks and asked if the solar battery storage units were self-contained units? Callum Wright responded in the affirmative. Councillor Imafidon asked if there were no fire prevention measures within those units? Ben Murphy responded that each one has a fire suppression system built in.
- Councillor Imafidon referred to the company being a clean energy and cradle to grave company and asked how long this company has been in operation? Callum Wright responded since 2017. Councillor Imafidon questioned whether they had decommissioned any units they have put together? Luke Shackleton responded that they have not decommissioned any units as of yet and the market as a whole has not seen any decommissioning as solar has only been around for 20 years so far. Gill Eaton added that

the planning system does have conditions that are very used to dealing with long term projects and that are relative to decommissioning so it is a standard part of the planning process to allow for those future decommissioning matters to be closely controlled by condition, which are enforceable.

- Councillor Imafidon asked what is going to happen to the batteries and solar panels in 42 years time? Ben Murphy responded that the materials used are nearly entirely recyclable, with the solar arrays themselves being 96% recyclable and with the batteries there are British recycling facilities that deal with large scale batteries. He added that the construction methods used in solar panels are not intrusive so the land quality on the site does not degrade and the decommissioning process is straightforward, with the site left in a condition that can be used for agricultural purposes immediately once the farm itself has been decommissioned.
- Councillor Marks requested clarification on the comment that it is returned to agricultural use as if it has sheep on it it is already being used for agricultural use so is it being said this or it is able to be cropped properly thereafter. He finds it hard to believe that land that has been fallow for a period of time and has been covered is suddenly going to be prosperous and going to be growing crops fantastically again and it is not clear what agricultural means and what that land is expected to produce or yield after, especially with the amount of items that need to be removed from the land. Ben Murphy responded that the pilings that are used in the solar arrays are relatively shallow so it does not interfere with the soil itself and there have been a few studies that have shown that the soil quality improves over the lifetime of solar farms being in place. He expressed the view that the use of land for arable purposes following the decommissioning of the solar farm is expected. Gill Eaton added that there is commentary in the statutory consultees comments and there is condition 4 which relates to the management plans as well. Councillor Marks stated he find this astounding as around this area there is something called a Fen blow and there are people ploughing and pulling up clay from close proximity to the top, with it being said that over 40 years this is not going to make any difference to the land itself he finds that hard to believe.
- Councillor Mrs French referred to the company starting in 2017 and asked how many schemes such as this proposal have they undertaken? Luke Shackleton responded that they have brought about 8 projects forward and there are 4 going into construction this year, which are the first 4 coming through to construction. Councillor Mrs French requested clarification that they have not actually constructed any to date? Luke Shackleton responded that not as PACE but his colleagues who set up the company previously have.

Members asked questions of officers as follows:

- Councillor Benney asked how officers arrived at the balanced view that this gets a recommendation to approve and how fine was this balance? He feels that a lot of what he has heard today is based on consultants, with different consultants having different opinions, and if you wanted to build a garage near a house and it was building out into the open countryside, members would be told it is detrimental to the countryside. Councillor Benney expressed the view that this proposal is covering 172 football pitches with glass, ruining the soil underneath, damaging the local economy, damaging the local view of the people that live there. Richard Fitzjohn responded that in terms of national policy the NPPF has a significant presumption in favour of renewable energy so weighing that against the loss of BMV land is a consideration, however, the NPPF and planning practice guidance state that the BMV land should not be the predominant factor in assessing applications of this nature. He added that there is a preference for use of non-BMV land or using land which is of lower value but the NPPF is clear in the weight that is given to renewable energy, which is more important than BMV land. Richard Fitzjohn stated that he has also looked through various appeal decisions relating to the provision of renewable energy, solar farms in particular, which are on BMV land and the majority are allowed because of the need for renewable energy. He made the point that the Local Plan states the Council will support renewable energy developments, listing the impact on agricultural land as a consideration so there is nothing weighty in terms of policy that would suggest that this

application should be refused. Councillor Benney stated that his question has not been answered and asked again how much of a balance was there in coming to the recommendation? He further referred to mention of most of the appeals have been allowed but presumes that not all of them have. Matthew Leigh stated that officer's report clearly sets out the Local Planning Authority's position in relation to the application and case law is clear in that a Local Plan will have policies that pull in different direction and different weight is given to them. He continued that if they strictly stick to the design policy nothing would be approved because there would be harm on the character so this is what has happened with this recommendation, the Council has a policy that supports renewable energy and protects the character of the area, with the officer's report highlighting these different considerations. Matthew Leigh stated that case law is also clear that it is up to the decision maker to give weight to different material considerations that they see fit as long as it is not an unreasonable position so, for example, in something such as this application it cannot be ignored the Government's clear stance in the NPPF about the need for renewable energy but there is a balancing exercise. He advised that the Local Planning Authority have come to a recommendation that whilst it acknowledges there is harm in the development and conflict of policies the weight towards approval is pretty significant but that is officers balancing exercise and officers are confident in the recommendation. Councillor Benney reiterated that his question still has not been answered and asked where the pivot point would be to enable officers to recommend approval? Matthew Leigh responded that he is unable to provide a figure as that is not how planning works but officers are significantly secure in the recommendation that the benefits outweigh the harm.

- Councillor Gerstner referred to the NPPF expecting local planning authorities to protect and enhance valued landscapes and sites of biodiversity and recognise the character and beauty of the countryside and the benefits of best and most versatile farmland in their policies and decisions and asked if he was correct in this statement? Richard Fitzjohn responded that he was correct and the officer's report gives consideration to those matters. Councillor Gerstner expressed the view that much more weight should have been given to the NPPF in this matter. Matthew Leigh responded that he believes that paragraph is a high level generalised position within the NPPF and it goes on to give significant weight to renewable energy. He added that the officer's report highlights the concerns, but officers are confident in the recommendation and the weighing exercises they have undertaken and it is the gift of committee as decision makers to give the weight as members see fit as long as it is reasonable.

Members made comments, asked questions and received responses as follows:

- Councillor Gerstner stated that members have heard the applicant and comments from officers and the committee and he is concerned on the amount of agricultural land being taken up by thousands of solar panels, it may not be materialistic but they are made and shipped from China, are not carbon neutral and there is plenty of CO² involved. He disagrees with the applicant about the recycling of the solar panels and lithium batteries, with lithium not being the safest or easiest product to produce, it is mined predominantly in Africa, it is not easily recyclable along with cobalt and other materials that go into those batteries. Councillor Gerstner stated that he agrees with the applicant that there has been very few instances of fires, making the point that the Council approved recently a battery storage unit in Whittlesey and the applicant had put into place water facilities and consulted with fire authorities, recognising that there is an element of risk and as the applicant said each unit would have its own fire precaution mitigation placed within it so they are trying to keep within the framework of rules and regulations. He questioned the need for these solar panels and them being prioritised over prime agricultural land, reiterating that in the UK there is sufficient resilience in environmentally friendly production of electricity, which does not mean there could not be more but at certain times there is more than enough because they switch wind turbines off and, in his view, the need for this does not outweigh the harm that can be done to the environment and prime agricultural land, with 60% of food already being imported into this country. Councillor Gerstner expressed the opinion that the statistic

the applicant came up with of 0.08% is very small but feels it is the cumulative effect and that wind turbines, good, bad or indifferent, are much more efficient than solar panels.

- Councillor Benney expressed the opinion that the whole green energy business is fudging figures, with Britain producing less than 2% of the world's emissions and if 2050 is reached and the country has 50% of emissions it makes no difference, China is building power stations every month and this Country has just stopped the Drax power station using British coal or imported coal and it is now considered green energy as wood pellets are being used imported on a ship with a very high carbon footprint. He feels this is driven by a political agenda and the argument is based on bad evidence, with the country rushing the wrong way into this, which, in his view, is not the answer and that tidal is better than solar and wind. Councillor Benney stated that there are 2-3 days in the Country when it is sufficient in green energy but that is in the middle of Summer when people drink cold drinks instead of using the kettle, they do not have the heating on and the rest of the time fossil fuels are still needed and, in his opinion, the Country is turning its back on them at a time when there is not the technology, with this proposal not being the right technology to fill the gap of coal, gas and oil. He expressed the opinion that he has very little faith in the reports but also feels this is prime agricultural land, with this area being the bread basket of the Country and whilst it is marked as not being Grade 1 agricultural land you cannot get the yields in the north as the land is not as good, this is wasting good agricultural land and it will take years for nitrogen levels to be good enough to turn it back into good agricultural land, he does not know that this technology is solid and sound and whilst it does produce electricity he does not believe this is the answer. Councillor Benney expressed the view that this proposal is in totally the wrong place, it is a very rural area and it would be a blot on the landscape, the people that live there should be listened to and he would not want this near him and he will not be supporting the application.
- Councillor Marks agreed with the comments of Councillor Benney and feels it will be a blot on the landscape. He stated that he tried to visit a solar farm and was told you just drive down the road and it is there on the left you cannot miss it and the size of this there is no way that you will miss it and would probably see it from Wisbech and, in his view, something is being imposed on good agricultural land that could quite easily go somewhere else and by going somewhere else it would not take up the valuable food land and production that exists here. Councillor Marks made the point that the views of residents also need to be taken into account, what is it going to do to their lives during construction, there will be thousands of lorries going in and out of the site, there will be sheep on the site, there is a fire risk and should that suddenly ignite that could go on for miles. He expressed concern that this proposal has just not been thought about and he fully supports what South Holland have already said in turning it down and he will not be supporting it.
- Councillor Mrs French stated that she agrees with the comments of Councillors Benney and Marks but added that there is going to be massive light pollution and she does not understand the Environmental Team not discussing light pollution. She expressed concern that this company does not have a track record of constructing a solar farm and she will not be supporting the application.
- Councillor Gerstner questioned why there are not 20,000 solar panels put on roofs of houses or industrial buildings instead of using prime agricultural land and requested that this proposal be located elsewhere.
- Matthew Leigh stated that the NPPF does not delineate or break down or give different values to different types of renewable energy so having a personal opinion on whether one may or may not be more valuable or more effective is a moot point for determination of this application because the value that should be given to renewable energy is the same irrespective of the form of energy production. He continued that whether or not committee considers the Country to be energy safe the NPPF does not and the NPPF says the applicant is not required to show a need for renewable energy.
- Councillor Benney stated, in giving reasons for refusing the application, that this is a balance, which is clearly stated in the officer's report, and planning is subjective. He expressed the view that the loss of agricultural land here in a very rural community is not

acceptable and he has concerns over safety, with the site being too far away from the fire service and this would affect residents and wildlife. Councillor Benney expressed the opinion that this is not the right place for this development due to the loss of the land and for the people that have to live there, with the construction traffic bringing a detrimental quality of life to the people who live in Tydd St Giles and the surrounding area.

- Councillor Marks stated that drainage also needs to be mentioned as by covering an area the size of 140 football pitches there would be a concern that it is going to overwhelm any dykes, ditches or pumping stations nearby. He expressed the opinion that he does not believe what is being said about the economic benefits with labour because you grow x number of acres of crops which would go into mills and all that is going to be there with this proposal is window cleaning and cutting a bit of grass so he does not see this bringing economic benefit longer term. Councillor Marks expressed the view that 40 years is a long time, there is no guarantee in what happens in 40 years regarding recycling, the company may get brought out or go bankrupt, with there being no consistency of knowing what the company are like going forward and there does not seem to be any bond mentioned as to what happens in 40 years regarding that and taxpayers may have to pick up any bill.
- Councillor Connor referred to the animal welfare issue, which is important to him, as animals will perish in a few minutes if there was one small spark on dry grass that created a fire.
- Councillor Mrs French stated that Councillors Mark's comments regarding drainage is a must to be included in the reason as when you read the full report it is not just when the dykes are full it is also when they are dry which can cause problems as well. She requested that light pollution also be included.
- The Legal Officer reminded members to be mindful that any reasons for refusal will need to be supported by evidence, for example if fire risk is added to the reasons for refusal the report from officers as a result of consultation indicates there is no fire risk provided that the appropriate conditions are satisfied so if the proposal goes to appeal the committee needs to satisfy the Inspector that the Fire Rescue Authority is wrong and incorrect. Councillor Connor stated that he was happy, if this goes to appeal, to represent the Council at any hearing and put the committee viewpoint across.
- Councillor Benney made the point that you only need to look at the internet, Tesla's catch fire every day of the week and they are small scale batteries to what is being proposed here. He added that he knows NPPF overrules the Local Plan but referred to LP3, building in the open countryside, with the minute that a spade is put in the ground it is building in the open countryside and this is good agricultural land, it is attractive with its own natural beauty and, in his view, this proposal is going to destroy that natural beauty.
- Councillor Gerstner asked if a sequential test is required in respect of the use of agricultural land and necessary for this particular application? Matthew Leigh queried what the question was as there is not a requirement to demonstrate a need and there has been a process that has been provided by the applicant to show that there has been consideration on location. Councillor Gerstner stated a sequential test to prove that a greenfield site is needed over a brownfield site. Richard Fitzjohn responded that in terms of the size and scale of a development such as this it would be clear that there would not be brownfield land of that size to accommodate this development. Matthew Leigh added that there is an inference that there is not a need here for two reasons, with there being a lot of protection about specific areas including green belt and Fenland does not benefit from any of that protection and it would be unlikely to find a brownfield site that was appropriate for redevelopment of this scale where it would not be considered that there would not be a better form of redevelopment.
- Matthew Leigh stated he has noted what he considers to be the 7 issues that have been raised and have been put forward as forming the reasons for refusal, making the point that harm needs to be demonstrated for every reason and members have given opinions which is not the same as demonstrating harm. He referred to the 7 reasons that had been given:
 - loss of agricultural land – the Council supports that there is harm in that in policy but it is a balancing exercise and does have some planning merit.

- conditions requiring the land to be put back in the future – this cannot be required, that is how the planning system deals with solar farms and having a refusal reason based on this would result in a cost claim because it is accepted through the planning system at the moment.
- Councillor Marks interjected that members are giving a number of reasons why and it is a whole picture and not highlights and whilst some may not be relevant the Inspector needs to get the committee's feeling of what they are saying. Matthew Leigh stated that reasons for refusal, whether it is 1 or 10, need to stand up on their own interrogation as they are what the Council has determined an application on and concerns that may weigh against a scheme are not reasons for refusal, they are part of the consideration of the planning balancing exercise but they do not form a reason for refusal. He feels that the suggested reasons do not correlate together and would have to form their own reason for refusal and the Council would have to be able to defend this, making the point that he is trying to protect the Council by giving his professional opinion.
- Councillor Benney stated that if the reasons need strengthening then Tydd St Giles as an agricultural area is an area of outstanding natural beauty and that beauty is in the 'eye of the beholder' and if committee considers this to be an area of outstanding beauty this would not be allowed in Regents Park or the Peak District or Sycamore Gap so why is this area being sold short. He expressed the belief that this would be very harmful to the rural setting of Tydd St Giles
- Matthew Leigh continued referring to the 7 reasons for refusal:
 - flooding – as can be seen by the elevations there is still ground below the solar panels and conditions in relation to flooding can be imposed.
 - fire risk – consultation has been made with the Fire Service who have no issues and there is no Government stance against this otherwise the Council would not be able to support applications such as this and having concerns in relation to fire does not evidence harm.
 - limited economic benefits – that is something that weighs against the scheme rather than being a reason for refusal because it is being said the benefits are limited and, therefore, he thinks that is not giving any value to the scheme, it is not a reason to say this is not acceptable or unacceptable.
 - area of outstanding natural beauty – he does not think this area can be classed as this as they are set by Government but what he can accept is what Councillor Benney mentioned earlier is about the impact on the character of the area and if the impact on the character of the area outweighs the benefits of the energy that is within committee's gift to recommend this, with the officer's report acknowledging that there is impact.

Matthew Leigh expressed the view that members have only raised two issues that have true planning merit, which are the loss of valuable agricultural land and the impact on the character of the area and they could be put together as one reason for refusal if members wanted and where it would be said that the benefits of the harm do not overcome the benefits of the energy. He feels the other matters in his professional opinion would put the Council in a very difficult position at appeal and it is better to have one very good reason for refusal than 6 or 7 weak reasons.

- Councillor Benney asked that before the Decision Notice is issued can the committee look at the reasons and leave it to officers to write the reasons up based on what has been said? Matthew Leigh responded as always when committee overturn officers and it is written up for refusal the reasons for refusal are drafted based on the recommendation and when the vote is taken committee is currently voting on 7 points that he has noted and they would have to bring forward between 1-7 reasons for refusal that dealt with them as this is what the committee has determined whether or not he thinks any of them have merit is out of his gift once the decision has been made. Councillor Benney asked if he was happy with what members have come up with and is there anything that he could suggest to members that would strengthen the case in terms of wording to safeguard the Council? Matthew Leigh responded that case law is very clear that when it comes to a refusal members have to

bring forward the reasons and that is why he can be a lot more helpful when members are looking to approve applications rather than when they are looking to refuse. He reiterated that the officer's report only raises, in his professional view, two real issues with the scheme, which members have raised and discussed, loss of agricultural land and impact on the character of the area and they would be the only concerns that officers have. Matthew Leigh continued that a number of concerns that members have raised officers have looked at and statutory consultees have either said it is acceptable or it can be dealt with through conditions, with case law being clear that it should not be refused if conditions can be imposed. He stated to meet Councillor Benney's suggestion would mean deferring the application and for officers to bring back a report that dealt solely with those 7 items with a level of detail. Councillor Benney clarified that the advice is that committee go for two solid reasons and he is happy to accept that and rely on officer's professional advice to steer the committee in the right direction.

- Councillor Connor stated that he prefers the two solid reasons, which are material considerations. He asked to see a copy of the Decision Notice before it is issued.

Proposed by Councillor Benney, seconded by Councillor Marks and agreed that the application be REFUSED against the officer's recommendation.

Members did not support officer's recommendation to grant planning permission as they feel the application would result in the loss of Best and Most Versatile agricultural land and would cause harm to the character and appearance of the area, which would outweigh the contribution that the proposed development would make towards addressing climate change.

**P134/24 F/YR22/0844/O
LAND TO THE EAST OF STOW LANE, WISBECH
HYBRID APPLICATION: 1. OUTLINE APPLICATION WITH MATTERS
COMMITTED IN RESPECT OF ACCESS TO ERECT UP TO 200 X DWELLINGS
AND ASSOCIATED INFRASTRUCTURE AND 2. FULL APPLICATION TO ERECT
100 X DWELLINGS WITH ASSOCIATED PARKING, LANDSCAPING, PUBLIC
OPEN SPACE AND A NEW ACCESS OFF SANDY LANE**

Gavin Taylor presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation, in accordance with the Public Participation Procedure, from Andrew Hodgson and Lee Russell from Seagate Homes. Mr Hodgson stated that in 20 years of bringing planning applications forward for residential development in Fenland, this application has proved to be one of the most complicated schemes he has had to deal with. He added that the site is an allocated site in the Fenland Local Plan but it marries up to the adjacent site and there was the need to make sure that before it came forward to committee that there was confidence that it would work alongside the Prosperity scheme which will come before the committee in due course.

Mr Hodgson stated that he has worked with his highways team to ensure that all of the footpaths, highways and all of the off-site contributions are dealt with. He explained that the Broad Concept Plan did not give him much to consider and accepts that it is a historical piece of work and, therefore, it meant that he needed to begin from scratch.

Mr Hodgson added that as there are different landowners developing the site out there were different requirements needed in terms of adding the school and employment uses and as he is not developing all of it, Seagate took the emphasis on developing the first phase and he is delivering the safeguarded school land which is highlighted in green and can be seen on the presentation screen. He confirmed that it is a safeguarded 2.3 hectares and a two forms of entry school site and when the prosperity scheme located next door comes forward then the commercial schemes and other aspects which are on the Broad Concept Plan will be delivered and there has

been good planning and communication to ensure that both elements fit well together.

Mr Hodgson explained that the scheme is for 300 units with 100 units coming forward in the first phase, with the biodiversity on the site being a complicated issue and the first phase which is where the biodiversity is has led him to being able to find a site just up the road and only 700 metres away east of Broad End Road, which will be enhanced as an offset. He stated that there were only 5 public objections to the scheme which, in his opinion, is excellent considering the amount of time that the application has been in progress, with the proposal appearing to be fairly well received when the public consultation was undertaken in 2022 and there are no statutory objections to the scheme which, in his view, is down to his team along with that of officers and he is confident that the application before the committee is a very good scheme.

Members asked the following questions:

- Councillor Mrs French stated that she has not seen any reference made with regards to the Internal Drainage Boards (IDB) and she asked whether any in-depth communication has taken place? Mr Hodgson stated that he has spoken to them and engaged with them directly and as a result they came back to him with a requirement for an improvement to one of their drains to make it more efficient and he added that his team is undertaking those works for the IDB.
- Councillor Sennitt Clough stated that she is slightly disappointed that the affordable unit provision is unlikely to be viable for a housing provider to take on the stock. She asked Mr Hodgson to clarify within the first 100 units, how many of them are 1 and 2 bedroomed properties? Mr Hodgson explained that he cannot provide that answer, but the 5% of affordable housing is to be spread across the whole of the scheme and there are no flats.
- Councillor Marks stated there is the mention of 2 Oak trees with Tree Preservation Orders (TPOs) which are going to be removed, and he asked whether the design must include their removal? Mr Hodgson stated that unfortunately they do need to be removed, adding that with any scheme he does he always tries to preserve any trees with TPOs, but in this case one of the trees is exactly where the access needs to go and the other one is right in the middle of where the first phase layout needs to go. He added that all of the other trees with TPOs are being retained and there is also going to be a comprehensive replanting scheme which includes Oak trees.
- Councillor Imafidon referred to the footpath which Mr Hodgson has stated is going to be retained, but there appears to be a planned roadway which will split the footpath, and he questioned how the maintenance is going to take place? Mr Hodgson stated that the footpath being referred to will need to have a crossing place which will have to be a controlled crossing because it subdivides the site from east to west and it cannot be circumvented to get to phase 2 without crossing over the footpath.
- Councillor Imafidon asked what sort of crossing it is likely to be? Lee Russell stated that when you come along the spine road in phase 1 there is a road and a footpath each side at that point, with a cycle way on one side that will cross the existing footpath route. He added that officers have added a condition of a construction management plan for that particular position as and when that crossing is introduced the existing footpath route for public safety. Mr Hodgson added that the type of crossing point will be decided through conditions, but it will be a formalised crossing point. He added that he will do his upmost to retain any foliage, but ultimately there are no TPO trees and, therefore, if a couple need to be removed to create the corridor then that will need to happen.
- Councillor Connor stated that how will a management plan be incorporated to include the SuDs system? Lee Russell explained that the SuDs basin is likely to be adopted by Anglian Water as will all the drainage on the site. He added that a management company will look after all of the green areas and the majority of the landscaping over the public footpath will all be retained and will fall to the responsibility of the management company.
- Councillor Connor asked whether any discussions have taken place with Anglian Water to date? Lee Russell explained that the Civil Engineer has discussed the proposals with Anglian Water along with the IDB and until the Section 104 technical pack is submitted for

approval there will still be small outstanding aspects from the drainage strategy which they will comment on, but it will be put forward for adoption. He stated that if there is any aspect that they do not like or an element that they asked to be changed then there will proactive work undertaken as he does not want the responsibility to fall to a management company.

- Councillor Connor stated that he notes that the condition is for binder course for the spine road and he does not welcome that. He added that he would like to see some negotiations take place with officers that the road needs to be brought up to an adoptable standard. Councillor Connor added that, if approved, ideally he would want to see the 100 dwellings built but then hypothetically 10% should be left unoccupied until the road is brought up to an adoptable standard. Lee Russell stated that on the spine road aspect it will come down to the County Council and their acceptance that construction traffic will be going to Phase 2 over a finished road and generally they do not allow that. He explained that Phase 1 is a sort of circular link road and just prior to completion of the dwellings on Phase 1, the road can all be surfaced and put onto maintenance because construction traffic will not be going into Phase 1 anymore. Lee Russell made the point that he believes that the County Council will not allow that while construction traffic is going off it on the spine road and he added that a conversation will need to take place when the school comes forward but at the current time whilst he would be willing to accept the point made by Councillor Connor he does not believe that the County Council would be in agreement.
- Councillor Connor stated that he has had discussions with Nigel Eggar at the County Council and, in his opinion, he would be happy to enter negotiations with regards to that proposal. He added that he is looking for some comfort because members have seen so many unfinished roads on developments. Mr Hodgson stated that sometimes in developments there are separate construction access road but on this occasion, they have to use the spine road to get to the south of the site and if it is laid to tarmac it would end up with abortive cost as it would be ruined and ripped up by the construction traffic but he can do the Phase 1 road up to that level.
- Councillor Connor stated that it is the Phase 1 road that he would like to see and not the Phase 2 as it is not clear as to when that will come forward. Mr Hodgson stated that he was referring to the spine road and he explained that it cannot be brought up to an optimal standard while Phase 2 is being constructed as it will get ruined. Councillor Connor stated that it does not give him much comfort.
- Councillor Imafidon questioned whether any works are being undertaken in Stow Lane because currently it is not complete and whilst it is not all located within the development, the part that leads to Meadowgate Lane lends itself to being a footpath. He added that on the other side which leads into Stow Gardens and to the area adjacent to the construction site he does not think that the roads are adopted at all because there are no tarmacked surfaces and he questioned whether any works are planned. Lee Russell stated that there is a 90 degree bend when you come from Stow Lane onto Sandy Lane and they are making the radius more acceptable from a highways perspective and then the improvement works and footpath addition will go up to the junction near to Stow Lane.
- Councillor Connor referred to the officer report where it details the garage sizes being 5.4 metres and the general length required by the Council is a 7 metre length and he questioned why there is a difference as, in his opinion, people do use their garages for other uses such as storage but in this case it appears that residents are being encouraged to store their bicycles outside albeit undercover. Mr Hodgson state that 7 metres is not industry standard and whilst he appreciates that many cars in Fenland are large, the industry standard is what has been used in this case. He explained that the garages will be built to industry standard and all of the properties will have storage sheds or facilities to store cycles in, and residents will still be able to have a car in the garage, and they will have facilities provided for cycle storage.
- Councillor Gerstner asked whether the properties would have some form of environmentally friendly enhancement in order to produce electricity such as solar panels? Lee Russell explained that in his general construction specification there are normally between 2 and 10 solar panels on the roofs which is dependent on what is required to meet the SAP

calculations and in his developments solar panels are added to every house that his team constructs.

Members asked questions, made comments and received responses as follows:

- Councillor Mrs French stated that when taking into consideration the date that the application was first submitted to the current date, it is evident just how much work has taken place on the application and, in her view, it is a good design, and she will support the proposal.
- Councillor Gertsner stated that the affordable housing element being only 5% does cause him concern and whilst he appreciates that there has been a viability study undertaken, he would like an explanation as to why the figure is so low. Gavin Taylor stated that viability is a known constraint throughout the district and with this application in particular the Broad Concept Plan identifies that it is likely that initial phases of the allocation as a whole are likely to be constrained through viability and there are several reasons for that. He explained that the developer needs to pay the landowner enough money in order for them to be encouraged to release the land in the first place. Gavin Taylor added that there a few infrastructure costs required to unlock what is an area of undeveloped land which would include utilities and there are also a number of direct delivery requirements in terms of highways, realignment of roads and through the viability process, the developer has brought forward a package which differs somewhat from the package set out in 2022 when the application was first submitted. He made the point that in 2022, the proposed package, in his view, exceeded what would have been expected through the Council's own in-house viability that was undertaken and the HDH viability for sites such as Wisbech would have indicated that £2,000 per dwelling should be received and no affordable dwellings. Gavin Taylor added that this is now different, and officers have been able to secure £2,000 per dwelling, 5% affordable housing provision plus the other contributions. He added that whilst it is disappointing when viability issues are not as the Council would like or hope for with certain applications, when considering this scheme and taking into consideration its location, the constraints and expectations have fallen short of the full number of contributions, however, officers are content that it is justified in this case.
- Councillor Gerstner asked officers to clarify where the monies actually go from the Section 106 contributions which are earmarked for the bus service? The Highways Officer explained that the Section 106 monies would come to the County Council and then would be passed to the bus company who is serving that particular area at the time. Councillor Gerstner added that as it is quite a substantial amount of money, is it money which is phased in over a period of time and is it released to the local bus company in a phased way? Gavin Taylor added that the information as to when that payment is actually due is not yet known as the number of occupations across that site is not yet known and that information is needed in order to yield the demand for the bus to make it a viable option. He added that it would be something that was in operation sometime after the first 100 occupations because the general average of users would be low and that will be something that is looked at through the Section 106 negotiations in terms of when the phasing is going to occur and when the payment would need to occur. Gavin Taylor added that consideration also needs to be given to the fact that there is an adjacent scheme which is coming forward almost simultaneously which is committing 300 dwellings in detail and if approved then there is the expectation of twin track development commencing at the same time and that would need to be factored into when the demand for a bus service would come on stream. He made the point that it is important to secure alternative travel modes, because in terms of car users it will have an impact in terms of cars on the highway network and it is, therefore, necessary to try and offer and incorporate alternative transport means which is why there has been a heavy emphasis on pedestrian cycle routes. Gavin Taylor added that by including a bus service, it is hoped that car usage will reduce because of the impacts on the wider highway network and as to when the bus contribution will need to be paid to the provider will be a matter of discussion at that point because the bus provider would need to be comfortable that it is a viable option for them to operate at that time depending on occupations.

- Councillor Gerstner asked the Highways Officers if they could explain that once a contribution is given to the bus company how can it be sure that those funds are used to provide a service in the local area and not passed to services operating in Cambridge or Peterborough? The Highways Officer stated that strict conditions are added to the bus company that they are to deliver an improved service, they are not allowed just to spend the money as they want to, and it must be used to provide an improved service in this part of Wisbech.
- Councillor Sennitt Clough referred to 10.55 of the officer's report where it refers to the housing mix and how that can be influenced in terms of the future reserved matters and the conditions securing that detail. She added that she did not want that element to be forgotten by members as there has been a great deal of discussion with regards to the size of houses.

Proposed by Councillor Mrs French, seconded by Councillor Gerstner and agreed to APPROVE the application as per the officer's recommendation with delegation given to officers to finalise the conditions in consultation with the Chairman.

P135/24 ENFORCEMENT - HOOKS DROVE, MURROW

Matthew Leigh presented the report to members.

Members asked questions, made comments and received responses.

Members agreed the recommendations in the report.

(Members resolved to exclude the public for this item of business on the grounds that it involves the disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12a of the Local Government Act 1972)

4.10 pm

Chairman