

TITLE: 26/00009/FUL

Committee: Planning Committee

Date: 6 May 2026

Author: Planning Officer

Report No: AA187

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Site Address: Land North East Of 70 St Johns Avenue Newmarket Suffolk

Proposal: Construction of 1 no. two bedroom, single storey detached dwelling

Applicant: CD Property Webb

Parish: Woodditton

Ward: Woodditton

Ward Councillor/s: James Lay
Alan Sharp

Date Received: 26 January 2026

Expiry Date: 23 March 2026

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application for the following reason(s):

1. The principle of constructing a single-storey, detached dwelling in this location has been established by the granting of previous planning permissions, and the principle of development is considered to remain acceptable.
2. The proposal is not considered to result in significant and demonstrable harm to the character and appearance of the area nor on residential amenity.
3. The proposal is considered to satisfy all other material planning considerations.

1.2 The application is being heard by committee because it was called in by Councillor Lay. The following comments have been received:

“Could you please ask that this Application is put in front of the Planning Committee for their consideration.”

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks planning permission for the erection of a single-storey, detached dwelling on a vacant piece of land within a residential area. The dwelling would measure approximately 12.1m (39.7ft) in length, by 6.1m (20ft) in depth and would be designed with a gable roof form with a maximum height of 4.5m (14.8ft). PV panels are proposed to the front and rear roof slopes of the dwelling.
- 2.2 The dwelling would be positioned back from the back edge of the footpath by approximately 3m (9.8ft), with vehicular access taken off St Johns Avenue running along the side elevation of the dwelling with two parking spaces to the rear. Private amenity space is proposed to the south western elevation of the dwelling. Access to the substation to the west of the site will be retained across the proposed access.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link [Simple Search](#).

3.0 PLANNING HISTORY

25/00852/FUL

Construction of 1 No. dwelling following previous approvals.

Withdrawn 16.12.2025.

22/00585/FUL

Construction of 1 no. two bedroom, single storey detached dwelling - resubmission of 19/00596/FUL.

Approved 05.07.2022.

19/00596/FUL

Construction of 1 no. two bedroom, single storey detached dwelling.

Approved 18.06.2019.

16/00825/FUL

Construction of two bedroom detached dwelling.

Approved 06.10.2016.

04/00157/FUL

Erection of dwelling and adjoining garage.

Refused 08.04.2004. Appeal dismissed on 14 February 2005.

03/00864/FUL

Detached house and garage.

Refused 16.10.2003.

02/01242/FUL

Proposed two storey 4 bedroom detached dwelling house.

Refused 25.02.2003.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site relates to a parcel of land measuring approximately 0.4 hectares (0.9 acres) in size. The site is located within a residential area, located between existing dwellings at Nos. 68 and 70 St John's Avenue. There is a 1.8m (5.9ft) high timber panel fence which encloses part of the site, stepped back from St Johns Avenue and the footpath to the north. The area behind the fencing is overgrown with some dense areas of vegetation. There is a mature Maple tree within the north western corner of the site and an electricity substation to west of the site which is currently accessed from the footpath running to the north.
- 4.2 The site is located within a residential area with the immediate street scene comprising two-storey dwellings of a relatively uniform appearance, set back from the highway with varying levels of open frontages and parking. There are examples of single-storey dwellings within the wider development.
- 4.3 The site is located within the defined development envelope for the Newmarket Fringe.

5.0 RESPONSES FROM CONSULTEES

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

Woodditton Parish Council - 23 February 2026

Object to the proposals on the following grounds:

- 1) We note the comments of resident at 73 St Johns Ave and fully support these. The changes proposed are purely superficial and are not conducive to other properties on the estate which are constructed of traditional brick and have proper foundations. In all intents and purposes this is a static temporary building without solid foundations and with an appearance completely out of synch with the existing development of Crockfords Park. It appears as a cost cutting exercise to avoid having to move the underground power cable running through the plot from the substation.
- 2) We are concerned about vehicular access and its effect of the development visibility of vehicles using Selwyn Close. St Johns Avenue is used as a rat run by drivers wishing to avoid the traffic calming on Woodditton Road and the road becomes parked up on both sides, particularly at school drop off and pick up.
- 3) We have noted the concerns and requirements outlined by UK Power Networks on building a house so close to a substation - clearly this limits to a single storey dwelling to avoid the more significant issues.

Local Highways Authority - 23 February 2026

Responded with no objection. It is considered that the effect of the proposed development upon the Public Highway would likely be mitigated subject to the inclusion of the conditions. It has been advised that the proposals do not look to materially differ from a highway perspective when compared to the previous applications.

The two suggested conditions relate to requiring sufficient room to be provided within the site for vehicles to enter, turn and leave in a forward gear and to allow for parking clear of the public highway, as well as to provide and maintain pedestrian visibility splays of 1.5m by 1.5m. An informative note has also been suggested to advise the applicant of the necessary consents which are required from the County Council prior to work being undertaken in the Public Highway. This informative note can be added to the decision notice.

Waste Strategy (ECDC) - 9 February 2026

Responded with no objection. Request an informative note regarding the collection of waste by the Council from residential properties. This informative note can be added to the decision notice.

UK Power Networks - 3 February 2026

Object to the proposals. The proposed development is in close proximity of a UK Power Network substation and a number of observations have been made relating to development within close proximity of a substation as well as the applicants responsibility and engineering guidelines. Advice has been provided on the proximity of development to substations, footings, high occupancy rooms and noise as well as general notes regarding access requirements to the substation. The observations, guidance and general notes can be viewed in the full response which is available on the Council's website.

ECDC Trees Team - 17 March 2026

Responded with no objection to the proposals. Suggest a condition requiring the submission of a scheme for the protection of the tree located adjacent to the site boundary during the construction of the development.

East Cambs Ecologist - 15 April 2026

Raise no objection to the proposal either with regard with impacts on ecology or in relation to Mandatory Biodiversity Net Gain (BNG).

Have suggested two conditions requiring compliance with the mitigation measures set out within the submitted Preliminary Ecological Appraisal and to secure a scheme of ecological enhancements.

Following the submission of a revised Metric during the course of the application with all of the inputted information available for consideration, the initial objection has been removed and the baseline value of the site has been accepted. Comments have been made on the contents of the Metric and it has been advised that it is likely that the small number of units required to reach the mandatory gain will need to be purchased from a habitat bank, however, the information submitted for the purposes of this planning application is acceptable and this can be addressed as part of the discharge of the mandatory BNG condition.

CCC Growth & Development –

No Comments Received.

Ward Councillors –

No Comments Received.

5.2 A site notice was displayed near the site on 5 February 2026.

5.3 Neighbours – Twelve neighbouring properties were notified. Five responses have been received and are summarised below. A full copy of the responses are available on the Council's website.

- The plot is too small for a dwelling that would respect the existing pattern and character of development in the area
- The dwelling and its layout are not in keeping with the character and appearance of the area which comprises predominantly two-storey dwellings with open frontages, front and rear gardens, garages and frontage parking
- Design of the dwelling not in keeping with the neighbouring properties
- Appears dwelling would be of a temporary construction without proper foundations which is contrary to the construction of the existing houses
- The proposal differs significantly from the previously approved applications
- Feel that the proposed construction and design of the dwelling is in order to avoid costs of moving the underground cables which run through the site
- The site was designed as open space and is not suitable for a dwelling

- Location of the site on a blind bend and existing highway safety concerns
- Concern that visitors would park at the front of the property/on the footpath causing concern for highway and pedestrian safety
- Question the practicality of 24-hour access to the substation being maintained based on the proposed layout and driveway location
- Location of cables which run through the application site
- Inconsistencies between the application form and proposed plan in relation to the proposed roofing materials

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
 Flood and Water
 Natural Environment
 Hedgehog Recovery
 Climate Change
 Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

6.3 National Planning Policy Framework (December 2024)

2	Achieving sustainable development
4	Decision-making
5	Delivering a sufficient supply of homes
9	Promoting sustainable transport
11	Making effective use of land
12	Achieving well-designed places
14	Meeting the challenge of climate change, flooding and coastal change
15	Conserving and enhancing the natural environment

6.4 Draft National Planning Policy Framework (December 2025)

3	Decision-making policies
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- 4 Achieving sustainable development
- 5 Meeting the challenge of climate change
- 6 Delivering a sufficient supply of homes
- 12 Making effective use of land
- 14 Achieving well-designed places
- 15 Promoting sustainable transport
- 17 Pollution, public protection and security
- 18 Managing flood risk and coastal change
- 19 Conserving and enhancing the natural environment

6.5 Cambridgeshire and Peterborough Waste and Minerals Local Plan 2021

**6.6 Cambridgeshire-Peterborough Local Nature Recovery Strategy (LNRS)
(December 2025)**

6.7 Planning Practice Guidance

7 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

7.1 The main planning considerations relevant to the determination of this application relate to:

- Principle of development
- Visual amenity
- Residential amenity
- Highway safety and parking
- Trees
- Ecology
- Mandatory Biodiversity Net Gain
- Flood risk and drainage
- Contamination
- Climate change
- Other material matters

Principle of Development

7.2 The East Cambridgeshire Local Plan, 2015 (as amended 2023) describes the Newmarket Fringe as a suburb of Newmarket, which looks to the services and facilities within the town. In respect of housing, the Local Plan states that ‘the Newmarket Fringe area is likely to continue to grow at a slow rate, with new housing being built on suitable ‘infill’ sites within the area’. A development envelope has been drawn around the Newmarket Fringe to define the built-up part of the settlement where infill development may be permitted – the purpose of this is to prevent sprawl into the open countryside.

7.3 Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages within a defined development

envelope, stating that housing, employment and other development to meet local needs will normally be permitted, provided that there is no significant adverse effect on the character and appearance of the area and that all other material considerations are satisfied.

- 7.4 The application site is located within the development envelope of the Newmarket Fringe and is therefore considered to be a sustainable location, the principle of development is considered to be acceptable subject to all other material planning considerations being satisfied.
- 7.5 Also of relevance is previous planning at the site. A number of applications for the erection of a dwelling at the site have previously been refused (application references 02/01242/FUL, 03/00864/FUL and 04/00157/FUL). These applications were for large, two storey dwellings and the reasons for refusal related to their scale and massing of the development in close proximity of the highway boundary which was considered to introduce a cramped form of development, as well as for their impacts on the residential amenity of the adjacent property. In 2016, an application for the erection of a single storey dwelling of the same footprint and positioning as the current proposal was approved under application reference 16/00825/FUL, and therefore the principle of development for the erection of a single storey dwelling in this location has been established. Two further applications identical to the 2016 application approved in 2019 and 2022 under application references 19/00596/FUL and 22/00585/FUL respectively.
- 7.6 Whilst the latest planning application (22/00585/FUL) has now expired, the previous planning applications have established the principle of erecting a single storey dwelling in this location of a similar footprint and layout and are therefore considered to be a material consideration to the determination of this application.

Visual Amenity

- 7.7 Policy ENV1 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements.
- 7.8 Policy ENV2 states that development proposals should ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.
- 7.9 St John's Avenue is characterised by two-storey, detached dwellings with open frontages and parking to the front elevation. There are examples of single storey dwellings on the wider development. The existing dwellings are set back from the highway boundary. Whilst this distance varies, the dwellings are generally set back between 6 and 10 metres (19.7 and 32.8ft) from the highway boundary. The proposed dwelling would be set back from the back edge of the footpath by approximately 3 metres (9.8ft). Whilst this set back is less than other dwellings within the street scene, it is considered to be proportionate to the scale of the dwelling that is proposed and the positioning of the dwelling in this location has been established by the previous applications. Furthermore, by positioning the car

parking to the rear of the dwelling, the proposal opens up the site frontage further without it being dominated by parking, allowing for areas of soft landscaping as well as an area of hardstanding to provide pedestrian access to the dwelling.

- 7.10 Concern has been raised within neighbour comments and by the Parish Council to the appearance of the dwelling, including its single storey height and overall design which is considered to be out of keeping with the style and character of the dwellings within the street scene. Concern has also been raised to the method of construction of the dwelling, with comments noting that the dwelling appears to be a temporary structure without proper foundations which would be out of keeping with the existing dwellings within the street scene which are brick built.
- 7.11 The introduction of a single storey dwelling in this location has been established by the previous applications on the site. The Case Officer for application 16/00825/FUL within their Committee presentation considered that whilst the introduction of a single storey dwelling would be contrary to the general pattern of development within the street scene by virtue of its single storey nature and positioning in relation to the highway, that it would not result in significant harm to the character and appearance of the area and would result in a less dominating form of development than the two storey dwellings previous proposed and refused on the site.
- 7.12 Two further identical applications were submitted under applications 19/00596/FUL and 22/00585/FUL and it was concluded as part of these applications that there had been no changes to the application since the previous approvals. These applications are a material consideration in the determination of the current application and the introduction of a single storey dwelling in this location is considered to be acceptable. It is acknowledged that the design of the dwelling under the current application varies from the previous approvals, and it is necessary to consider the impact of these changes on the character of the street scene.
- 7.13 The neighbour and Parish Council concerns regarding the method of construction of the dwelling are noted. The applicant has confirmed that the dwelling would be constructed from structural insulated panels. The use of a screw pile footing may be used, subject to the further site investigations. Whilst the method of construction is a material planning consideration, from a visual amenity perspective, the extent to which the method of construction can be considered as part of the application is limited to the impacts that this would have on the appearance of the dwelling and the character and appearance of the street scene and wider area.
- 7.14 An application at the site has recently been withdrawn (25/00852/FUL) in response to Officer concerns regarding the design of the dwelling and the impact on the character and appearance of the street scene. The previous application proposed a dwelling clad in a sage green coloured cladding, and a higher finished floor level with a large ramp proposed to provide pedestrian access to the front elevation.
- 7.15 Under the current application, the dwelling would be designed with a gable roof form, which would be in keeping with the roof forms of the neighbouring properties, albeit at single storey height. Amendments have been made during the course of the application altering the proposed fenestration and introducing a canopy to the front elevation. These changes are considered to provide a more coherent frontage

to the dwelling and would break up the otherwise linear elevation. Whilst the design of the dwelling would vary from the neighbouring properties, with the amendments that have been made since the previous withdrawn application and during the course of the current application, it is not considered that the dwelling would result in significantly detrimental or demonstrable harm to the character and appearance of the street scene and wider area.

- 7.16 Concern has been raised to the proposed materials, particularly the cladding of the dwelling and it has been noted that the roofing materials described in the application form conflicted with the details annotated on the originally submitted plans. The dwelling would be faced in a buff-coloured brick and the amended plans are annotated to show that the roof would be finished in plain tiles of a dark brown colour. Neighbour comments have noted that the new dwelling would not be in keeping with the neighbouring properties which are of brick construction. Whilst this is noted, it is not considered that there is a visual difference between a building that is built from brick and a building that is faced in brick and the use of facing brickwork is therefore considered to have an acceptable visual impact on the development. The proposed materials are considered acceptable and would be in keeping with the materials on the dwellings within the street scene. In order to ensure that these materials are used on the development and would have an acceptable visual impact, it is considered reasonable to condition that samples of these materials are submitted for consideration prior to their use on the development. This condition can be attached to the decision notice.
- 7.17 Details of boundary treatment have been confirmed as part of the application to be a 1.8m (5.9ft) high close boarded timber fence. This is in accordance with the details approved as part of the previous applications, and would have a similar visual appearance to the existing fencing at the site. The submitted plans indicate new planting along the front boundary of the site, and details of this planting can be secured by condition as discussed within the Trees section of this report below.
- 7.18 Bin storage is indicated on the submitted plans, and this is considered to be located in a suitable location to limit its impact on the street scene.
- 7.19 For the above reasons, it is not considered that the proposal would result in significantly detrimental or demonstrable visual harm to the street scene or surrounding area and is therefore considered to comply with policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Residential Amenity

- 7.20 Policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.

Impact on Existing Occupiers

- 7.21 The application is located within a residential area, adjacent to 68 St Johns Avenue to the north west and 70 St Johns Avenue to the south west.

- 7.22 The proposed dwelling would be single storey in nature, and it is considered that its positioning in relation to the neighbouring properties would be sufficient to prevent harmful overbearing or overshadowing impacts. The single storey nature of the dwelling, and the separation distance to the neighbouring properties is also considered to prevent overlooking. The existing 1.8m (5.9ft) close boarded timber fence would be retained between the site and 70 St Johns Avenue, and a new 1.8m (5.9ft) close boarded fence is proposed along the northern boundary which would further protect the privacy of occupiers of the existing and proposed plots.
- 7.23 The submitted plans demonstrate the location of a heat pump to the south western side elevation of the dwelling, however no further details regarding the nature or specification of the pump have been provided as part of the application. In order to prevent harm to the amenity of neighbouring properties by way of harmful noise disturbance, it is considered reasonable to include a condition that requires details of the heat pump to be submitted to and approved in writing by the Local Planning Authority prior to its installation.
- 7.24 Under the previous applications, a condition regarding construction hours was added to the decision notice. Due to the residential nature of the surrounding area, this condition is considered to be reasonable.

Impact on Future Occupiers

- 7.25 The proposal is considered to provide a high level of amenity for future occupiers, meeting the Nationally Described Space Standards and the gross internal floor areas for a single storey, 2 bedroom, 3 person dwelling. The dwelling would also provide a private area of amenity space provided to the south west of the dwelling measuring in excess of 50sqm (164sqft), which is above the amount recommended in the Design Guide SPD.
- 7.26 With regards to the proximity of the proposed dwelling to the electricity substation, the UK Power Networks have been consulted as part of the application and have advised that it is recognised that transformers emit a low hum which can cause annoyance to nearby properties and a problem can also occur if footings are too close to the substation structures as vibrations can be transmitted through the ground into the walls of the building.
- 7.27 They have advised in respect of noise impacts that the distance between buildings and substations should be greater than 7 metres as far as possible, footings of new buildings should be kept separate from substations, buildings should be designed so that rooms of high occupancy (i.e. bedrooms and living rooms) do not overlook the substation and if noise attenuation methods are necessary UK Power Networks would expect to recover costs from the developer.
- 7.28 The proposed dwelling would be located closer to the substation than the UK Power Networks suggested separation distance of 7m (23ft). It is noted that the previous applications approved a dwelling within the same proximity to the substation as is currently proposed. Under the most recent application (22/00585/FUL), it was noted that the only opening to a habitable room facing towards the substation would serve a living room, and that this room would be served by two other openings.

- 7.29 Under the current proposal, a window serving an open plan kitchen, dining and living room is proposed to face towards the substation, however it is noted that there are three other openings across the front and side of the dwelling that would serve this room, with the living area located to the front of the dwelling. This relationship is not considered to be materially different to what has previously been approved, and it is noted that the Environmental Health Officer did not raise concern to the previously approved relationship.
- 7.30 The original plans for the current application proposed a bedroom window to the rear of the dwelling. During the course of the application, the location of this window has been amended to the side elevation so that it would be located in excess of 7m (23ft) from the substation and would be in line with the previously approved arrangements. The revised positioning of this opening is considered acceptable.
- 7.31 For the above reasons, the proposal is considered to have an acceptable impact on the amenity of existing and future occupiers, in accordance with policies ENV 2 and ENV 9 of the East Cambridgeshire Local Plan.

Highway Safety and Parking

- 7.32 Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that development proposals shall provide a safe and convenient access to the highway network.
- 7.33 Policy COM 8 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards.
- 7.34 Neighbour and Parish Council comments have raised concern to the location of the development on a blind bend and the potential impacts on pedestrian and highway safety, including from visitor parking on the highway.
- 7.35 The plan demonstrates a vehicular access which would be positioned to the side of the dwelling, providing access to two rear parking spaces and space for turning, as well as for access to the electricity substation.
- 7.36 The Local Highway Authority have been consulted as part of the application and have raised no objections to the proposals. They have commented that the proposals do not look to materially differ from a highway perspective when compared to the plans proposed under the previous applications. They have suggested the inclusion of two conditions relating to the provision of sufficient space within the site to allow vehicles to enter into the site, park, turn and exit in a forward gear, and for the pedestrian visibility splays.
- 7.37 The proposals provide two off-street parking spaces to the rear of the dwelling in accordance with the requirements of policy COM 8 of the Local Plan, and it is considered that sufficient space would be provided to allow vehicles to turn within the site. The location of bin storage is indicated on the submitted plans which would not impact on the proposed access or parking arrangements.

- 7.38 With regards to the concerns regarding visitor parking, there is space on the driveway for additional vehicles, however access would need to be maintained for the substation. St Johns Avenue does not have any parking restrictions and therefore the Local Planning Authority would not be able to control or restrict parking occurring in this location. The proposed development has provided the parking required by policy COM 8 and is therefore considered to comply with the policy.
- 7.39 For the above reasons, and subject to the inclusion of conditions, the proposal is considered to comply with the requirements of policies COM 7 and COM 8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Trees

- 7.40 Policy ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.
- 7.41 The Trees Officer has been consulted as part of the application and has raised no objections to the proposals. They have requested a condition requiring the submission of a Tree Protection Plan, and have confirmed informally that this relates to the mature Maple tree which is located within the north western corner of the site. Similar conditions have been imposed as part of the applications approved in 2016, 2019 and 2022.
- 7.42 As part of the site visit, and following review of Google Street View, it is evident that significant works have been undertaken to the Maple tree since the previous permissions. Notwithstanding, the Trees Officer has had sight of photographs from the site visit and has advised that the works that have been undertaken to the tree do not impact on its suitability for long-term retention. The suggested condition is therefore considered to remain relevant and reasonable.
- 7.43 The plans indicate that additional tree planting is proposed, however no further details regarding the proposed species or planting specification have been provided. It is considered reasonable for these details to be secured as part of a soft landscaping condition which can be attached to the decision notice.
- 7.44 For the above reasons, and with the inclusion of conditions, the proposal is considered to comply with policy ENV 7 of the East Cambridgeshire Local Plan.

Ecology

- 7.45 The LNRS is a statutory document which plans, maps and creates priorities for nature in a given area. Local authorities must have regard to any relevant LNRS through the exercise of its functions, including as a local planning authority (see S40(2A) of the NERC Act 2006).
- 7.46 Amongst other matters, the LNRS identifies on a map (the 'habitat map') "areas that could become of particular importance for biodiversity" (ACB sites), which have been determined to offer the potential to become important if measures were taken

to improve the habitats on that particular site. For this particular application, it has been determined that no LNRS ACB site aligns with the planning application site area and there is no other apparent reason why the LNRS is an important determining factor for this application. As such, very little weight has been given to the content of the LNRS in reaching a recommendation for this planning application.

7.47 The Ecology Officer has reviewed the Preliminary Ecological Appraisal that has been submitted in support of the application and has raised no objection to the proposals, subject to the development being carried out in strict accordance with the precautionary working measures contained within the report. This condition is considered reasonable in order that protected species are protected during the construction of the development.

7.48 For the above reasons, and with the inclusion of the conditions referenced, the proposals are considered to have an acceptable impact on ecology, in accordance with policy ENV 7 of the Local Plan, policy SPD.NE6 of the Natural Environment Supplementary Planning Document.

Mandatory Biodiversity Net Gain

7.49 Mandatory Biodiversity Net Gain (BNG) is applicable to the proposed development, and the application is supported by a Small Sites Metric. A revised version of the Metric has been submitted during the course of the application to allow full consideration of the proposals by the Council's Ecology Officer.

7.50 Following review of the revised Metric, the Ecology Officer has advised that they agree within the baseline habitats for the site. They have advised that the trees recorded in the Metric as part of the on-site habitat creation will not be able to count towards mandatory biodiversity net gain, as they will be located within private curtilage. When these trees are removed from the post intervention value, the Metric no longer demonstrates a net gain on the site, rather a considerable net loss.

7.51 To achieve the mandatory net gain in biodiversity, it is likely the small number of units will need to be purchased from a habitat bank. Whilst the metric currently demonstrates a net loss in biodiversity, the Ecology Officer has agreed with the submitted baseline value for the site, and full details of the number of units which would be purchased to achieve the mandatory 10% gain will be confirmed as part of the discharge of the biodiversity net gain condition. This would be dealt with separately to other planning conditions and will require the submission of an updated metric and supporting information.

Flood Risk and Drainage

7.52 Policy ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that all developments and re developments should contribute to an overall flood risk reduction. The policy also states that all applications for new development must demonstrate that appropriate surface water drainage arrangements can be accommodated within the site.

7.53 The application site is located in Flood Zone 1, which is where vulnerable development, including residential uses, should be directed.

- 7.54 The application form states that surface water will be disposed of via soakaway and foul water through a connection to the main sewer. Whilst no additional details have been provided, given the small-scale nature of the proposal which is for a single dwelling, it is considered that matters of both foul and surface water drainage could be adequately dealt as part of Building Regulations.
- 7.55 For the above reasons, it is considered the proposals would have an acceptable impact in terms of flood risk and that subject to consideration of full details as part of Building Regulations, that a suitable drainage scheme could be achieved for the site in accordance with policy ENV 8 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

Contamination

- 7.56 Policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that development proposals on contaminated land (or where there is reason to suspect contamination) must include an assessment of the extent of the contamination and any possible risks and proposals will only be permitted where the land is, or can be made, suitable for the proposed use. It goes on to say that conditions may be attached to any planning permission to ensure adequate reduction and management of impacts.
- 7.57 While the proposed development is not in an identified area of contaminated land, the proposal is for the erection of a residential dwelling. Given the sensitive end use of the site, it is considered reasonable to condition an investigation and risk assessment of the nature and extent of any contamination on the site, together with for the reporting of any unexpected contamination should it be encountered during the construction phase. This approach is in accordance with policy ENV 9 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the approach taken under the previously approved applications on the site.

Climate Change

- 7.58 Policy ENV4 of the East Cambridgeshire Local Plan 2015 (as amended 2023) states that:
- 'All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable' and 'applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.'*
- 7.59 The adopted Climate Change SPD encourages all development to include sustainability measurements within their proposal. The proposals include solar panels to the front and rear roof slopes of the dwelling, and the location of a heat pump is also indicated on the proposed plans. These measures are considered to align with the aims of policy ENV 4 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Climate Change Supplementary Design Guide.

Other Material Matters

- 7.60 A number of concerns have been raised regarding the substation adjacent to the site, particularly the emergency access to the substation and the cables which also run under the site. UK Power Networks raised no objections to application 16/00825/FUL and did not comment on application 19/00596/FUL. In respect of their comments on application 22/00585/FUL and the current proposals, they have noted that the development may have a detrimental impact on the right of access to and from the substation and as UK Power Networks require 24-hour access to the substation and this should be considered during the design of the development. It is however noted that the layout of the site and the access that would be provided to the substation has not changed from the previous applications. It is noted that UK Power Networks have legal access to the substation which will be maintained as part of this application and is to be dealt with by the appropriate parties. This view was echoed by the Planning Inspector who dealt with the appeal of application 04/00157/FUL which was refused at the site.
- 7.61 The presence of cables running through the site has also been noted. UK Power Networks have advised that there are underground cables on the site associated with the substation which run in close proximity to the proposed development and prior to the commencement of works accurate records should be obtained, all works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services and should any diversion works be necessary as a result of the development, then enquiries should be made to UK Power Networks.
- 7.62 Comments have been made to the appearance of the dwelling, noting that it appears to be a temporary structure without proper foundations, and it believed that this could be to avoid the expense of moving the underground cables. Whilst this is considered to be a separate matter outside of the consideration of the application, the method of construction has been considered within the visual amenity section of this report in so far as the impacts that it would have on the appearance of the dwelling and the character of the street scene and wider area.

8.0 Planning Balance

- 8.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The site is located within the development envelope for the Newmarket Fringe, where the principle of development is considered to be acceptable. The previous planning history on the site is noted and forms a material planning consideration in the determination of the current proposals. Whilst the design of the dwelling varies under the current scheme from the previous applications, it is not considered that the appearance of the dwelling would result in significant or demonstrable harm to the character and appearance of the street scene and wider area. The proposal is considered to have an acceptable impact on residential amenity, highway safety and all other relevant planning considerations.

8.3 In conclusion, the proposals accord with the relevant policies of the development plan therefore the application is recommended for approval, subject to the conditions set out below.

Human Rights Act

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

Equalities and Diversities

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

9.0 APPENDICES

Appendix 1 – Recommended conditions

PLANS

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



Appendix 1 – Recommended Conditions

Approved Plans

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

Plan Reference	Version No	Date Received
01 E		6th January 2026
Preliminary Ecological Appraisal		6th January 2026
001 E	Ver A	21st April 2026

Reason: To define the scope and extent of this permission.

Commencement of Development

- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

Investigation of Contamination

- 3 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023). The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

Arboricultural Method Statement

- 4 No development shall take place until a detailed Arboricultural Method Statement (AMS) compliant with BS 5837:2012 Trees in relation to design, demolition and construction has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023). The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

Materials

- 5 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Scheme of Biodiversity Improvements

- 6 No above ground construction shall take place until a scheme of biodiversity improvements has been submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity. Reason:

To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Natural Environment SPD, 2020.

Soft Landscaping Scheme

- 7 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is

removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Parking and Turning

- 8 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and for two cars to park clear of the public highway as shown on drawing 001 E Version A. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Pedestrian Visibility Splays

- 9 Prior to the commencement of the use hereby permitted visibility splays of 1.5m x 1.5m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Heat Pump

- 10 In the event a heat pump is required to serve the dwelling hereby permitted, prior to first occupation of the dwelling, details of the heat pump shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings. Where necessary, the scheme shall also provide full details of anti-vibration mounts, and all noise attenuation measures. The scheme shall be implemented as approved prior to occupation of the dwelling to which it relates and thereafter maintained as such.

Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and to safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Construction Hours

- 11 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Reporting of Unexpected Contamination

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 13 Preliminary Ecology Appraisal

The development shall be carried out in strict accordance with precautionary working measures set out within the Preliminary Ecology Appraisal prepared by Arbtech and dated 10th September 2025.

To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Natural Environment SPD, 2020.

Removal of Permitted Development Rights

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Class(es) A, B, D and E of Part 1 of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).