



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO 3

Minutes of a meeting of the Planning Committee held at 2:00pm on Wednesday 12th October 2022 in the Council Chamber at The Grange, Nutholt Lane, Ely, CB7 4EE.

PRESENT

Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Bill Hunt (Chairman)
Cllr Alec Jones
Cllr Lisa Stubbs (Vice-Chairman)
Cllr John Trapp

OFFICERS

Sally Bonnett – Director Communities
Maggie Camp – Director Legal
Tracy Couper – Democratic Services Manager
Toni Hylton – Planning Team Leader
Anne James – Planning Consultant
Dan Smith – Planning Team Leader (Lead Officer)
Angela Tyrrell – Senior Legal Assistant

IN ATTENDANCE

Pretoria Lee (Adjacent landowner, Agenda Item 5 / Minute 38)
Oliver Bell (Applicant's Agent, Agenda Item 5 / Minute 38)

1 other Member of the Public

Yvonne Carnichan – Development Services Support Officer
Sarah Parisi – Senior Support Officer
Melanie Wright – Communications Officer
Adeel Younis – Legal Assistant

34. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllrs Sue Austen, Matthew Downey, and Gareth Wilson.

35. DECLARATIONS OF INTEREST

Cllr Ambrose-Smith declared an interest in Agenda Item 6 (22/00358/FUL, Land North East of Rijn, Padnal, Littleport) due to being a Member of Littleport Society, which had submitted a letter of objection. However, she remained open-minded, as her views had not been canvassed, and would therefore participate in the debate and voting.

36. MINUTES

It was resolved:

That the Minutes of the meeting of the Committee held on 7 September 2022 be confirmed as a correct record and signed by the Chairman.

37. CHAIRMAN'S ANNOUNCEMENTS

The Chairman gave details of the Special Planning Committee meeting to be held on Thursday 3 November 2022 at 10.30am at Mandeville Hall, Burwell, to consider the Council's response to the Sunnica application. He highlighted that the District Council was a consultee for this application, rather than determining the application.

38. 21/01216/F3M - CONSTRUCTION OF A CREMATORIUM AND ASSOCIATED SERVICE AND ADMINISTRATION BUILDING, FUNCTION BUILDING, MEMORIAL GARDEN, NATURAL BURIAL AREAS, PET CEMETERY, CAR PARKING, NEW VEHICULAR ACCESS FROM THE A142 NORTH OF THE SITE AND LANDSCAPING

Anne James, Planning Consultant, presented a report (X90, previously circulated) recommending approval of an application seeking permission for the construction of a Crematorium, Administration building, Function building, Memorial Garden, Natural Burial areas, Pet Cemetery and car parking, with a secondary vehicular access from the A142 north of the site to serve the recreational use only.

Members were provided with Office for National Statistics figures for the percentage of cremations nationally each decade since 1970.

Ms James explained in detail the history of the previous usage of the site as an outdoor leisure facility by a local trust; the disbanding of that trust and extensive but ultimately unsuccessful attempts by the Council to find an alternative operator; the vandalism and arson incidents on the site leading to demolition of the buildings; and background to the current application. She then went onto to give a detailed overview of the application and the material Planning considerations which were:

- principle of development,
- residential amenity,
- visual amenity,
- historic environment,
- access,
- highway safety and parking,
- ecology, climate change and sustainability;
- various other matters material to the application.

In summary, the application had been evaluated against the extant Development Plan which was the starting point for all decision making. The Development Plan comprises the East Cambridgeshire Local Plan 2015 and Cambridgeshire and Peterborough Minerals and Waste Core Strategy, the report had assessed the application against the relevant policies of the Local Plan and the NPPF.

The site formed part of the Mepal Gravel Pits CWS and had previously been operating as an outdoor activity centre. Whilst it was acknowledged that this centre was well-used and there had been overwhelming support for its retention, no service provider had been found to continue that use. Whilst the site had not been in use, it had suffered from arson attacks and anti-social behaviour. However, the biodiversity and ecology interests had thrived, and should the previous use be reinstated across the site, then the protected species and natural habitats may be detrimentally affected as a consequence.

The proposal would retain the land for the continuation of passive leisure and recreational purposes with an area of the site to the south proposed for a new Crematorium, and associated service and administration building, function building, memorial garden, natural burial areas, pet cemetery and car parking. The community use of the site had therefore been retained.

The scheme would be sufficiently distant from any residential properties as required by the Cremation Act and therefore of no material harm to residential amenity.

In terms of design and the use of materials is concerned, the Crematorium and associated buildings were of a high quality of design and the palette of materials proposed would blend in with the surrounding area. Architecturally the scheme was visually attractive and the bulk, scale and massing of the proposal far less visually intrusive than the previous buildings and would not be visible from long distance views. As such, it was more in keeping with the character of the area than the previous buildings.

The scheme would generate additional traffic - however, the Local Highways Authority had raised no objection subject to a condition restricting the operation of the site outside of peak traffic times.

As set out in the Council's Corporate Plan 2017-2019 there had been a long-standing ambition to provide a crematorium and natural burial ground within the district. The site was suitable for the proposed uses and there were no effects which counted significantly against the proposal or which outweighed the community and economic benefits of the development.

The scheme accorded with both national and local planning policy and was considered to represent sustainable development, and there were no material considerations that indicated permission should not be granted in this instance.

It was therefore recommended for approval subject to conditions.

The Chairman thanked Ms James for her thorough and comprehensive presentation.

On the invitation of the Chairman, Pretoria Lee addressed the Committee as the adjacent landowner. She explained that she represented PJ Lee and Pretoria Energy, the sites of which bordered 3 sides of the application site and whose occupations consisted of arable farming, green energy production and quarrying minerals. She emphasised that these companies were not objecting to the application, but that Pretoria Energy was a concerned neighbour, due to the

trespass and damage to their site caused by people attempting to gain access to the application site for fishing and other recreational purposes.

Ms Lee then went on to make the following points:

On the north side of the application, we have Pretoria Energy. Through our own application conditions, we had to implement a proportion of sound attenuating fence line to shield that of the old outdoor centre. We propose a condition is needed for this application to construct their own sound proof boundary either through bunding and landscaping or fencing to help that of the noise for traffic on the roundabout as well as the fact we are currently building an extension to the AD plant with increased traffic movements. As a company with the access rights on this roundabout, we would happily allow ECDC to utilise in this respect to implement such fencing.

On the southern side of the application we have the P J Lee and Mick George haul road. This is a main access to a fenland estate of which has 365 days a year movements by both laden and unladen tractors and HGVs. To try and alleviate traffic movements through local villages such as Sutton and Chatteris, it's a rubble track that undoubtedly becomes an agricultural highway in the appropriate harvest months. Albeit we have tankers for dust suppression and sweepers for mud deposits that are annually used, inevitably in our opinion it's not a background noise that would be appreciated by mourners at any point. We would therefore also propose a solution here of sound attenuation from the current boundary.

On the western boundary we have 5-10 vehicles a day trespassing across our haul road to park and currently illegally fish at this location. It has become a weekly clear up of rubbish and fly-tipping which is hard to maintain and control. We are hoping with the designated areas proposed for parking, this will hopefully clean up the area and also reduce the vandalism incidents at our premises gateways, both P J Lee and Pretoria energy.

I understand that some of my comments cannot be regarded as material considerations, but I do hope with the Committee Members support and the officers assistance, a successful outcome could be achieved by all.

Thank you for your time.

Cllr Jones asked for further clarification regarding the anti-social behaviour and possible mitigations, and Ms Lee referred to vandalism of gates and fencing to gain access to the application site, as well as abandoned cars. Cllr Trapp queried potential increases in traffic movements to the energy site and Ms Lee explained that the expansion of the site would generate greater movements both during the construction phase and after, but these had not been quantified.

The Chairman thanked Ms Lee for her attendance and useful information.

Oliver Bell, the applicant's agent, then addressed the Committee. He commended the Planning Officer's comprehensive presentation of the application, which had covered all of the technical issues. Therefore, he stated that he would focus on the benefits that the scheme would deliver. Whilst there was affection for the old Outdoor Centre, this has been closed for over 10 years and, despite extensive attempts, no viable alternative user had been identified in that time, despite the

Council's ongoing efforts. There was currently no crematorium within the East Cambridgeshire District and an Outline Business Case had been approved by the Council in July 2020. Community consultations had been undertaken and had demonstrated that such a facility would be used by both local funeral directors and the public, if available. Whilst adjacent Districts had such facilities, each crematorium application had to be considered individually on its merits. This application had the benefits that:

- it was a brownfield site not greenfield site
- delivered multi-functional uses on a brownfield site
- was of a very high level of design
- had strong sustainability credentials, e.g. electric cremator, solar panels, electric car charging points
- provided a holistic bereavement service
- allowed for informal public recreational access

All of this gave excellent grounds for approval of the application.

In response to a question by Councillor Jones regarding the flue for the cremator, Mr Bell stated that it was unobtrusive since it was the same height as the building, and Ms James indicated the flue's location on a plan.

Cllr Every referred to the history of the site and extensive attempts of the Council to secure an alternative recreational provider, and Mr Bell acknowledged this and the chequered history of the site. The Chairman commented that he had been Chair of the relevant Working Party that had attempted to find a viable commercial leisure solution, but this had not proved possible.

Councillor Trapp asked about the options considered for the cremator and Mr Bell stated that a range of alternatives had been evaluated, but the electric cremator was a recent advance that had been selected on the grounds of sustainability. In response to a further question from Councillor Trapp regarding solar panels and alternative energy sources, Mr Bell confirmed that the solar panels would meet 70% of the energy requirements for the site. However, ground source pumps had not been considered due to the ecology of the site.

Councillor Jones asked about possible noise mitigation measures and Mr Bell stated that a noise assessment of the adjacent facilities had been undertaken, but there was limited noise generation locally and some agricultural-related noise generation in the open countryside was acceptable. In response to a further question from Councillor Jones on trespass, illegal fishing and the possibility of fencing, Mr Bell acknowledged that this would help with such illegal uses, but the building of the facility also would help to prevent this as well.

The Chairman thanked Mr Bell for his attendance.

The Democratic Services Manager then read a statement from the two local Ward Members, Cllrs Dupré and Inskip (a copy of which is appended at the end of these Minutes).

The Chairman referred to the fact that Cllr Dupré also had been a Member of the Working Party that had worked so hard to identify an alternative leisure provider for the site.

The Chairman invited further comments from the Planning Officer and then questions to her from Members. Regarding the boundary fencing, the Planning Consultant explained that 2m security fencing was proposed on the southern boundary. Whilst noise was generated by the Pretoria Energy site, it was considered that some ambient countryside noise was expected and was unlikely to affect visitor experience to the site. However, acoustic fencing could be considered in the future, if noise was deemed to be an issue. Access to the northern boundary also could be restricted via a condition. With regard to the Ward Councillors' statement, this was similar to their letter of representation detailed in the report and all of the issues raised had been addressed in the report.

The Chairman then opened the debate. Comments/queries were raised by Members as follows:

Councillor Trapp referred to the proposal to withdraw the local bus service from 3 October 2022 as a material consideration. He also queried if the uses of the land for passive recreational purposes would include the water areas. Ms James responded by stating that the proposed withdrawal of local bus services would have the same affect for any proposed community use of the site and, whilst a consideration, needed to be balanced against all of the others. The use of the site in the application lends itself to car usage and sharing and this possibly would not be the case for other potential community uses. The Chairman reminded the Committee of the commitment of the Combined Authority Mayor to improve rural bus services. On the subject of passive recreational uses, these did not currently include usage of the water areas, but this could be considered in the future, provided it did not adversely impact on the wildlife habitats.

Councillor Trapp also raised questions on the estimated number of cremations to be held per day, floor levels of the Chapel and uses of the function Hall, which were responded to by Ms James. Councillor Trapp asked for consideration of the provision of a 'changing places' toilet at the site.

Councillor Brown raised a question on the highway access to the crematorium and 'no right turn' arrangement that also was explained by Ms James. Councillor Brown commented that the position on local bus provision might well change before construction commenced, but the application could only be considered on the current situation.

The Chairman and Vice-Chairman asked for further elaboration on the proposed passive recreational uses and Ms James reported that the Wildlife Trust had been engaged early in the design process due to the biodiversity issues relating to the site and the limitations that these would cause for future development. It was emphasised that the application and proposed passive recreational uses would not jeopardise the biodiversity of the site. This also could be monitored and other sympathetic uses considered in the future, in consultation with the Wildlife Trust. In response to a further question, Ms James confirmed that no objections had been received to the principle of the application from Sutton and Mepal Parish Councils or Fenland DC.

Councillor Brown proposed approval of the officer recommendation and this was seconded by the Vice-Chairman. In doing so, the Vice Chairman commended the amount of work undertaken to bring the application to this position, the high level of local consultation and addressing of all of the different elements relating to the site. She believed this would be a facility that the Council could be proud of due to the high level of design, sustainability and passive leisure uses. These factors would all contribute to providing the best possible experience to people at the saddest time in their lives. The unique biodiversity of the site would be protected and the site could well become the 'jewel in the crown' for the Council.

Councillor C Ambrose-Smith expressed her view that the crematorium was required to service this growing part of the District and would be well-used, which was why she supported approval.

Councillor Jones acknowledged that there were no Planning reasons for refusal, although it was regrettable that the site could not be retained for its previous outdoor leisure pursuits purposes.

Councillor Trapp expressed his opposition to the application on public transport access grounds.

However, Councillor Every expressed her support and thanked officers for their extensive work on the application. The Chairman echoed these views and referred to the lack of highways objections and the fact that the growth in the north of the District and upward trend in the number of cremations highlighted by the statistical information provided, all demonstrated a need for the facility.

Upon being put to the vote,

It was resolved:

That planning application ref 21/01216/F3M be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

3:50pm – 4:02pm – brief adjournment for a comfort break.

39. 22/00358/FUL – 6 NO. FOUR BED DWELLINGS AND ASSOCIATED WORKS, LAND NORTH EAST OF RIJON, PADNAL, LITTLEPORT

Toni Hylton, Planning Case Officer, presented a report (X91, previously circulated) recommending approval of an application seeking the construction of 6 detached dwellings. Attention was drawn to the removal of reference to phased development of the site and the omission of Conditions 15 to 18 from the recommendation on page 1 of the report, although these appeared in Appendix 1. An additional Condition relating to Energy & Sustainability also was proposed by the Case Officer. A letter of representation from Littleport Society had been circulated to all Members of the Committee.

The Case Officer then went onto to give a detailed overview of the application and the material Planning considerations which were:

- Principle of development

- Residential amenity
- Visual amenity
- Historic environment
- Highways
- Ecology & trees
- Flood risk

In summary, the Case Officer stated that, following recent appeal decisions, development of the site for 6 dwellings was broadly in accordance with the development plan and as such the principle of development was considered acceptable. The previous detailed reasons for refusal had been addressed which included ensuring the neighbouring amenities were maintained and affordable housing was no longer required on a scheme of this size. Where appropriate, conditions could be applied to ensure the future amenities of the neighbours were maintained by way of restricting windows and the design and orientation of the proposed dwellings ensured the distances between the proposed and existing dwellings met the guidelines set within the Design Guide SPD. It was considered the site could provide adequate off-street parking and safe access into the site. There may be an issue regarding a ransom strip, however, it was not a material consideration in the determination of a planning application and it would fall to the developer to address this, if it was an issue. On this basis, the proposal was recommended for approval, subject to appropriate and necessary conditions.

The Democratic Services Manager then read out the statement from the Littleport Society as follows:

The Executive and Committee Members of the Littleport Society are of one mind in its objection to this application for a number of reasons:

- 1) The development site lies outside the boundary of the Adopted Development Envelope as defined in the Policies Map (April 2015) and approval of this application would fundamentally breach the guidance of the East Cambridgeshire District Council Local Plan.
- 2) The Littleport Society is aware that the National Planning Policy Framework contains an exemption allowing for isolated homes in the countryside that are of exceptional quality or innovative nature. The Society has carefully studied the proposals for this development and is of the opinion that the design comprehensively fails to meet these criteria.
- 3) Objections to the scheme from both neighbours and consultees include fear of overlooking, flooding, disturbance to residents, disturbance to existing wildlife and inadequate vehicular access to the site both for construction traffic and potential residents.
- 4) The Littleport Society maintains its belief that this proposal, rather than creating a “windfall” housing development, constitutes a major intrusion into the rural space around the village. Taking into account the substantial housing schemes elsewhere in this and neighbouring parishes, the development is considered to be unnecessary and nothing more than an unfortunate destruction of an heritage greenfield asset.

The Littleport Society requests that the application is refused in its entirety.

At the invitation of the Chairman, the Democratic Services Manager also read out a statement of objection from Catherine Crane, a neighbour of the site, as follows:

I strongly feel this proposed development does not sit right within the area, this paddock has an abundance of wildlife including bats, water vole, bees, birds, butterflies, dragonflies, muntjac, foxes, squirrels, bank voles, field mice, shrews, red kites as well as many established natural trees/hedgerows which provide cover and nutrition for these creatures. I do not feel it is fair to take this away from them for human gain.

Not to mention this paddock has had various horses on it for more than 10 years, so it is very much in use!

The 6 dwellings will overbear all surrounding properties and will stand out like sore thumbs.

The proposed wildlife habitat mentioned is tiny in comparison to real life.

Where will the catchwater drain to? The dyke has become close to flooding in the past and with 6 large houses being built what happens to the water then?

The impact to all residence regarding traffic (a minimum of an extra 12 vehicles) will make this peaceful country lane unbearable and unsafe to the many ramblers, families and dog walkers every day. Not to mention the junction to Victoria Street/Padnal being even more congested so close to the railway crossing.

Can we not try and keep a little countryside within the countryside?

With the new development of Highfield, Littleport and the continued development of 700 dwellings being built along the A10 Littleport, we must surely have enough housing for everyone?

The Case Officer stated that all of the issues raised in the objections had been addressed in the report. Members raised questions on the objections which were responded to by the Case Officer as follows:

With regard to a question by Councillor Jones on flooding issues, it was reported that the site was in Flood Zone 1, and no objections had been made by the Internal Drainage Board regarding the ditch issue.

The Vice-Chairman queried the comment by Littleport Society regarding the NPPF exemption for exceptional design. The Case Officer reported that this related more to isolated houses in rural locations rather than small-scale developments on edge of settlement sites, so did not apply in this case.

Councillor C Ambrose-Smith raised a question on fire hydrants and was advised that this was addressed by Condition 7.

Councillor Ambrose-Smith commented that the small number and quality of the design for the site appeared to be better than other sites being constructed in Littleport and would be attractive to purchasers. Councillor Trapp also commended on the fact that this was a large site in a good location with a small number of

houses. Councillor Brown referred to the fact that the Soham appeal decision made this application justifiable. The Vice-Chairman queried what would prevent the developer increasing the number of houses for the site, if the principle of development was established. The Case Officer stated that this would require a further application and issues such as traffic generated were likely to be a material consideration.

Councillor Trapp raised a question on the allocated habitat area and it was suggested that an additional Condition should be drafted relating to a Management and Maintenance Plan for this. Councillor Brown supported this approach. He queried why the site was outside of the development envelope for Littleport and, in the light of the Soham appeal decision, proposed approval of the officer recommendation with the above-mentioned amendments by the Case Officer and an additional Condition relating to a Management and Maintenance Plan for the Biodiversity Habitat. This was seconded by Councillor Trapp.

It was resolved [unanimously]:

That planning application ref 22/00358/FUL be APPROVED subject to the all of the recommended conditions detailed in Appendix 1 of the Officer's report, the addition of a Condition 19 relating to Energy and Sustainability and removal of reference to 'phased development' from the description of development.

It was further resolved:

That the Planning Team Leaders be given delegated authority to draft an additional condition regarding the provision of a Management and Maintenance Plan for the Biodiversity Habitat.

The meeting concluded at 4:40pm.

Cllr Mark Inskip
Cllr Lorna Dupré
District Councillors for the Sutton Ward
October 2022

21/01216/F3M

Construction of a crematorium and associated service and administration building, function building, memorial garden, natural burial areas, pet cemetery, car parking, new vehicular access from the A142 north of the site and landscaping: Mepal Outdoor Centre Chatteris Road Mepal Ely Cambridgeshire CB6 2AZ

Introduction

The Mepal Outdoor Centre site was, for more than three decades, a well-used and valued community outdoor leisure facility. If this application for a crematorium and associated elements is approved then the potential for meaningful outdoor leisure will be lost at the site. The few future leisure opportunities suggested are very much ancillary to the main purpose, reflected in the provision of just six parking spaces.

Leisure use

Whilst previous attempts to find an operator for the site to continue outdoor leisure facilities were not successful, alternative operating models have not been extensively explored which may have been more viable. The district council had also not considered any new investment, as could have been provided by allocating just a small proportion of the Community Infrastructure Levy receipts it holds from developments in the surrounding area. It should also be noted that post-COVID there is an increased focus on outdoor leisure facilities. The district council has therefore not adequately demonstrated that there is no longer a need for the existing use as an outdoor leisure facility.

Community views

The community view of the proposals has been well established by the applicant's own survey as reported in the Statement of Community Involvement. Paragraph 3.4.2.8 Additional comments summarises the results, reporting that just 13.0% of respondents supported the proposals with 85.4% opposed to them. The primary reasons for the opposition to the proposals were;

1. The site should be retained as an outdoor leisure centre
2. There is not seen to be a need for another crematorium to be built
3. The site is not seen as the right location for the development

It is odd to justify the development as a community resource when the overwhelming views expressed by the community are that the existing community leisure use for the site should be retained, when the community do not see the need for the new facility, and when the community do not consider this an appropriate location.

Need

The applicant does not provide a robust case to justify the need for a new crematorium in this part of the district. There is already significant nearby provision with the well-established Fenland crematorium in March along with the recently opened crematorium in Huntingdon. The catchment area identified by the applicant for potential crematorium locations is centred on Ely rather than East Cambridgeshire District. This results in significant overlap on the western side with areas served by the Fenland and Hunts Crematoria. This is particularly true for the Mepal outdoor centre location.

The planning application for the Huntingdon crematorium included a comprehensive needs assessment which was considered as part of the planning approval process. No similar needs assessment has been provided for this application, and yet establishing a robust case for the need for a new crematorium at this location is essential given the corresponding loss of outdoor leisure. The survey of funeral directors undertaken by the applicant elicited just 11 responses, with eight suggesting they would consider using alternative facilities in the area if they became available.

Transport

Transport implications, and particularly road safety issues, are of significant concern for this location. The applicant acknowledges that there will be a significant increase in traffic movements from the site compared to the existing approved use. The proposed cemetery and crematorium development will provide 123 parking spaces. There are an additional 28 car parking spaces near the cemetery area. The crematorium chapel will accommodate up to 125 people. There are no pedestrian or safe cycling routes to the site and the only public transport provision, a two-hourly bus service, is due to be withdrawn at the end of the month.

The transport assessment assumes there will be 15 vehicles associated with each cremation service with five services per day together with 27 other vehicles. This would be 102 vehicle arrivals and 204 two-way trips. The proposed Huntingdon crematorium is a similarly sized facility, however the transport assessment concluded that a figure of 23 vehicles would be more appropriate per cremation service together with 56 other vehicle movements. Given the assessment and justification in the Huntingdon transport assessment leading to a 50% higher figure, it would appear that the transport assessment for this application significantly understates the likely number of vehicle movements. To add further context, even with a generous vehicle occupancy figure of 3 people per vehicle, that would result in just 45 people by service on average or around 36% occupancy for a 125 people capacity chapel.

If the transport assessment data were to be aligned with the Huntingdon crematorium data and combined with the increased vehicle movements from the recent expansion of the neighbouring anaerobic digester plant then the currently proposed highway mitigations are likely to be inadequate and raise serious safety concerns.

Conclusion

In summary;

1. The applicant has failed to establish adequate justification to re-develop the site and, in so doing, to lose an opportunity to restore a previous well-loved community facility, and replace it with a commercial crematorium
2. There are significant traffic and transport issues on a stretch of road with a poor safety record. Traffic movements are already on the increase with the expansion of the neighbouring anaerobic digester plant and will be further exacerbated by the opening of the crematorium. Suitable active travel options are not available and public transport is being withdrawn.