



Cambridge City Council Planning

Date: Wednesday, 4 March 2026

Time: 10.00 am

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ [access the building via Peashill entrance]

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Agenda

1 Order of Agenda

The Planning Committee operates as a single committee meeting but is organised with a two part agenda and will be considered in the following order:

- **Part One**
Minor/Other Planning Applications
- **Part Two**
General and Enforcement Items

There will be a forty-five minute lunch break some time between 12noon and 2pm. With possible short breaks between agenda items subject to the Chair's discretion.

If the meeting should last to 6.00pm, the Committee will vote whether or not the meeting will be adjourned.

2 Apologies

3 Declarations of Interest

4 Minutes
To follow

Part 1: Minor/Other Planning Applications

5 25/04801/FUL Cambridge Rugby Union Club
Grantchester Road (Pages 5 - 56)

6 25/04322/FUL 66 Ross Street (Pages 57 - 76)

- 7 25/02831/FUL Land at Bateman Street (Pages 77 - 94)
- 8 25/04408/CL2PD Nightingale Avenue Recreation
Ground, Nightingale Avenue (Pages 95 - 98)

Part 2: General and Enforcement Items

- 9 Appeals Information (Pages 99 -
108)

Planning Members: Smart (Chair), Thornburrow (Vice-Chair), Dryden, Flaubert, Griffin, Howard, Illingworth and Todd-Jones

Alternates: Ashton, Bennett, Lokhmotova and Porrer

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Information for Councillors

After the publication of the agenda, if any committee members have any questions, they should be sent to officers up to 12 noon 2 days in advance of the meeting – these will be responded to as part of officer presentation (together with any queries raised by Members at the committee site visit).

The site visit protocol and public speaking scheme can be found at the below link.

[Planning Committee guidance](#)



**25/04801/FUL – Cambridge Rugby Union Club
Grantchester Road Newnham Cambridge
Cambridgeshire CB3 9ED**

Application details

Report to: Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Newnham

Proposal: Construction of floodlit padel tennis facility with club hut and landscaping

Applicant: Padel Stars Limited

Presenting officer: Amy Stocks

Reason presented to committee: Third party representations, Councillor Call in, Site History, Policy Conflicts

Member site visit date: N/A

Key issues: 1. Green Belt

2. Siting, design and scale of padel courts and effects on character of the Protected Open Space, the site and setting of the edge of the City.

Recommendation: Approval subject to conditions

Report contents

Document section	Document heading
1	Executive summary
2	Site description and context
3	The proposal
4	Relevant site history
5	Policy
6	Consultations
7	Third party representations Member representations Local groups / petition
8	Assessment
9	Principle of Development
10	Need for Padel Courts
11	Design, layout, scale and landscaping
12	Biodiversity
13	Water management and flood risk
14	Highway safety and transport
15	Cycle and car parking provision
16	Amenity
17	Other matters
18	Third Party Representatives
19	Planning balance
20	Recommendation
21	Conditions

Table 1 Contents of report

1. Executive summary

- 1.1 The application is for the construction of 5no floodlit padel tennis courts with canopy, club hut and landscaping.
- 2.1 There is a clear need for padel courts within the City but the provision of the sports facilities would constitute appropriate development in the green belt. The siting, scale and massing of the proposal would not adversely impact the character and visual amenity of the site, the protected open space and setting of this part of the City adjacent to the open countryside. It is therefore

in compliance with both Cambridge Local Plan (CLP) 2018 and South Newnham Neighbourhood Plan (NP) policies 2025.

3.1 Officers recommend that the Planning Committee approve the application.

Consultee	Object / No objection / No comment	Paragraph Reference
Cadent Gas	No Objection	6.1
Conservation	No Objection	6.2
County Highways Development Management	No Objection	6.3
Drainage	No Objection	6.4
Ecology Officer	No Objection	6.5
Environment Agency	No comment received	6.6
Environmental Health	No Objection	6.7
Landscape Officer	No Objection	6.8
Recreation Development Department	Support	6.9
Sports England	No Objection	6.10
Sustainability Officer	No Objection	6.11
Trees	No Objection	6.11
Third Party Representations (57)	No Objection, Objection and Neutral	7.1
Member Representations (2)	Objection	7.5

Local Interest Groups and Organisations / Petition (1)	Objection	7.8
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Table 2 Consultee summary

2. Site description and context

2.1 The site is located within Newnham. To the north of the site are residential properties which front onto Fulbrooke and Grantchester Road. To the east and south of the site is the wider rugby club pitches. To the west of the site is the miniature railway society and tennis courts. The site is located within the green belt, is in flood zone 2, and is a protected area of open space. There are no other planning land designations.

3. The proposal

3.1 The application seeks permission for the construction of 5no. floodlit padel tennis facility with club hut and landscaping.

4. Relevant site history

Reference	Description	Outcome
25/02147/FUL	Construction of 5no floodlit padel tennis courts with canopy, club hut and landscaping.	Refused at Committee
24/04800/FUL	Construction of 5 padel tennis courts and a clubhouse hut within a weather-protection canopy, along with associated improvements to parking facilities and the private access road.	Withdrawn
25/00607/FUL	Erection of an aluminium framed building as an extension to the existing rugby clubhouse to accommodate a fitness gym	Permitted
22/03926/FUL	Engineering works to provide a grid system in order to strengthen the ground in areas of existing car parking (part retrospective)	Permitted
21/02356/FUL	Extension to the existing rugby club building to create a new children's nursery, together associated infrastructure and landscaping.	Permitted
19/0669/FUL	Installation of 15.0m floodlights (10	Permitted

	no.) to replace existing floodlights (10 no.), situated in different locations, serving training pitches nos. 2 and 4 (6 floodlights on pitch 2 and 4 floodlights on pitch 4).	
16/0401/FUL	Retention of a marquee (26 sq metres) to provide a refuge for spectators at rugby club events including mini and youth rugby.	Permitted
14/0967/FUL	Erection of replacement changing rooms, replacement dug outs and the retention of the existing temporary changing rooms for a period of 3 years.	Permitted
11/1078/FUL	Retention of temporary changing rooms and ancillary floorspace.	Permitted
11/0087/EXP	Extension of time for the implementation of planning permission reference 08/0382/FUL for the erection of two storey extension and associated works (amended design to application C/03/0143/FP).	Permitted
08/0382/FUL	Erection of two storey extension and associated works (amended design to application C/03/0143/FP).	Permitted
08/0179/FUL	Alterations and extensions to existing Clubhouse and facilities (renewal of planning permission C/03/0143/FP)	Permitted
07/1376/FUL	Single storey side extension, re-roofing existing single storey building and erection of detached storage shed.	Refused
07/0165/FUL	Amended first floor terrace and staircase plus rear external staircase (amendment to application 04/1352/FUL)	Permitted
04/1352/FUL	Alterations and extensions to existing Clubhouse and facilities.	Permitted
C/03/0143	Alterations and extensions to	Permitted

	existing clubhouse and facilities.	
C/02/0483	Removal of 5no existing floodlights and erection of 10no floodlights to south-east of existing clubhouse.	Permitted
C/02/0428	Demolition of existing clubhouse and erection of a part single, part two storey clubhouse (renewal of application ref: C/96/1093/FP).	Permitted
C/96/1093	Demolition of existing club house and erection of part single storey and part two storey club house.	Permitted
C/96/0065	Re-building of Clubhouse and provision of fitness and medical room.	Refused
C/92/0802	Change of use from agricultural land to sports playing fields (amended by letter and drawing dated 10.2.92, 12.2.92)	Permitted
C/84/0439	Erection of flood-lights	Permitted
C/73/0255	Erection of extension to existing Club-house	Permitted
C/67/0479	Extension to existing pavilion	Permitted

Table 2 Relevant site history

5. Policy

5.1 National policy

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Conservation of Habitats and Species Regulations 2017

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the next stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.

Following endorsement by Joint Cabinet in November, the draft JLP will proceed to a formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012). This is currently scheduled between 1 December 2025 and 30 January 2026.

In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF, but represents an earlier stage of the plan making process. Therefore, at this stage, the draft JLP and its policies can only be afforded limited weight as a material consideration in decision making.

5.2 Cambridge Local Plan (2018)

- Policy 4: The Cambridge Green Belt
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood risk
- Policy 34: Light pollution control
- Policy 35: Protection of human health from noise and vibration
- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 59: Designing landscape and the public realm
- Policy 67: Protection of open space
- Policy 69: Protection of sites of biodiversity and geodiversity importance
- Policy 70: Protection of priority species and habitats
- Policy 73: Community, sports and leisure facilities
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management

5.3 Neighbourhood plan

South Newnham Neighbourhood Plan (made 24 February 2025)

5.4 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

6. Consultations

Publicity

Neighbour letters – Y

Site Notice – Y

Press Notice – N

Cadent Gas- No Objection

6.1 No objection to the proposal subject to the following informative:

- Informative relating to legal easements

Conservation- No Objection

6.2 The application has been assessed and it is considered that the proposal would not give rise to any harm to any heritage assets

County Highways Development Management - No Objection

6.3 No objection to the proposal subject to the following conditions:

- Footway improvements
- Traffic Management Plan
- Informative relating to works within highway land

Drainage Officer- No Objection

6.4 No objection to the proposal subject to the following conditions and comments:

- Surface water drainage details

Ecology Officer- No Objection

6.5 No objection to the proposal subject to the following comments:

- Ecological enhancement scheme
- Ecologically sensitive artificial lighting scheme

Environment Agency- No comment received

6.6 Consulted but no comment received

Environmental Health- No Objection

6.7 No objection to the proposal subject to the following comments:

- Construction hours
- External lighting
- Floodlighting hours of use
- Hours of use

Landscape Officer- No Objection

6.8 The landscape department do not get consulted on minor applications. Therefore, the application was taken to an internal surgery for review. No objection was raised subject to the following comments:

- The department raised concerns with the canopies under the previous application. The removal of the canopies is a welcome change; their removal has allowed for the previous concerns to fall away.

Recreation Development Department - Support

6.9 A conversation with the sports and recreation team was had and they department confirmed their comments on the previous application remain relevant; these comments have been included for ease:

- The Recreation team within the City Council would support in principle the creation of Padel facilities within the City at the Cambridge Rugby Club.

- The department regularly get emails enquiring on any land availability and/or partnership opportunities to work with commercial Padel providers for provision in our open spaces.
- The department have been working with the local LTA (Lawn Tennis Association) representatives on how we may progress the roll out of Padel within the City, as the only site currently available are two courts at the University Sports Centre in West Cambridge.
- The city is currently under provided for to the sum of around 10 courts currently.
- If the proposal is acceptable, it is requested a Condition may be added that the provider gives over some free court time and support for local residents and community groups to participate in “come and try activities and coaching” on the Padel facility, very similar to that already hosted by Park tennis on Jesus Green Tennis courts every Saturday morning.

Sports England - No Objection

6.10 No objection to the proposal subject to the following conditions:

- Restoration of playing field

Sustainability Officer - No Objection

6.11 No objection, there are considered to be no material sustainable design and construction issues with this application.

Trees- No Objection

6.12 There is no accompanying tree information, however the reviewed site plans show a sufficient separation from existing trees whereby there should be no impact.

7. Third party representations

7.1 57 representations have been received.

7.2 Those in objection (23) have raised the following issues:

- The surveys have not been conducted in respect of the impact on the residents of Fulbrooke road.
- The removal of the canopies does not address the core problems of the refused scheme. These concerns still apply. The redesign has done nothing to reduce noise or light pollution or harm to the green belt or visual amenity of the area.

- Green belt concerns. The proposal is in the green belt and would still cause obstruction across protected views. The proposed padel courts, fencing, glass enclosures and clubhouse represent inappropriate development in the green belt and causes harm to visual harm. The proposal is contrary to policy SNNP 15 of the South Newnham Neighbourhood Plan (2024) (regarding the impact on the two protected views across the Rugby fields - V3 and V5) and to policy 4 of the Cambridge Local Plan (2018), and paragraph 154 of the NPPF (2024).
- The proposed club hut and social area extends further into the green belt, with no dimensions stated.
- The presence of unauthorised structures on site should not be used as precedence to allow for more built form.
- The cumulative proposed structure of the proposal is harmful to the green belt and would radically change the character of the area.
- The increase spacing between the courts make the structures more visually prominent.
- Misleading wide-angle photographs minimise the perceived scale of the development.
- Operation is excessive in a semi-rural area.
- In June 2024, four Padel courts in Guilford, Surrey were rejected because of their "detrimental visual impact" and harm to the openness of the green belt. Consideration to visual impact should be given.
- Proposal would obscure views from properties on Fulbrooke Road into the open countryside.
- The materials to construct the courts will damage the environment.
- Light pollution concerns. Policy SNNP3 of the South Newnham Neighbourhood Plan (2024) seeks to reduce and maintain low levels of light and in particular, 'minimise its impact on wildlife and landscape character and avoid light spillage'. Light spillage is a threat to bats and other wildlife. Although the application states the light will operate within certain hours, this is not the case. There are just two security lights on after dusk in the corner of the parking area, close to the clubhouse.
- The site falls under Neighbourhood Plan policy SNNP1, yet no biodiversity of bat foraging assessment was submitted.
- Properties which front onto Fulbrooke Road already impacted by Elonex electronic display screen behind the garden of no.15 Fulbrooke Road (the screen was erected with no permission).
- The resident's amenity will be impacted as padel generates significant noise nuisance, of a repetitive and hard-to-ignore nature.

The noise generated will be contrary to policy 35 of the Cambridge local plan (2018).

- Noise concerns. The measurements produced by the Acoustics company employed by Padelstars bear further consideration. Noise levels were measured on the road which was louder than the back gardens of the dwellings facing the courts. The assessment ignored the wind impacts. The combination of the padel court use and rugby games will cause an unacceptable level of disturbance. Relocating car parking behind houses is unacceptable and will have noise impacts. This conflicts with policies SNNP6 and SNNP12 of the neighbourhood plan.
- The balls hitting off the pitch will sound like revolver type pistol shots. This is the wrong site for a noisy sport.
- Excessive operating hours is unreasonable (7am-10pm). Early morning noise will impact neighbours. Time should be limited to 8am-6pm.
- There is no noise insulation and the courts are too close to the residents.
- The club already has permission to host concerts which is a nuisance.
- Traffic safety concerns. There will be increased traffic along Grantchester Road and pressure on the main entrance/exit to CRUFC. Car sharing will be unlikely. The submitted transport statement does not encompass all activities beyond work and shopping such as family events, meaning the chances of players living together is unlikely and car sharing is more unlikely. Traffic on Grantchester Road uses the road network to cut out traffic queues through the city centre. Drivers speed on the country road and the addition of 40 cars per hour is a hazard (in addition to multiple junctions off Grantchester Road).
- The area is heavily used by cyclists, students and families and large monthly events with visitors. Previous events required a TTRO for safety, but the padel application provides no such traffic management measures. The increased vehicles create significant additional safety risks.
- No new parking has been provided. Vehicles will use existing parking behind dwellings which will be disruptive.
- Rugby club priority concerns. The club has substantive revenue streams. The income benefits do not negate the need to protect the green belt. The financial ambitions of the club should not roughshod over concerns of local residents. The rugby is diving towards commercialisation of the green belt.

- Impacts on the Bin Brook have not been addressed. No clear demonstration of compliance with local plan policy 32.
- The application form states the site cannot be seen from public roads or footpaths, this is not accurate.
- It is unknown whether or not they will need connection to the sewage system, despite having 3 full-time and 9 part-time employees.
- Their "location plan" is disingenuous, being drawn in such a way as to be able to try to claim there is no parking spaces.
- The applicant states there is only cycle parking when there are cars there.
- In their planning statement at 5.18 they say that "outdoor sport" is "not inappropriate" on green belt land. But this is *not* "outdoor" as it has buildings associated with it.
- In 5.22 they claim that according to a specific court judgement green belt openness cannot be compromised by development that is "not inappropriate". But this is not "not inappropriate"
- The removal of the canopies will increase noise
- Supporters do not live locally and will not have to live with the daily consequences. The opinions of those closer should hold more sway.
- The South Newnham neighbourhood plan should be respected.
- There is an over saturation of padel courts in the area. There is no local need.
- The courts have nothing to do with rugby.

7.3 Those in support (34) have given the following reasons:

- The addition of padel to this venue is great for the local community.
- The scale and design appear appropriate, with landscaping helping to integrate the development into its surroundings.
- Padel is the fastest growing sport and access to its facilities would be an asset. There is presently limited capacity for alternative recreational activities like Padel in the area and demand has quickly saturated recent new facilities.
- Some representatives have driven to Milton Keynes and down towards London for access to different activities. Courts are needed in Cambridge.
- The site is already an established sports ground with pitches, lighting, parking, and clubhouse facilities. Co-locating new facilities like floodlit courts with existing sporting sites like a rugby club makes perfect sense from a wider perspective and impact on surrounding green spaces.
- This application provides clear health and economic benefits for the local community. The courts would provide a much-needed opportunity

for residents to stay active, socialise, and participate in a sport that is inclusive, low-impact, and ideal for beginners.

- The courts are low-profile, transparent structures that preserve the openness of the Green Belt and sit comfortably within the existing cluster of sporting buildings. Protected views remain intact, and any ancillary structures can be conditioned to ensure they remain modest and sympathetic to the landscape. The proposed courts would be located within the established boundary of the site, this would not materially alter the openness of the area. The rugby club is not a place to walk your dogs; the green space is already not very green within the existing use of the site.
- Directional LED lighting is more contained than traditional floodlights and can be controlled through curfews. The proposal can fully comply with Policy SNNP3 and protect dark skies and wildlife corridors.
- The Transport Assessment shows that the additional vehicle movements are modest and manageable. The Highways Authority has raised no objection, and the existing access arrangements remain unchanged. Many students and young adults will likely cycle to the courts to use thus not impacting on traffic levels.
- Professional acoustic modelling demonstrates that noise levels at nearby homes remain within accepted thresholds. Comments that the noise running past 7.30pm would be disruptive is unfounded.
- Provides an income stream for the club.
- The positioning of the courts is within the area of existing buildings and is away from the local housing.
- The courts will be open to the public, not just members.
- There is ample and sufficient parking to ensure no overspill as a result of this planning development.
- The location of the courts is ideal and is served with good transport links.

7.4 Two Councillors made representations on the application.

7.5 Cllr Clough made the following comments:

- Impact on the Green Belt remains the same as refused scheme 25/02147/FUL, aside from removing the canopies.
- The officers report and the green belt assessment on the previous scheme should be a starting point.
- Glass and steel structure fail to preserve openness of the Green Belt.
- Visual and spatial harm still remain without the canopies.
- The applicant used a wide and low angle lenses in low positions understating the visual harm of the proposal. Human eye level would be more apt.
- Views include the unauthorised structures making the photos misleading.

- The unauthorised structures include two portacabins south of the clubhouse, shipping container, large 3 storey scaffolding tower with viewing platform and roof, large Elonex electronic display board , marquee and container used as bar.
- None of these structures appear on the submitted plans.
- Their inclusion distorts the visual assessment.
- A visualisation (prepared by a resident attached under the comment – on the public portal) shows there would be impact and the padel courts would enclose the site
- The proposal would impact protected views V3 and V5 across the rugby club under South Newnham Neighbourhood Plan (2022). The padel courts harm these views.
- Courts introduce large glass/mesh structures and lighting columns. This dramatically alters the character of the local rugby club and makes the site more akin to a major sports complex. This conflicts with local plan policies 55, 57, and neighbourhood plan SNNP11.
- The proposal would harm the character and openness of the protected open space, thus contrary to local plan policy 67.
- The refusal reasons as stated previously under proposal 25/02147/FUL still apply. The proposal is inappropriate and harmful to the Green Belt, the proposal causes significant harm to the protected open space, and the intrusive built form would harm protected views, environmental quality and character.
- The proposal is adjacent to the Bin Brook. The gym approval and padel courts should be assessed together to assess run off impact (policy 32 of local plan). The ground conditions (gault clay) mean pitches are frequently waterlogged.
- Site lies next to key bat commuting and foraging habitats. The neighbourhood plan policy SNNP1 requires an assessment of the impact on bat flightlines. No bat assessment has been provided, therefore the application cannot be approved and cannot be addressed via condition as it must be assessed during the summer bat activity.
- Light pollution is a concern. Neighbourhood plan SNNP3 requires minimising light spill into the open countryside. Club floodlights are not on every night as the applicant suggested and only a few evenings in winter, the new constant light would harm wildlife.
- The submitted transport assessment ignores existing traffic from training, matches, conferences, the onsite DPD pick up point and other sources of traffic generation.
- The transport assessment completely omits the planned GCP Haslingfield Greenway passing the site. The proposal needs a full revision and re-assessment from highways.

- Noise is a concern. The baseline measurement was taken 3m up a lamppost (not representative of garden level use. No assessment of wind was taken into consideration nor the impact of the crack sound of the padel).
- Noise levels are predicted to be up to 59dB in gardens (significant noise).
- No assessment of added vehicle noise on the access track.
- Application should be refused.

7.6

Cllr Glasberg called the application into committee and made the following comments:

- The proposal is not compliant with policies 34, 35, 55c and 57 in the Cambridge Local Plan 2018, policies SNNP1, SNNP2, SNNP3, SNNP11, SNNP12 and SNNP15 of the South Newnham Neighbourhood Plan (2024), paragraph 187d of the NPPF (2024).
- The site is in the Green Belt. The application does not comply with applicable policies from the National Planning Policy Framework (2012-2024), Cambridge City Local Plan (2018) and South Newnham Neighbourhood Plan (2024).
- Local Plan Policy 4 refers to the Cambridge Green Belt, requires proposals for new developments in the Green Belt to justify Very Special Circumstances. The construction of 5 padel courts which will be used from 7am to 10pm seven days a week and lit at night by floodlights does not justify the Very Special Circumstances.
- Although the canopies have been removed from this application this will not significantly reduce the intrusive impact of these new structures contrary to Local Plan Policy 55c and SNNP15 of the neighbourhood plan.
- The planning statement submitted still refers to the need for a covered facility. This means the planning statement was either not updated in error or there is a desire to add canopies in the future due to uncovered courts limited viability.
- The proposal allows public use of the padel courts until 10pm every evening which will involve use of floodlights greatly exceeding their current use for Rugby Club winter training.
- There has been no assessment of bat activity on adjacent woodland, and no light study or details of an ecologically sensitive lighting scheme approved by the LPA as required by the Ecology officer for a similar previous application on this site.
- This is a recreation ground but there is a history of incremental encroachment and increase in structures which have been placed

on the site without planning permission. Breaches are with enforcement officers.

- The cumulative impact on the views and open aspect of this site from all the development already approved and unauthorised is considerable.
- I support the points re planning policy made by the South Newnham Neighbourhood Forum.
- There are objections from residents about the level of noise and disruption that would be experienced by those living near the site, and also serious concerns about the level of additional traffic that would be generated.
- The application claims that a valuable facility would be provided for the local community, but the objections are all from neighbours whereas those who have written in support are from outside the area which gives weight to the concerns about the additional traffic that would be generated by the plans.
- While padel is popular sport, this is not a suitable location, and this application should be refused.

7.7 The South Newnham Neighbourhood forum commented in objection to the scheme. Their comments are summarised as follows:

- The proposal is not compliant with the Local Plan and Neighbourhood Plan policies relating to Green Belt, Biodiversity, Light Pollution, Residential Amenity, and failure to make a positive contribution to the setting and landscape character in this Green Belt location.
- The proposal introduces intrusive built form which is not appropriate in a green belt location close to residential housing where it will have an adverse visual impact and destroy the openness of the area with its important views, and also adversely impact both neighbours' residential amenity and wildlife with its noise and light pollution.
- The Forum supports sporting activity as a contributor to health and wellbeing, but not at the cost of the site's green belt location and local setting, the environment, and neighbours' residential amenity, and the rugby club must comply with applicable policies from the National Planning Policy Framework (2012-2024), Cambridge City Local Plan (2018) and South Newnham Neighbourhood Plan (2024).
- The proposed development does not comply with the following policies in the Cambridge City Local Plan (2018), the National Planning Policy Framework (2024), and the South Newnham Neighbourhood Plan (2024).

- The site is designated both Green Belt and a Protected Open Space in the Cambridge Policies Map 2018, and the Forum does not believe the proposal justifies the Very Special Circumstances required for a development on Green Belt land (Contrary to Local Plan Policy 4 and chapter 13 of the NPPF (2024)).
- The proposal is contrary to the objectives of the green belt and is protected open space. The scale of the proposal does not provide very special circumstances required under local plan policy 4 and the NPPF.
- The proposal fails to comply with neighbourhood plan SNNP1. There are no measures to mitigate biodiversity, but the forum supports the comments made by the council's ecology officer regarding conditions.
- The proposal has a net loss of BNG. The forum insists that gain be achieved on site not via credits.
- The proposed flood lighting will cause increase in noise and light pollution impacting local wildlife and residents.
- The proposal is not a positive contribution to the landscape character of the green belt.
- Surface water runoff caused by the proposal is concerning and if the swales can absorb this.
- There has been historical flooding from the Bin Brook into Gough Way which raises concerns.
- Previous applications had stricter drainage conditions.
- The submitted FRA lacks ground investigations and omits sequential testing and exception test.
- The forum requests monitoring and reporting system on the outlet to the brook to ensure flood risk is not increased.
- Light pollution is a concern. There are no details of the flood lights, some lights will be completely external. Proposed lights will allow for significant light spill.
- Forum requests a light study be undertaken to assess the impacts of light levels with ongoing monitoring if allowed.
- Noise pollution from the club currently exists. Padel courts are known to be noisy. No site specific noise assessment has been conducted, the reliance on other locations for data is inadequate.
- Site specific noise assessment is needed.
- Design and character do not reflect the local character nor contribute to the landscape. The scale is inappropriate in the green belt.
- Concerns regarding traffic congestion and safety due to increased vehicle movements.
- Forum considers the traffic will adversely affect road users and residents.

7.8 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8. Assessment

- 8.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:
- Principle of development- Green belt assessment and Protected Open Space
 - Design, layout, scale and landscaping
 - Biodiversity
 - Water management and flood risk
 - Highway safety and transport impacts
 - Car and cycle parking
 - Amenity
 - Other matters
 - Planning balance
 - Recommendation

9. Principle of Development

Community, sports and leisure facilities

9.1 Policy 73 of the Cambridge local plan refers to the provision of new or enhanced sports facilities and that proposals of this nature will be permitted providing:

- a. the range, quality and accessibility of facilities are improved;*
- b. there is a local need for the facilities; and*
- c. the facility is in close proximity to the people it serves.*

New city-wide or sub-regional community, sports or leisure facilities should also:

- d. be permitted if they are provided in sustainable locations;*
- e. comply with the National Planning Policy Framework's sequential approach;*
- f. demonstrate the need for the proposal within the catchment area it is expected to serve;*
- g. demonstrate that it would not have a negative impact upon the vitality and viability of the city centre, including its evening economy; and*

- h. where possible, include in the proposal facilities which are open to the wider community, to enhance both accessibility and the range of facilities available.*

Proposals for new and improved sports and leisure facilities will be supported where they improve the range, quality and access to facilities both within Cambridge and, where appropriate, in the sub-region. Proposals should have regard to the Playing Pitch Strategy and Indoor Sports Facility Strategy. This policy is relevant to a wide range of facilities from health clubs that serve parts of the city to leisure and sports provision that serve the city and sub-region, such as a concert hall, community sports stadium and sports complex. In securing a suitable location for city-wide or sub-regional facilities, developers will be expected to demonstrate use of the sequential test in considering sites for development. Loss of facilities The loss of a facility or site that was last in use as a community, sports or leisure facility will only be permitted if it is demonstrated that:

- i. the facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users. For leisure uses, it should satisfy peak period need; or*
- j. the facility/site is no longer needed.*

In providing evidence that a facility/site is no longer needed, the guidance in Appendix K of the plan should be adhered to. The redevelopment of school sites for other uses will be permitted only if it can be demonstrated that they are not required in the longer term for continued educational use.

Facilities provided as part of development

Mixed-use development proposals which provide on-site community and/or leisure facilities will be permitted where these are of a type appropriate to the scale of the development and to meeting the needs of future residents, employees and visitors.

In the case of urban extensions and large-scale regeneration schemes, this should be in the form of a new, dedicated community centre and, where necessary, education and childcare facilities. For medium and smaller-scale developments in the city, the facilities required will be at the neighbourhood or local level, usually a community house or room.

- 9.2 The proposed Padel courts will be addressing an unmet need for this type of support within the City. Sport England support the proposal as do the Councils Recreation Department. The proposal is supported through policy 73.

Green and Grey Belt Assessment

- 9.3 Policy 4 of the Local Plan defers to national guidance on Green Belt. Chapter 13 of the NPPF deals with protecting Green Belt. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 9.4 Paragraph 143 of the NPPF sets out the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 9.5 Paragraph 151 of the NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
- 9.6 Paragraph 153 states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason on inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.7 Paragraph 154 states that development in the Green Belt is inappropriate subject to exceptions. Criteria b) exception states:

b) The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; [officer underline]

9.8 The five courts are uncovered; these courts would constitute outdoor sport. The proposal sees the inclusion of a wooden club hut/storage facility and a seating area. These elements will be used in conjunction with the main facility and therefore is considered to be in accordance with point b of paragraph 154.

9.9 The previously refused scheme (25/02147/FUL) saw the provision of 5 courts (three covered two uncovered). The previous scheme provided a significant enclosing effect and negatively impact on both the spatial and visual qualities of openness attributable to the green belt in this location. The removal of the canopies has reduced the scale and massing of the proposal, allowing for the views across the green belt to be maintained to an acceptable degree in accordance with national policy (allowing outdoor sport in the land designation). The courts will benefit from glass and mesh walls further allowing for views to be seen through the walls. The removal of the canopies now means that the proposed 5 uncovered courts would no longer be 'inappropriate development'.

9.10 The site has been assessed under the Greater Cambridge Green Belt Assessment (2021) (GCGBA). The assessment seeks to identify the variations in the openness and the extent to which land contributes to the purposes of the Green Belt. This assessment uses this to inform where the variations in the potential harm to the purposes of the green belt of releasing land within the designation. The assessment reviews allocated sites within the green belt and assess them against the following criteria:

Purpose 1 (Preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre) the purpose is relevant only to land around the City, and the extent to which land contributes to this purpose is dependent on the variations in openness and in the degree of distinction from the edge of Cambridge.

Purpose 2 (Maintain and enhance the quality of its setting), is a two-element approach was taken considering: Element 1 – the extent to which land constitutes countryside (that is to say has a rural character) based on its usage and distinction from an inset settlement. The first

element -the assessment of rural character -was based on variations in openness and in the degree of distinction but was applied to all settlements rather than just Cambridge. Element 2 – the extent to which land forms or contains other features or aspects that contribute to the quality of Cambridge’s setting. This is a separate consideration which is not informed by openness and distinction. For the second element an analysis was undertaken of key views and visual inter-relationships; green corridors; approaches to the historic core and wider city; designated sites and landscape elements that contribute to character; the scale character, identity and rural setting of the Green Belt villages; and the topography providing a framework to the city. These elements were mapped, in order to identify variations in the relevance of each.

Purpose 3 (Prevent communities in the environs of Cambridge from merging into one another and with the city), an analysis was undertaken of the distribution of villages in and around the Green Belt and the physical features that separate and/or connect them from each other or from Cambridge.

9.11 The application site is referenced within this assessment. The site straddles two sub-parcels of land within the parcel of land reference NH4.

- - · Local Authority
 -  Cambridge - Newnham parcel
 -  Division between parcel sub-areas
 -  Neighbouring parcel
 -  Green Belt
- Absolute constraints**
-  CRoW Registered Common Land
 -  Scheduled monument
 -  Registered park & garden

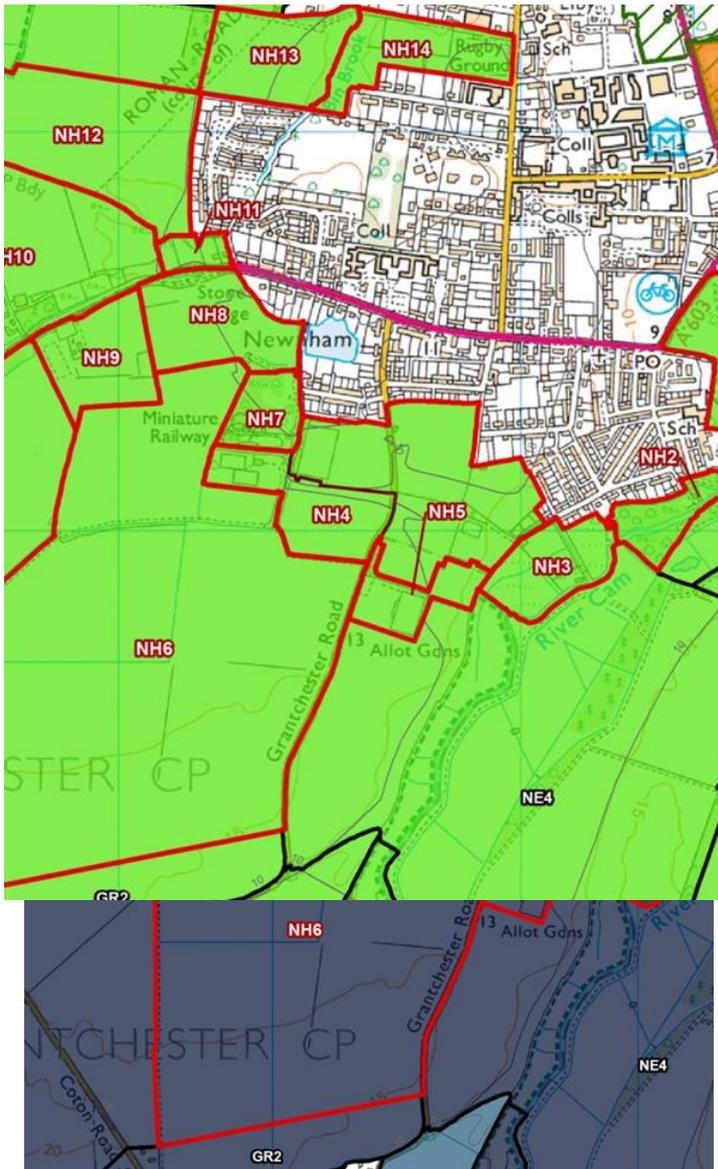


Figure 1: Green belt Assessment land parcels in Newnham ¹



Figure 2: Green belt Assessment land parcels in Newnham and the level of harm²

9.12 Figure 2 depicts the level of harm should the parcels of land be removed from the green belt. Parcel NH4 shows a very high level of harm to the south of the parcel and a high level of harm to the north. The location of the courts will be located on this border between the harm levels, more on the side of very high harm.

¹ [Appendix B - Cambridge - Newnham](#)

² [Appendix B - Cambridge - Newnham](#)

9.13 The assessment designates parcel NH4 as follows:

Settlement	Parcel Ref	Release Scenario	Area (ha)	P1 Contribution	P2 Contribution	P3 Contribution	Harm
Cambridge - Newnham	NH4	Release of land out to the western and southwestern edges of the parcel (map areas 1 and 2), as an expansion of Cambridge (Newnham)	40.37	Relatively significant	Moderate	Relatively significant	Very High

Figure 3: Greater Cambridge Green Belt Assessment for parcel NH4 (2021)³

9.14 Figures 1 and 2 shows parcel NH4 was considered to contribute to the objectives of the green belt. The scenario is based on the release of land to the western and southwestern edges of the parcel. The assessed loss of contribution of land to the Green Belt purposes was combined with the assessed impact of its release on remaining land designated as Green Belt to determine an overall rating of the harm of releasing land from the Green Belt for each of the defined parcels. The site is considered to positively respond to purposes 1, 2 and 3. The removal of the land from the Green Belt would be harmful. The level of harm for the release of the land is very high. It follows that the land upon which the application site sits strongly contributes to purposes (a), (b), and (d) as set out in NPPF para 143. The proposal is therefore not on grey belt land and does not benefit from the exclusion of inappropriateness provided by NPPF para. 155.

9.15 However, the proposal would constitute as appropriate development within the Green Belt as per paragraph 9.7-9.9 of this report. As the development would not constitute inappropriate development, the principle of the development would be considered acceptable within the Green Belt.

10.1 Protected Open Space

10.1 The site benefits from a protected open space classification and is protected for both its environmental and recreational qualities (Open Space and Recreation Strategy 2011, site SPO 05). Sites that benefit from this designation that result in harm to the character of or lead to the loss of open space of environmental and/or recreational importance will not be supported unless the open space can be satisfactorily replaced. The

³ [Greater Cambridge Green Belt Assessment](#)

proposal would not cause harm to the character of the protected open space, for design, layout, scale and landscaping reasons, including harm to identified protected views in the Neighbourhood Plan, as set out below. The site would continue in recreational use providing a wider variety of recreational uses for the site, which is encouraged by policy 67 and no recreational loss would be experienced.

10.2 The application mitigates harm to the character of the protected open space through the use of transparent materials and complies with Cambridge Local Plan (2018) policy 67.

11. Need for Padel Courts

11.1 Padel is a racket sport. The sport is played in doubles and is best played on a padel court. Sports England is supportive of the proposal subject to imposition of a condition relating to the retention of rugby pitches within the grounds.

11.2 The recreation development department have been consulted to establish the need for padel courts within the city. They have confirmed there is a need for Padel courts within the City. There are two available courts at the University Sports Centre in West Cambridge, apart from this provision, there are no other known designated padel courts. Working with the LTA, the department have established the need for padel courts within the City, this is as follows:

Cambridge	Residents	Tennis Demand 20%	Padel Demand 8%	No. Padel courts
2021	123,867	24,773	1,982	10
2024	147,332	29,466	2,357	12
2030	159,044	31,809	2,545	13

11.3 As shown by the table above the statistics show an under provision of 10 padel courts within the city. The statistics above will be published as a supplementary document to cover the wider Cambridge City and South Cambridgeshire district area. There is a clear need for padel courts within the City which this scheme would help meet.

- 11.4 A condition has been imposed to require the submission of a Community Use Agreement (the Agreement). This agreement will outline pricing policy; hours of community use; access provisions for non-rugby club members; management responsibilities; review mechanism; advertisement provisions for community use; timetables. This condition has been imposed to ensure the padel courts meet the City's needs for the facility and continue to serve the community.

12. Design, layout, scale and landscaping.

- 12.1 Policies 55, 56, 57 and 59 of the CLP 2018 and policy SNNP11 of the South Newnham NP seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 12.2 The application includes the development of 5 uncovered padel courts at the rugby club, inclusive of a club-hut and seating area (with a pergola). Each padel court will benefit from an enclosure with steel mesh and glass elevations. The enclosures will be 4m in height. The courts will be 10m in width by 19m in length. The layout of the pitches is broadly linear in appearance bar one court that will be located behind the existing club house and recently approved gym extension as permitted under permission (25/00607/FUL). Each pitch will benefit from four floodlights that will be circa 6.2m in height, the floodlights will be angled down towards the court itself.
- 12.3 A club hut and landscaping to the rear of the courts are also being proposed. The club hut is a shed like structure which will serve the courts, the hut will be 3.5m in height, 6m in depth and 10m in length. There will also be a landscaped area to the rear of the courts where users can sit outside. The pergola which covers this area will be 4m in height and 24m in length, this massing will follow the height and width of two courts. Officers consider this addition to be small in scale and would not adversely impact the visual amenity of the area.
- 12.4 Officers acknowledge the improvements the applicant has made to the scheme since the previous application, namely removing the canopies over the courts. The removed domed roofs have addressed officers' previous concerns, the uncovered courts are considered to be appropriate in scale and materiality and thus would respect the visual amenity of the site within this part of the open countryside in its setting to the southern edge of the City. The scale and massing of the proposed courts respond positively to the surrounding context and is compliant with policies 55, 56 and 59 of the Cambridge City local Plan (2018) and policy SNNP11 of the Neighbourhood Plan.
- 12.5 The landscape department have reviewed the application during an internal surgery session. Previously, there were concerns over the impact of the height and scale of the canopies on the visual envelope and the presence

of other structures which may impact. However, as the roofs of the courts have been removed, this concern is no longer relevant or present in this application.

12.6 The Newnham Neighbourhood Plan is an adopted Neighbourhood Plan and includes protected views. Two of these, from either corner of the rugby club site against Grantchester Road form part of the proposal site. The courts would feature in these views. Generally, there is a consideration that the courts themselves are not problematic in Landscape terms.

12.7 The Newnham neighbourhood plan refers to protected views within the grounds of the site. Policy SNNP15 refers to Conserving and Enhancing Existing Views and Street Scenes, map 8 of the document shows views.

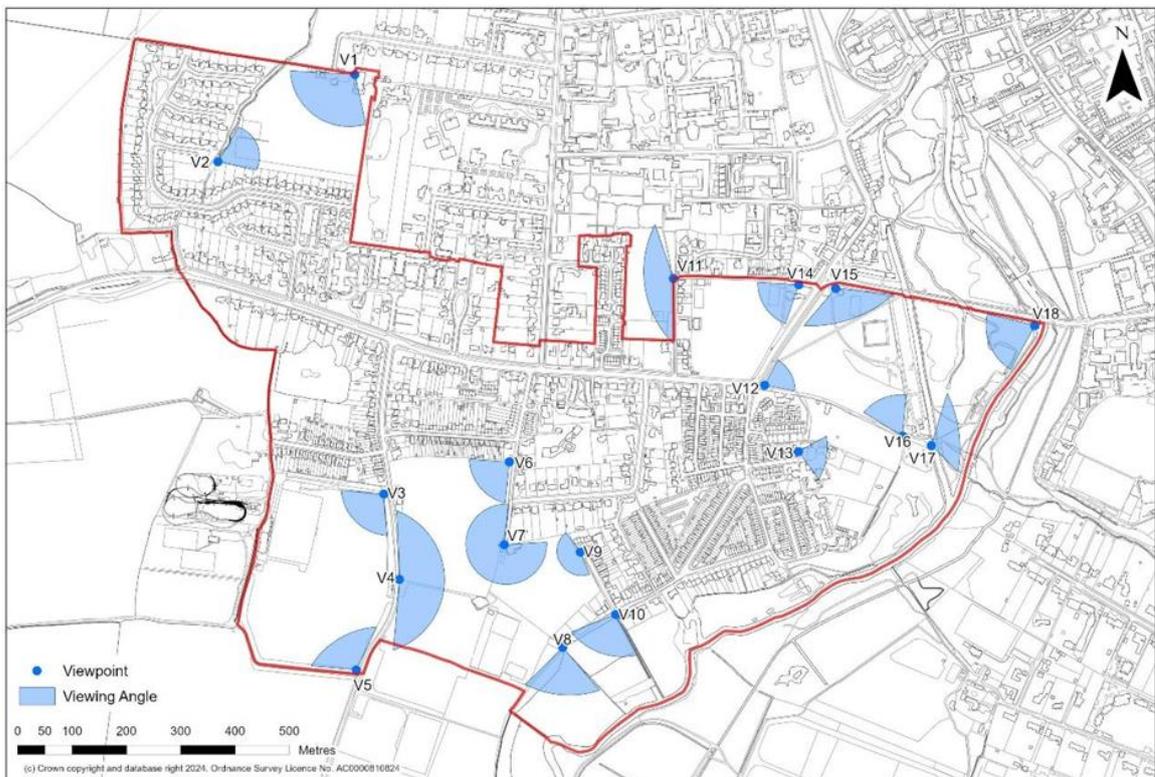


Figure 3: South Newnham Neighbourhood⁴ – Area Views

12.8 Figure 3 depicts these views. Views V3 and V5 will be the views impacted by the proposal. Officers consider the proposed courts would not interrupt the openness of these views and would conserve or enhance the landscape. The scale and massing of the proposal has been significantly reduced and officers consider the use of transparent materials and the acceptability of the use within the Green Belt would mean cumulatively the impact on these views would be minimal.

12.9 Overall, the proposed development accords with Cambridge Local Plan (2018) policies 55, 56, 57 and 59 and policies SNNP11 and SNNP15 of the South Newnham Neighbourhood Plan (2025).

⁴ [South Newnham Neighbourhood Plan](#)

13. Biodiversity

- 13.1 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 13.2 The site currently consists of grassland and building with a row of trees on western boundary. It lies within a conservation risk zone but does not meet the criteria in which a consultation with Natural England would require. Species data barn and other bird species, hedgehogs and bats have been recorded locally.
- 13.3 The application has been subject to formal consultation with the Council's Ecology Officer. No protected species surveys have been completed and submitted with this application. But given that the only habitat is of poor value modified grassland, the department considered further surveys are not justified.
- 13.4 The submitted BNG assessment and metric has calculated a loss of all current habitats within the redline boundary and deficit of 0.39 habitat units. It has been recommended that an off-site purchase for this deficit be undertaken. This can be evidenced as part of a planning condition.
- 13.5 A row of trees forms part of the western boundary of the site. This has the potential to provide both foraging and commuting corridors for bat species which have been recorded locally. Therefore, a wildlife sensitive lighting scheme should be designed to reduce impacts on foraging and commuting bats. The scheme should be secured by a separate condition of any consent. Guidance should be followed in Bats and Artificial Lighting at Night Guidance Note 08/23.
- 13.6 Where lighting falls on sensitive habitat, namely the embankment at the north of the site to be a wildlife sensitive lighting scheme should be designed to reduce impacts on foraging and commuting bats. Guidance should be followed in Bats and Artificial Lighting at Night Guidance Note 08/23, with LED lighting used which emit no ultraviolet light, Luminaires equal to or less 2,700k

should be adopted, light sources should feature peak wavelengths higher than 550 nm to avoid the component of light most disturbing to bats.

- 13.7 Reasonable biodiversity enhancements for protected, Priority and threatened species should be identified and implemented to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Scheme and should be secured by a condition of any consent.
- 13.8 Considering the ecology officers response, it would be reasonable to secure compliance with the deliverance of BNG and an enhancement scheme via conditions, thus complying with local neighbourhood plan policies SNNP1 and SNNP2.
- 13.9 Taking the above into account, subject to conditions, the proposal is compliant with 69 and 70 of the Cambridge Local Plan (2018) and policies SNNP1 and SNNP2 of the Newnham Neighbourhood Plan (2025).

14. Water management and flood risk

- 14.1 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 170 – 182 of the NPPF are relevant.
- 14.2 The site lies in flood zone 2 and is identified in an area of low (1 in 1000) to high (1 in 30) surface water flood risk. The site proposes an unlined vegetated bioretention/detention basin located to the south of the courts and dry swales located along the eastern and southern edges of the development. Overflow from the detention basin will outflow into the adjacent Bin Brook. The submitted Flood Risk Assessment and Surface Water Drainage Strategy has been reviewed and deemed acceptable by the Council's drainage department.
- 14.3 A third party representation has raised the proposal does not accord with flood risk policy on Sequential Test and Exception grounds.
- 14.4 As defined by the MHCLG, the Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. The Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk of flooding.

- 14.5 The Exception Test requires two additional elements to be satisfied (as set out in paragraph 178 of the National Planning Policy Framework) before allowing development to be allocated or permitted in situations where suitable sites at lower risk of flooding are not available following application of the sequential test. It should be demonstrated that development that must be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk and the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 14.6 In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.
- 14.7 Officers have discussed the application with the submitted flood risk assessment in mind, and it is unlikely the proposal would overall increase flood risk elsewhere on site. The proposal sees the provision of a recreational facility within the confines of an existing recreational facility, therefore there will be no increase in vulnerability on the site in terms of use. In this instance officers do not consider it reasonable to request a sequential test to be undertaken.
- 14.8 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

15. Highway safety and transport impacts

- 15.1 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 15.2 Para. 116 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 15.3 The application is supported by a Transport Report. The report shows there is no sustainability, safety or capacity reasons why the proposal cannot be permitted. Access to the site would be achieved off Grantchester Road. The

site would benefit from the use of the existing access and car parking area. The statement has highlighted a maximum of 40-42 two-way vehicle movements will be generated per peak hour of the proposal, the statement then proceeds to outline the reality of movements is more likely to be 8 movements within morning hours a 14 per evening hours, this would equate to 84 daily trips. Overall, the transport statement shows a minor increase in traffic which would unlikely result in adverse impacts on the local highway.

15.4 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, raise no objection to the proposal subject to conditions as set out under paragraph 6.3.

15.5 Subject to conditions as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

16. Car and cycle provision

16.1 Car and Cycle Parking

16.2 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 states that planning permission will not be granted for developments that would be contrary to the parking standards as set out in Appendix L.

16.3 The proposal does not fall within any criteria within Appendix L, however Appendix L states that parking provision will be approved on merit, on the basis of a transport assessment. Under Retail, culture, leisure and sports uses paragraph L.10 states outside the controlled parking zone, assessments will play a key role in determining the optimal level of car parking, for mixed-use developments and retail parks where linked trips might lead to a level of parking below the plan's standards.

16.4 No new parking is proposed as part of this scheme, but 20 spaces of the existing spaces will be dedicated to the use of the padel players. The provision of parking within the already existing car park is considered acceptable in green belt terms. In terms of provision of parking, officers were concerned how the parking would operate on rugby game days however the club has confirmed this will be monitored and ensured these spaces will remain free during these periods of time.

16.5 The site presently provides 30 cycle spaces. The proposal seeks to increase this provision to 36 spaces. Officers consider between the

provision of 20 car parking spaces, 6 cycle spaces and the sustainable location of the site, parking facilities will be adequately provided to accommodate the parking needs of the users of the courts (maximum capacity is 20 people at once).

- 16.6 The proposal provides and integrates adequate cycle storage and is therefore compliant with Policy 82 and Appendix L of the City Local Plan (2018).

17. Amenity

- 17.1 Policy 35 of the Cambridge Local Plan (2018) and paragraph 135 of the NPPF (2024) seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 17.2 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 17.3 The closest residential neighbouring properties front Fulbrooke Road and the northern section of Grantchester Road. The rear gardens of the properties along Fulbrooke Road will be circa 150-190m from the padel courts, the rear gardens of those on Grantchester Road will be 197m from the courts. The dwellings themselves will be further from the courts with properties on Fulbrooke Road being 180- 213m from the courts, and properties on Grantchester being 228m from the courts.
- 17.4 Much like any sport, Padel has the potential to make noise. The application is accompanied by a noise assessment. The assessment sets out the parameters of the court's usage. The courts are to be used between 07:00am to 10:00pm daily, the courts would not be used outside of these hours. The noise assessment established existing noise levels on Fulbrooke Road, where measurements were taken every 15 minutes. The below table shows the results of predicted noise levels at the site.

Source	Predicted noise levels at window of most affected residential dwelling		Predicted noise levels in garden of most affected residential dwelling	
	L _{Aeq,T} (dB)	L _{Amax} range (dB)	L _{Aeq,T} (dB)	L _{Amax} range (dB)
Court 1	29	34 – 58	29	34 – 58
Court 2	29	34 – 58	30	35 – 59
Court 3	29	34 – 58	30	35 – 59
Court 4	29	34 – 58	30	35 – 59
Court 5	29	34 – 58	30	35 – 59
Combined (simultaneous)	36	34 – 58	37	35 – 59

- 17.5 When applied to the site, it was found the predicted noise levels would be below the guidance levels of what is considered acceptable under BS8233:2014 (Guidance on Sound Insulation and Noise Reduction for Buildings.) and the World Health Organisation document for Community Noise (19910). It shall be noted the environmental health department have been consulted on this application and have not raised any concerns in relation to the predicted noise levels of the proposal. Therefore, as suggested by the assessment, the proposed development would unlikely have adverse noise impact on neighbouring properties.
- 17.6 Policy SNNP12 of the Newnham neighbourhood plan (2025) refers to the Protecting Residential Amenity. The policy protects residential amenity in terms of overlooking, visual domination of neighbouring properties (through areas extensively using glass), unacceptable pollution levels from constructing and using the proposal, and disturbance arising from traffic movements to and from the proposal. In terms of overlooking, it is unlikely the proposed development would have this impact on neighbouring properties due to the separation distance between the site and the residential properties. Likewise with the use of glass on the elevations of the courts, as it is not likely the glass from circa 150-197m away will cause any visual intrusion to neighbouring properties. In terms of pollution which may arise from the construction period of the courts, officers consider the temporary construction period would not adversely impact neighbouring residents as the works will be taking place some distance from these properties. The level of traffic to be generated by the proposal and subsequent usage of the scheme is considered under section 14 of this report.
- 17.7 Policy 34 addresses light pollution control. The policy protects neighbouring amenity, ecology and the visual character from the impact of light pollution. Each of the courts will benefit from four flood lights. The flood lights will be faced down into the courts. In terms of residential amenity, officers do not consider the floodlighting will adversely impact the surrounding residents. The surrounding residential properties are of the distance from the courts that while lighting will be seen it is not considered to adversely impact amenity levels. In terms of ecology, the council's ecology officer has

reviewed the proposed lighting to be used on site and considers further information to eliminate impact on local species can be secured via condition. The impact of landscape character is more complex. Presently the inclusion of flood lighting within the green belt has the potential to overspill into the surrounding character.

17.8 The site benefits from previous permissions where flood lighting has been permitted to serve the existing rugby use one site (19/0669/FUL). The flood lights under permission 19/0669/FUL are restricted to not be used outside the hours of 1200 hrs to 2200 hrs and shall only be used between the 1st of September to the 30th of April. While the flood lights would add to this overspill, in combination with the further details of lux arcs and similar restrictions, officers do not consider the addition of lights within the courts would be a reasonable reason to refuse given the existing use of flood lights on the site. Officers consider the mitigation of the provided flood lighting in combination with the restricted usage hours would mean the lighting would be in accordance with policy 34 of the Cambridge Local Plan and policy SNNP3 of the Newham neighbourhood plan.

17.9 A condition of a similar nature will be imposed; however, the time limit would vary allowing the use of flood lighting to be used between the hours of 0700hrs to 2200hrs. The increase of use is not considered to be detrimental to residential amenity given the distance between the courts and the residential dwellings, nor will the increase of use be determinantal to the openness of the Green Belt as the proposal is not considered to be inappropriate development within the Green Belt and therefore by definition cannot be considered harmful.

17.10 The proposal is considered to adequately respect the amenity of its neighbours and is considered that it is compliant with Cambridge Local Plan (2018) policies 34 and 35 and policies SNNP3 and SNNP12 of the South Newham Neighbourhood Plan (2025).

18. Other matters

18.1 Live Compliance Case

18.2 There is presently a live compliance case on the site for structures which have allegedly been erected without planning permission. The compliance team have received notification of a potential breach and are investigating the matter. Please note officers will not be able to discuss or comment on the case until such time a conclusion has been reached.

19. Third Party Representatives:

19.1 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below

Third party comment	Officer response
The surveys have not been conducted in respect of the impact on the residents of Fulbrooke road.	Officers have reviewed all submitted surveys and consider their methodology and findings to be suitable.
The removal of the canopies does not address the problems of the refused scheme. The redesign has done nothing to reduce noise or light pollution or harm to the green belt or visual amenity of the area	The re-design has addressed previous concerns relating to harm to the green belt and is considered to be a more sympathetic design overall. The application has been subject to noise and ecology specialists who consider the proposal would not have adverse noise or light impact on neighbouring residents or local ecology.
Green belt concerns	Please see section 9 of this report.
The proposal is contrary to policy SNNP 15 of the South Newnham Neighbourhood Plan (2024) (regarding the impact on the two protected views across the Rugby fields - V3 and V5) and to policy 4 of the Cambridge Local Plan (2018), and paragraph 154 of the NPPF (2024).	Please see section 9 and 10 of this report.
The proposed club hut and social area extends further into the green belt.	Please see section 11 of this report.

The presence of unauthorised structures on site should not be used as precedence to allow for more built form.	Please see section 11 of this report. There is a live enforcement case on the site regarding any potentially unauthorised structures. These structures are a separate matter to the application being discussed.
The cumulative proposed structure of the proposal is harmful to the green belt and would radically change the character of the area. The increase spacing between the courts make the structures more visually prominent.	Please see section 9 and 11 of this report.
Misleading wide-angle photographs minimise the perceived scale of the development.	The photos submitted are visual aids, these are not permitted documents and form part of a wider assessment.
Operation is excessive in a semi-rural area.	The rugby club has been operating for some time. The addition of 5 padel courts is not considered to project the operation of the club to inappropriate levels for its location.
Previous appeal cases have been refused.	Each application is determined on its own merits and while case law can be referred to, it does not mean the same decision will be reached.
The materials to construct the courts will damage the environment	Environmental health officers and sustainability officers have not raised any concerns. A condition relating to a construction management plan has been imposed.

Light pollution concerns	Ecology officers have not raised concerns on the use of light on site and its impact on ecology subject to conditions. Officers have also imposed a condition to restrict the use of light on site in accordance with current use.
No biodiversity of bat foraging assessment was submitted.	The ecology officer has not requested further studies therefore it would be unreasonable to request this information.
Properties which front onto Fulbrooke Road already impacted by Elonex electronic display screen behind the garden of no.15 Fulbrooke Road (the screen was erected with no permission).	This is a separate matter and should be reported to the compliance team if the representative feels the structure was erected without permission. By reporting the matter, the council can investigate if the correct procedure has been followed.
Noise concerns.	Noise has been raised as a concern. All submitted noise reports have been reviewed by the environmental health department who are supportive of their methodology and the findings of the report.
Excessive operating hours	The operating hours proposed in combination with the findings of the noise report is considered acceptable.
Traffic safety concerns.	The transport assessments have been reviewed by officers and the LHA. It is considered the traffic generated by the addition of paddle courts could be sustained by the existing access and would generate an unsuitable level of traffic.
No new parking has been provided	Parking has been allocated rather than provided. Officers consider there is enough space on site to accommodate the parking needs of the scheme.

Rugby club priority concerns.	The rugby club have put forward the scheme for assessment. The scheme is considered to have wider benefits and would serve a need for padel courts within Cambridge. Wider Rugby club priorities is not a planning matter.
Application issues such as incorrect red line or disingenuous information	Officers have visited site and viewed there is parking on site and are content the red line is appropriate for the proposal.
It is unknown whether or not they will need connection to the sewage system, despite having 3 full-time and 9 part-time employees.	It is unlikely the clubhut/ shed will require a new sewage system, and any connection will be done via the existing network on site.
Supporters do not live locally and will not have to live with the daily consequences.	The planning system allows for all to comment as they see fit. This is not based on where they live or interest in the site. All comments, objection or support or neutral, are reviewed and considered within the assessment of an application.
There is an over saturation of padel courts in the area. There is no local need.	Please see section 10 of this report.

20. Planning balance

- 20.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 20.2 Substantial weight should be given to any harm to the Green Belt, including harm to its openness. The proposal would not constitute inappropriate

development in the Green Belt. The siting and design of the Padel courts would not result in visual and spatial harm to the Green Belt as the proposal has been reduced in height via the removal of the court covers. A visually dominant and cluttered appearance of the site would not result from the proposal. The applicant has further put forward benefits of the scheme which officers consider will be delivered as part of the proposal. These benefits include:

- 20.3 **Access to sport:** Padel tennis is the fastest growing sport in the UK and is accessible to players of all ages and abilities. It also offers a unique opportunity for disabled athletes.
- 20.4 **Social benefits:** Padel tennis is a social game, being played by 4 players on each court. The sport promotes participation and social integration.
- 20.5 **Health benefits:** Padel tennis has wide reaching health benefits for all players, including improving physical fitness, strength and flexibility. It also improves mental wellbeing through helping to improve concentration while also being a social sport.
- 20.6 **Biodiversity gains:** The application is supported by a BNG Report by Sweco, which confirms that the development will result in BNG with the purchase of off-site credits.
- 20.7 **Economic benefits:** The development will generate tangible economic benefits, including the creation of jobs during the construction phase and then creating 3 full time and 3-4 part time positions as well as 4-5 freelance coaches. In total, therefore, there will be up to 10 people employed at the site once the facility is fully operational. In addition to this, the development will create an essential additional income stream for Cambridge RFC (as landowner) as a result of additional rental income.
- 20.8 **Landscape benefits:** The development will have negligible impact on the protected open space and the views identified in the South Newnham Neighbourhood Plan. The development would not result in harm.
- 20.9 The proposal respects the environmental character of the protected open space, being compliant to CLP (2018) policy 67. The scheme would introduce a small, scaled proposal where courts are enclosed by glass/mesh walls, allowing for through views to be achieved of the wider countryside. These design elements are a positive change from the previous application and would not impact the visual amenity and character of the open space and its valued role adjacent to the urban edge of this part of Newnham and the countryside setting. Protected views within the South Newnham Neighbourhood Plan would

not be disrupted and harmed as a result. The proposal is compliant to CLP (2018) policies 8, 55, 56, 57 and 59 and policies SNNP11 and SNNP15 of the South Newnham Neighbourhood Plan (2025).

20.10 The application would give rise to various benefits, including in relation accessibility, social and health. The proposal would support a growing sport within the City and would significantly meet a deficit in Padel court provision. The provision of 5 courts would help meet a wider City need and is a significant benefit. In the planning balance, Officer's consideration is that the scheme would be considered acceptable development within the Green Belt, would not adversely impact the protected open space or the character and context of this part of the City and Newnham.

Overall

20.11 In conclusion, having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

21. Recommendation : APPROVAL

22. List of Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development, other than demolition, shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include where appropriate:

- a. Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b. Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c. Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d. Details of the proposed attenuation and flow control measures;
- e. Site Investigation and test results to confirm infiltration rates;
- f. Temporary storage facilities if the development is to be phased;
- g. A timetable for implementation if the development is to be phased;
- h. Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i. Details of the maintenance/adoption of the surface water drainage system;
- j. Measures taken to prevent pollution of the receiving groundwater and/or surface water

The scheme shall subsequently be implemented in full in accordance with the approved details prior to the occupation of any part of the development or in accordance with the implementation program agreed in writing with the Local Planning Authority.

Reason: To ensure appropriate surface water drainage and prevent the increased risk of flooding (Cambridge Local Plan 2018, policies 31 and 32).

4. Prior to the first use of the proposed development the footway improvements proposed under permission planning permission 21/02356/FUL, and as detailed in drawing PL01 in Figure 6, and Appendix A of the submitted Transport Statement, must be provided prior to first use of the site.

Reason: In the interests of highway safety and to ensure satisfactory pedestrian access into the site in accordance with paragraphs 115 and 116 of the NPPF (2024).

5. No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking (all such parking should be within the curtilage of the site and not on street).
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety in accordance with paragraph 116 of the NPPF (2024).

6. No development above ground level shall take place until an ecological enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog provisions and other ecological enhancements. The approved scheme shall be fully implemented prior to first occupation or in

accordance with a timescale agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan (2018) policies 57, 59 and 70 and the Greater Cambridge Planning Biodiversity Supplementary Planning Document (2022).

7. Prior to the installation of any artificial lighting in any phase, an ecologically sensitive artificial lighting scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the baseline condition of lighting, any existing and proposed internal and external artificial lighting of the site in that phase and an artificial lighting impact assessment with predicted lighting levels. The scheme shall:
 - a) include details (including luminaires, fittings and any shrouds) of any artificial lighting on the site and an artificial lighting impact assessment with predicted lighting levels at the site boundaries;
 - b) unless otherwise agreed, not exceed 0.4 lux level (against an agreed baseline) on the vertical plane at agreed locations;
 - c) detail all building design measures to minimise light spillage;
 - d) set out a monitoring and reporting regime for the lighting scheme.

The approved lighting scheme shall be fully installed, maintained and operated in accordance with the approved details. The scheme shall be retained as such thereafter.

Reason: To fully conserve and enhance ecological interests (Cambridge Local Plan 2018 policies 57, 59 and 70).

8. No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on

Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

9. No external lighting shall be provided or installed other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried as approved and shall be retained as such.

Reason: To minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34).

10. The floodlighting hereby approved shall not be used outside of 0700 hrs - 2200 hrs and shall only be used between 1st September to 30th April in any year. Floodlights are not permitted to be on when the padel courts are not in use.

Reason: In the interests of visual amenity and preserving the openness of the green belt (Cambridge Local Plan 2018 policies 4, 34 and 59).

11. The development as approved shall not be used outside the hours of 07.00 and 22.00 daily.

Reason: To protect amenity at nearby residential premises (Cambridge Local Plan 2018, Policy 35)

12. No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development: a) full details of any piling technique to be employed, if relevant b) contact details for site manager, including how these details will be displayed on site.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

13. If the details for the construction management plan subject to condition 12 included works or contractors compound on any surrounding playing field, no development shall commence until a scheme for the removal of the works or contractors compound and a restoration scheme of the playing field affected by the works or contractors compound in the construction management plan has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The restoration scheme shall provide details of the following:

- (i) existing and proposed ground levels;
- (ii) existing and proposed soil profiles;
- (iii) measures to strip, store and re-spread soils to avoid soil loss or damage;
- (iv) measures to dispose of/accommodate waste materials on the site;
- (v) drainage measures including where appropriate under drainage;
- (vi) proposed seeding, feeding, weeding and cultivation measures;
- (vii) boundary treatment;
- (viii) five year aftercare and maintenance arrangements;
- (ix) installation of equipment (e.g. goal posts);
- (x) restoration and maintenance programme.

The playing field shall be restored in accordance with the approved scheme and made available for use before commencement of use of the new development. The works or contractors compound must be removed from the site before first use of the development in accordance with the approved scheme. Within three months of, or in the first planting season following, the removal of the works/contractors' compound the playing field must be reinstated in accordance with the approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose to accord with paragraph 104 of the NPPF (2024).

14. No development above ground level, other than demolition, shall commence until all details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The works shall be fully carried out in accordance with the approved details prior to the occupation of the development, unless an alternative phasing scheme for implementation has otherwise been agreed in writing by the Local Planning Authority.

If within a period of 5 years from the date of planting of any trees or shrubs, or 5 years from the commencement of development in respect of any retained trees and shrubs, they are removed, uprooted, destroyed, die or become seriously damaged or diseased, replacement trees and shrubs of the same size and species as originally planted shall be planted at the same place in the next available planting season, or in accordance with any variation agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Cambridge Local Plan 2018; Policies 55, 57 and 59).

15. The use of the padel court sports facilities shall not commence until a Community Use Agreement (the Agreement) has been submitted to and approved in writing by the Local Planning Authority.

The Agreement shall apply to the padel courts and include the following details: pricing policy; hours of community use; access provisions for non-rugby club members; management responsibilities; review mechanism; advertisement provisions for community use; timetables. The padel court sports facilities shall be made available for community access in accordance with the Agreement and associated timetable(s).

The review mechanism shall include consideration of the viability of the agreed timetable(s) at years 1, 2 and 5 following first commencement of use, which shall include feedback from public users and key stakeholders. Any alterations

to the agreed timetable(s) in respect of community use shall first be submitted to and approved in writing by the local authority as part of the review mechanism.

The development shall not be used otherwise than in strict compliance with the most up-to-date approved Agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Cambridge Local Plan 2018 policies 67 and 73.

16. Development may not be begun unless:

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

Informatives

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sports England's Technical Design Guidance Not entitled "Natural Turf Sport"(2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch port National Governing Bodies, for example the Football Association.

3. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/our-services/gas-diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to

4. Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the Biodiversity Gain Condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The biodiversity gain condition (as set out above at the end of this decision notice) is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted to and approved by Cambridge City Council (the local planning authority) before commencement of the development. There are exemptions, transitional arrangements and requirements relating to irreplaceable habitat which disapply the condition from certain planning permissions, as well as special modifications for

planning permissions for phased development and the treatment of irreplaceable habitats.

In the opinion of the Local Planning Authority, the approved development is engaged by paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, is subject to the statutory Biodiversity Gain Condition and none of the statutory exemptions or transitional arrangements are considered to apply.

The effect of section 73D of the Town and Country Planning Act 1990
If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Advice on information required to discharge Biodiversity Gain Condition
A Biodiversity Gain Plan to secure at least 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat as per the statutory condition as set out on this Decision Notice must be submitted to the Local Planning Authority and approved before the development can commence. In order to discharge the condition, the following information will be required:

details of purchase and monitoring of the offsite biodiversity units, a biodiversity metric for the site, costings and evidence of appropriate legal agreements to guarantee delivery of ongoing habitat management requirements specifically:

- i. Identification of receptor site or sites with associated plans;

- ii. Details of the offsetting requirements of the development in accordance with current DEFRA biodiversity metric;
- iii. The provision of evidence of arrangements to secure the delivery of offsetting measures, including a timetable of delivery; and
- iv. A Management and Monitoring Plan, to include for the provision and maintenance of the offsetting measures for a period of not less than 30 years from the commencement of the scheme and itself to include:
 - a) Description of all habitat(s) to be created / restored / enhanced within the scheme including expected management condition and total area;
 - b) Review of Ecological constraints;
 - c) Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works;
 - d) Detailed design and working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
 - e) Type and source of materials to be used, including species list for all proposed planting and abundance of species within any proposed seed mix;
 - f) Identification of persons responsible for implementing the works;
 - g) A timetable of ecological monitoring to assess the success of all habitats creation / enhancement.
 - h) The inclusion of a feedback mechanism to the Local Planning Authority, allowing for the alteration of working methods / management prescriptions, should the monitoring deem it necessary.
 - i) Evidence that appropriate arrangements are in place to ensure the Council is funded to monitor the proposed biodiversity gain from the site(s) proposed over a period of 30 years. This would normally be in the form of a freestanding S106 agreement with a biodiversity provider which has already secured on-going monitoring contributions for the Council.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in your development becoming subject to enforcement action.

Greater Cambridge Shared Planning offer pre-application guidance regarding Biodiversity Net Gain here: [Apply for Biodiversity Net Gain Advice \(greatercambridgeplanning.org\)](https://www.greatercambridgeplanning.org).

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25/04322/FUL – 66 Ross Street, Cambridge, CB1 3BU

Application details

Report to: Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Romsey

Proposal: Conversion of existing dwelling to 6 bedroom, 6 persons HMO including single storey rear extension.

Applicant: Mr George Panayiotou

Presenting officer: Lydia Green

Reason presented to committee: Called in by Councillor Pounds, Councillor Gardiner-Smith, and Councillor Baigent; Third party representations.

Member site visit date: N/A

Key issues: 1. Principle of Development

2. Residential Amenity

3. Highway Matters

Recommendation: Refuse

Report contents

Document section	Document heading

1	Executive summary
2	Site description and context
3	The proposal
4	Relevant site history
5	Policy
6	Consultations
7	Third party representations
8	Member representations
9	Assessment
10	Principle of development
11	Design, layout, and scale
12	Heritage assets
13	Biodiversity
14	Water management and flood risk
15	Highway safety and transport
16	Cycle and car parking provision
17	Amenity
18	Third party representations
19	Other matters
20	Planning balance
21	Recommendation
22	Planning conditions

Table 1 Contents of report

1. Executive summary

- 1.1 The application seeks the conversion of an existing dwelling to 6-bedroom, 6 persons HMO including single storey rear extension.
- 1.2 The application site falls within the Mill Road and Central Conservation Areas. It is located within Flood Zone (1). There are no other specific site constraints.
- 1.3 Consultees raise no objections subject to conditions.
- 1.4 The proposal is not considered to result in any residential amenity harm or significant harm to the character and appearance of the Mill Road and Central Conservation Areas.
- 1.5 The proposed HMO presents a constrained internal layout, including three bedrooms falling below the Nationally Described Space Standards and limited communal space. While bedroom nos. 5 and 6 are within the existing part of the house, and therefore it is unreasonable to refuse on the standards of these rooms, the proposed bedroom no.3 would be contained in the operational development that is the extension and therefore the amenity for this room is unacceptable. As such, officers

consider the amenity for the future occupier of bedroom no.3 to be unacceptable by virtue of falling below the space standards for this room.

1.6 Officers recommend that the Planning Committee refuse the application.

Table 2 Consultee summary

Consultee	Object / No objection / No comment	Paragraph Reference
Conservation Officer	No objection	6.1
Environmental Health	No objection	6.2
County Highways Development Management	No objection	6.3
Third Party Representations (29)	Objections	7.1-7.3
Member Representations (3)	Objections	8.1-8.3

2. Site description and context

2.1 No.66 Ross Street is a two-storey terraced dwelling located within a residential setting. The character of the street scene is predominantly two-storey terraced dwellings. The properties along Ross Street are similar in architectural style with a mixture of different brick types and some render.

2.2 The application property is situated within the Mill Road Conservation Area. It is not within the setting of any listed buildings. The site is within Flood Zone 1 (low risk). There are no other site-specific constraints.

3. The proposal

3.1 The application seeks planning permission for the conversion of an existing dwelling to 6-bedroom, 6 persons HMO including a single storey rear extension.

3.2 The application has been amended to address representations:

- Plan to show submitted location of bin and bike storage.

4. Relevant site history

4.1 There is no relevant site history.

5. Policy

5.1 National policy

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

- 5.2.1 The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the next stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.
- 5.2.2 Following endorsement by Joint Cabinet in November, the draft JLP will proceed to a formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012). This is currently scheduled between 1 December 2025 and 30 January 2026.
- 5.2.3 In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF, but represents an earlier stage of the plan making process. Therefore, at this stage, the draft JLP and its policies can only be afforded limited weight as a material consideration in decision making.

5.3 Cambridge Local Plan (2018)

Policy 1: The presumption in favour of sustainable development
Policy 3: Spatial strategy for the location of residential development
Policy 9: Review of the Local Plan
Policy 35: Protection of human health from noise and vibration
Policy 48: Housing in multiple occupation
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 61: Conservation and enhancement of Cambridge's historic environment
Policy 80: Supporting sustainable access to development
Policy 82: Parking management

5.4 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

5.5 Other guidance

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste
Cycle Parking Guide for New Residential Developments (2010)

5.6 Area Guidelines

Mill Road Area Conservation Area Appraisal (2011)

6. Consultations

Publicity

Neighbour letters – Y

Site Notice – Y

Press Notice – Y – The application affects a Conservation Area.

Conservation Officer - No Objection

6.1 It is considered that the proposal would not give rise to any harm to any heritage assets.

Environmental Health - No Objection

6.2 The development proposed is acceptable subject to the imposition of the informatives outlined below:

- Housing Health & Safety Rating System;
- Management of Houses in Multiple Occupation (HMOs);
- Licensing.

County Highways Development Management - No Objection

6.3 No significant adverse effect upon the Public Highway should result from this proposal. The development may impose additional parking demands upon the on-street parking on the surrounding streets.

7. Third party representations

7.1 29 representations have been received, all in objection.

7.2 They have raised the following issues:

- Principle of development

- Character, appearance and scale
- Density and overdevelopment
- Overconcentration of HMOs
- Loss of family homes
- Heritage impacts
- Residential amenity impact (Noise and disturbance, harm to future occupiers, anti-social behaviour)
- Construction impacts
- Highway safety
- Car parking and parking stress
- Cycle parking provision
- Bin storage provision
- Lack of foul water/wastewater drainage strategy
- Biodiversity

7.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8. Member Representations

8.1 Cllr Pounds has made a representation objecting to the application on the following grounds:

- Parking pressure and the resulting implications for emergency vehicle access; and
- Overconcentration of HMOs.

8.2 Cllr Gardiner-Smith has made a representation objecting to the application on the following grounds:

- Overconcentration of HMOs; and
- Parking pressure and the resulting implications for emergency vehicle access.

8.3 Cllr Baigent has made a representation neither objecting to or supporting the application on the following grounds:

- Public Interest.

9. Assessment

9.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:

- Principle of development
- Design, layout, scale and landscaping
- Heritage assets
- Biodiversity

- Water management and flood risk
- Highway safety and transport impacts
- Car and cycle parking
- Amenity
- Third party representations
- Other matters
- Planning balance
- Recommendation
- Planning conditions

10. Principle of Development

- 10.1 The application seeks permission for the change of use from a dwelling (Class C3) to a 6-bedroom, 6 person HMO (Class C4) with an associated single storey extension to the rear.
- 10.2 Policy 48 of the Local Plan supports the development of HMOs where the proposal:
- a. does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area;*
 - b. the building or site (including any outbuildings) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying areas; and*
 - c. will be accessible to sustainable modes of transport, shops and other local services.*
- 10.3 With regard to part (a), Officers have reviewed the licensing record and planning history, in which the nearest licensable HMO to No.66 is No.59 Ross Street (6 tenants). Therefore, it does not appear that there is an overconcentration of HMO uses within this locality.
- 10.4 It is appreciated that representations raised in objections voice concerns about an intensification of the site, however the development is not considered to lead to excess levels of HMOs within the area leading to substantial impacts in the area.
- 10.5 It is also noted that representations raised in objections refer to there being an overconcentration of HMOs due to a similar planning application for a 6-bedroom, 6 person HMO being submitted at No.10 Ross Street. This application has been withdrawn and therefore cannot be considered when determining the overconcentration of HMOs in the area.

- 10.6 Part (b) of Policy 48 requires consideration of the suitability of the building for the proposed use. As explained in further detail in the residential amenity section of this report, bedroom no.3 falls below the nationally described space standards as defined in Policy 50 of the Local Plan.
- 10.7 It is considered that the proposal is unacceptable in principle due to the conflict with criterion b of Policy 48.

11. Design, layout, and scale

- 11.1 The development proposes a single storey rear extension, which will have a flat roof and a height of approximately 2.8m. The rear extension is projected to project approximately 3.1m from the host dwelling.
- 11.2 As the proposal would result in the creation of a flat roof, Policy 31(f) of the Local Plan requires that all flat roofs are a green or brown roof. This will be ensured by way of condition.
- 11.3 The proposed single storey rear extension would be modest in scale, proportionate to the existing dwelling as a continuation of the existing single storey outrigger, and utilise matching materials. Therefore, Officers consider that the proposed extension would not cause harm to the character and appearance of the surrounding area.
- 11.4 The proposal is compliant with Policies 55, 56, and 58 of the Local Plan (2018).

12. Heritage assets

- 12.1 The application falls within the Mill Road Conservation Area. The application is not within the setting of any listed buildings.
- 12.2 Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 12.3 Chapter 16 of the NPPF focuses on conserving and enhancing the historic environment.
- 12.4 Para. 212 of the NPPF set out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective

of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'

- 12.5 The proposal would include the addition of a single storey rear extension. Due to the proposed extension's location at the rear of the property and that it is flat roofed and only single storey in nature, Officers do not consider that it would not be visible from the street scene.
- 12.6 The Council's Conservation Officer has been consulted on the application. Due to the rear siting of the extension and the utilisation of matching materials to the host dwelling, the Conservation Officer did not object to the proposed works. Therefore, it is considered unlikely that the proposed extension or change of use would materially impact the character of the historic context of Ross Street or the broader Mill Road Conservation Area.
- 12.7 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and policy 61 of the Local Plan.

13. Biodiversity

- 13.1 A representation has raised an objection regarding harm to biodiversity from the loss of garden space. The proposed single storey rear extension is projecting approximately 3.1m in depth and 3.1m in width. Given the small scale of development, Officers do not consider there to be significant harm to the biodiversity of the site from loss of garden space that the development proposes.
- 13.2 The Environmental Act 2021 and the Council's Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This accords with Policy 70 of the Cambridge Local Plan (2018) which seeks to protect and enhance priority species and habitats.

- 13.3 The proposed development is exempt from the requirement to deliver Biodiversity Net Gain (BNG) as it does not impact a priority habitat and affects less than 25 square metres of on-site habitat. In accordance with the relevant exemptions set out in national legislation and guidance, developments that result in the loss or degradation of habitats below this de minimis threshold are not required to demonstrate a measurable net gain in biodiversity. Based on the submitted plans and size of the proposed single storey rear extension, the extent of the habitat affected by the proposal falls below 25 square metres, and the development therefore qualifies for an exemption.
- 13.4 The proposal is compliant with Policy 70 of the Cambridge Local Plan (2018) and the Biodiversity SPD (2022).

14. Water management and flood risk

- 14.1 Representations raised in the objections noted that no foul water drainage strategy has been submitted alongside this application. The site falls within Flood Zone 1, indicating a very low risk of flooding, and does not lie within an area of surface water flood risk. Therefore, no flood risk is identified for the site, and any further flood risk assessment is considered unnecessary.
- 14.2 Given the scale of works, it is considered that the matter of connecting to foul water drainage can be adequately dealt with through building regulations.
- 14.3 The proposal is compliant with Policies 31 and 32 of the Cambridge City Local Plan (2018) subject to conditions.

15. Highway safety and transport impacts

- 15.1 Policy 80 of the Cambridge Local Plan (2018) seeks to prioritise sustainable transport. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact and Paragraph 116 of the NPPF seeks to protect the safety of the public highway.
- 15.2 Policy 82 states that planning permission will not be granted for developments that will be contrary to the parking standards as set out in Appendix L. This will be assessed further in Section 15 of this report.

- 15.3 The site is accessed via Ross Street. There is also a pathway, accessible from St Philip's Road, that runs adjacent to the rear boundary of the site. This allows access to the rear garden of the property via a gate.
- 15.4 The proposed development does not seek to alter the highway in any way. The Local Highway Authority raises no objection to the application with regard to the development's impact on highway safety. The proposal is compliant with Policy 81 of the Local Plan 2018.

16. Car and cycle provision

Cycle parking

- 16.1 As referenced in Appendix L of the Cambridge Local Plan, dwellings with up to 6 bedrooms should have five cycle parking spaces.
- 16.2 An amended plan has been submitted showing the location of a cycle store in the rear garden. An example of the type of cycle store, providing up to six bikes (measuring 2.7m x 1.5m) has been shown on this plan. No specific detailed plans have been submitted for this store. A condition will be attached to any consent granted to require submission of further details of the cycle store prior to first use of the HMO.
- 16.3 The Cambridge City Council Cycle Parking Guide for New Residential Developments recommends that for multi-occupancy dwellings cycle stores should be located within 20m of the relevant building entrance. The proposed cycle store shown on the bike and bin store location plan is approximately 27m from the main front entrance of the dwelling. Whilst, this is not in keeping with the 20m requirement, the proposed cycle store is located on the rear boundary of the site, next to the gate that provides access to the site via a pathway off St Philip's Road. Therefore, given the fall-back position of the change of use from a dwelling (C3) to a small HMO (C4) and that the development is not considered to be a new residential development, Officers consider the location of the proposed bike store to be acceptable.
- 16.4 The proposed cycle parking is compliant with Policy 81 and 82 of the Local Plan subject to conditions.

Car Parking

- 16.5 The application site is situated in a highly sustainable location, located close to facilities on Mill Road and within walking and cycling distances to Cambridge Train Station and various bus stops.
- 16.6 As referenced in Appendix L of the Cambridge Local Plan, dwellings with up to 6 bedrooms (outside of a controlled parking zone) should have no more than a mean of 0.5 spaces per dwelling (maximum of 2 spaces).
- 16.7 The proposal would not provide additional off-street parking.
- 16.8 It is noted that the Highway Authority have highlighted that there may be increased parking competition in the surrounding streets as a result of the change of use from a dwelling to a small HMO.
- 16.9 The site is located within an uncontrolled parking zone. This means that there is no effective means to prevent residents from keeping their car on the local streets. Therefore, any additional demand for car parking is likely to appear on-street in competition with existing residential uses. Consequently, the development may impose additional parking demands on Ross Street and the surrounding streets, which could impact on the residential amenity of the wider area.
- 16.10 The parking capacity of the wider area is not subject to assessment under this application.
- 16.11 Given the sustainable location of the site, it is considered that future occupants of the proposal would not necessarily depend on cars for regular travel. Therefore, the proposal would not result in a significant increased pressure on existing on-street car parking capacity. Again, the change of use from a dwelling (C3) to a small HMO (C4) of up to six persons can be done under permitted development.
- 16.12 The proposed car parking arrangement is compliant with Policy 81 and 82 of the Cambridge Local Plan.

17. Amenity

- 17.1 Policies 35, 48, and 58 of the Local Plan seek to preserve the amenity of neighbouring and/or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing.

Neighbouring properties

Impact on No. 64 Ross Street

17.2 The proposed extension is situated along the southern boundary of the site, shared with No.64, and is proposed to project approximately 3.1m from the host dwelling. The eastern elevation of No.64 has two windows at ground floor level. A site visit was undertaken to No.64 to establish what rooms these windows serve. From the site visit, it was identified that one of these windows serves a toilet and the other serves a bathroom. These are not habitable rooms. Therefore, Officers do not consider there to be any overshadowing or overbearing harm to No.64 from the proposed development.

Impact on No.68 Ross Street

17.3 No.68 Ross Street is situated to the north of the development. A new door and window are proposed on the northern elevation of the existing outrigger, serving the kitchen/lounge area; and a new window is proposed on the northern elevation of the extension, serving bedroom 3. These proposed windows would create a new opportunity for overlooking onto No.68. However, the windows are at ground floor level and Officers consider that the intervening boundary between No.66 and No.68 will stop any direct overlooking onto No.68.

17.4 A site visit has been undertaken. Given the adjacent context, location, size, and design of the proposal it is unlikely to give rise to any significant amenity impacts in terms of overlooking, loss of daylight, enclosure or other environmental impacts. The proposal is compliant with policies 35, 48, and 58 of the Local Plan.

Future Occupants

17.5 The gross internal floor space measurements for units in this application are shown in the table below:

Bedroom	Number of bed spaces (persons)	Policy Size requirement (m²)	Proposed size of bedroom (m²)	Difference in size (m²)
1	1	7.5	7.6	+0.1
2	1	7.5	8.9	+1.4
3	1	7.5	6.2	-1.3
4	1	7.5	9.8	+2.3
5	1	7.5	5.9	-1.6
6	1	7.5	6.0	-1.5

Table 2 Table showing size of residential units in comparison with the policy requirement

- 17.6 As set out in Table 4, three of the proposed bedrooms do not provide the 7.5m² internal floor area required for a single bedroom. Therefore, Bedroom 3, 5, and 6 fail to meet Nationally Described Space Standards and the size requirements outlined in Policy 50 of the Local Plan.
- 17.7 The internal replan of the existing dwelling includes a shared lounge/kitchen area measuring approximately 13.4m². For six occupants this space is considered somewhat limited.
- 17.8 The proposal is for a change of use of a domestic dwelling to a 6-person, 6-bedroom HMO. Based on the floorplans provided, without the extension provided, a change of use to a 5-person, 5-bedroom HMO could occur under Schedule 2, Part 3, Class L, of the Town and Country Planning (General Permitted Development) (England) Order 2015. This would include bedroom nos.5 and 6. Therefore, whilst bedroom nos. 4 and 5 are below space standards, because these are not contained within the operation development of the extension, officers do not consider it would be reasonable to refuse the proposal on the amenity of these two rooms.
- 17.9 However, bedroom no.3 would be on the ground-floor and located within the proposed extension which is the operational development. Therefore, officers consider that it is reasonable to apply the space standards set out in Policy 50 of the Local Plan to this room. As set out in table 4 above, this rooms is circa 1.3sqm below the required room size to meet these standards. Officers therefore consider the proposal fails to provide an acceptable living environment for the future occupier of this room.
- 17.10 The external amenity space is approximately 41.9m² which is considered reasonable for a 6 person HMO. The development would benefit from a communal amenity space which would provide space for a table and chairs, outdoor activities, drying washing, circulation space, and bike and bin storage.
- 17.11 Overall, the proposed development is considered to provide a poor quality living environment for the future occupant of bedroom no.3 and as such would be contrary to Paragraph 135 of the National Planning Policy Framework (NPPF) (2024) and Policies 48, 50 and 58 of the Local Plan (2018).

Construction and environmental health impacts

- 17.12 The Environmental Health Officer has been consulted on the proposal and does not raise any objections.
- 17.13 It is noted that representations have been raised in objection to the application, concerning increased comings and goings and amplified noise and disturbance. The proposal site is considered to be well laid out to minimise noise and disturbance, and the entrance faces onto Ross Street so that there is some separation from adjacent occupiers.
- 17.14 The proposed use of the garden by up to six persons is not considered likely to give rise to an unacceptable level of noise and disturbance. The property is located within a residential area, where the use of private gardens for domestic leisure and social activities is common. The level of activity associated with a small HMO of this size would be comparable to that of a family dwelling. Therefore, Officers consider that the use of the garden by up to six persons would not introduce a degree of noise or intensity of use that would be out of character with the surrounding residential area or cause undue harm to the residential amenity of neighbouring occupiers.
- 17.15 A representation has been raised in objection to the application regarding anti-social behaviour from future residents. Given that the change of use of the site to a small HMO could take place without the need for planning permission, it is not reasonable to control this by way of a condition. Notwithstanding this, anti-social behaviour is a police matter and if it were to occur it should first be raised with the police.
- 17.16 The level of occupation is not considered to be excessive for this building or location, and as such, the proposal is not considered to lead to substantial harm to surrounding occupiers.

Summary

- 17.17 The proposal adequately respects the amenity of its neighbours. The associated construction and environmental impacts would be acceptable. Subject to conditions, the proposal is compliant with policies 35, 48, 55, 56, and 58 of the Local Plan in terms of impacts on neighbours.

18. Third party representations

- 18.1 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third party comment	Officer response
Building control	<p>Concerns have been raised regarding the building works. A planning permission does not override the requirement for Building Regulations to be obtained which help ensure works are safe, structurally sound, water and fire protected.</p> <p>Building Control Officers have been informally consulted on the application and raised that under building regulations, if the maximum number of people sharing the house is six then the application will be treated as a shared family dwelling. If the number of occupants exceeds 6 then it would be viewed as a commercial premises requiring consultation with the fire service and higher fire safety standards.</p>
Loss of family homes	<p>The loss of a family home as a result of a conversion of a dwelling to an HMO is not in itself a material planning consideration. The planning system regulates the use and development of land in the public interest, and not in the tenure, ownership, or perceived type of occupier of a property. Paragraph 6.23 of the Policy 48 states that proposals for smaller HMOs will be considered in the same way as a proposal for C3 residential use. Therefore, a small HMO is residential in character, and it is the HMO's impact on the wider area (residential amenity harm, parking, overconcentration etc...) that is assessed rather than the impact on the area from the reduction in family homes.</p>

Table 3 Officer response to third party representations

19. Other matters

Bins

- 19.1 An amended plan has been submitted showing the location of a bin store in the rear garden. An example of the type of bin store, providing up to three bins has been shown on this plan. No specific detailed plans have been submitted for this store. A condition will be attached to any consent granted to require submission of further details of the bin store prior to first use of the HMO.
- 19.2 The proposal is compliant with Policies 48, 55, 56 and 58 of the Local Plan.

20. Planning balance

- 20.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

Summary of harm

- 20.2 Bedrooms 3, 5, and 6 do not meet the size requirements outlined in Policy 50 of the Local Plan.
- 20.3 The internal replan of the existing dwelling includes a shared lounge/kitchen area approximately 13.4m², which is considered to be limited for six people.
- 20.4 Bedroom 3, being in the operational development of the proposed works, would fall below the space standards set out in Policy 50 of the Local Plan (2018) and provide an unacceptable living environment for the future occupant of this room.

Summary of benefits

- 20.5 The proposed single storey rear extension is small in scale and would not result in any harm to the residential amenity, the character and appearance of the surrounding area or the Mill Road Conservation Area.
- 20.6 The site is in a highly sustainable location, where car-free development is supported as it is not necessary to rely on motorised travel to meet everyday needs.
- 20.7 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

21. Recommendation

- 21.1 **Refuse** for the following reason:

1. The proposed operational development in the form of the single-storey rear extension would create a bedroom (bedroom no.3) that would fall

below the nationally described space standard for a room of the size. It would measure approximately 6.2sqm whereas a 7.5sqm size room is required for a bedroom of this size. As such, the proposal fails to provide an acceptable living environment for the future occupant of this room and the development would be contrary to Paragraph 135 of the National Planning Policy Framework (2024) and Policies 48, 50 and 58 of the Cambridge Local Plan (2018).

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25/02831/FUL– Land at Bateman Street, Cambridge

Application details

Report to: Cambridge City Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward: Petersfield

1. **Proposal:** The application seeks planning permission for alterations to the existing access including improvements to the roadway by installing an impermeable surface, the introduction of an infiltration trench to provide drainage for the new impermeable surfaces, the removal of an existing hedgerow and replacement with planting, the provision of additional cycle parking for users of the Plant Growth Laboratory, and the resurfacing of St Marys Access road with a delineation of kerb line for the pedestrian route.

Applicant: Chancellor, Masters and Scholars, University of Cambridge

Presenting officer: John McAteer

Reason presented to committee: Deferred on 2nd of December Committee

Member site visit date: N/A

Key issues: 1. Design, Layout, Scale and Landscaping

2. Tree Protection

3. Biodiversity

Recommendation: Approve subject to conditions

Report contents

Document section	Document heading
1	Executive summary
2	Site description and context
3	The proposal
4	Relevant site history
5	Policy
6	Consultations
7	Principle of Development
8	Assessment
9	Design, layout, scale and landscaping
10	Trees
11	Heritage assets
12	Biodiversity
13	Water management and flood risk
14	Highway safety and transport
15	Amenity
16	Recommendation
17	Planning conditions

Table 1 Contents of report

1. Executive summary

- 1.1 The application seeks planning permission for alterations to the existing access including improvements to the roadway by installing an impermeable surface, the introduction of an infiltration trench to provide drainage for the new impermeable surfaces, the removal of an existing hedgerow and replacement with planting, the provision of additional cycle parking for users of the Plant Growth Laboratory, and the resurfacing of St Marys Access road with a delineation of kerb line for the pedestrian route.
- 1.2 In particular, the proposal includes the removal of a large portion of an existing Yew hedge that runs along the northern edge of the access road and is approximately 140m in length, running from the rear of St Mary's Convent to just past the rear of number 3 Bateman Mews. Segments of the Hedge have been identified as at least 68 years old and is in good health.
- 1.3 The applicants state that the proposal has come about following an earlier withdrawn application in the context of the following:
- 1.4 *'A previous application (24/03297/FUL) was submitted for alterations to the existing access, which included a segregated pedestrian and cycle access. Following comments received from highways who raised*

concerns over the Dutch kerbed and comments received the Landscape Officer about lack of Tree Survey and Arboricultural Impact Assessment, the application was withdrawn. Comments were also received that no additional trees were proposed following the removal of those in the hedgerow and further information was needed on the proposed planting. Since the withdrawal of the previous application amendments have been made to remove the Dutch kerbed, remove the segregated cycle and pedestrian access, which now keeps the access in the existing location and provides additional space for planting along the boundary. The application is now accompanied by a Tree Survey and Arboricultural Impact Assessment ...'

1.5 Further the applicants set out that:

1.6 *'The hedge along the boundary with the properties on Bateman Mews will be removed to allow for the construction of the infiltration trench, which will enable the construction and longevity of the impermeable surfacing of the roadway. An assessment to whether the hedge could be retained was undertaken however due to the need for the infiltration trench and constraint of the utilities within the roadway this was not possible. This loss in vegetation will be replaced with an area of meaningful, biodiverse and ecologically high value planting which will be specified by the University of Cambridge's appointed landscape architect and ecologist.'*

1.7 The application was originally brought to Committee on the 2nd of December 2025. It was deferred by members after an objecting neighbour alleged that the hedge was older than the applicants had originally stated and therefore contributed to the Grade II Heritage Landscape of the Botanical Gardens. The applicants have subsequently acknowledged that at least parts of the hedge along Bateman Mews were originally planted in the early 1950s and are therefore at least sixty-eight years old. Given the age of the hedge, the Gardens Trust and Historic England have since been consulted on the application and neither wished to comment on the merits of the application. An ecological survey was requested, and has subsequently been provided by the applicant. Ecology has reviewed this document and deemed that sufficient information had been provided subject to conditions.

1.8 Members should note that in assessing this application, there is already a roadway in situ and the overall use will remain the same. However, the proposal will improve the access for all users by providing clear and coherent design as well provide a smooth roadway which will be accessible for all users. Officers accept the need for the replacement road

design and the revised landscaping proposals that arise from it and recommend that the Planning Committee **approve** the proposal.

Table 2 Consultee summary

Consultee	Object / No objection / No comment
Conservation Officer	No Objection
Local Highways Authority	No Objection
Ecology Officer	No Objection
Environmental Health	No Objection
Landscape Officer	No Objection
Tree Officer	No Objection
Drainage	No Objection
Gardens Trust	Do not wish to comment on the merits of the application
Historic England	Do not wish to comment on the merits of the application
Third Party Representations (32)	22 Objections

2. Site description and context

- 2.1 The existing site comprises the access road to the Botanical Gardens, Sainsbury Lab and Plant Growth Lab and lies within the Central Conservation Area of the City of Cambridge. The affected Hedge and the Grounds of the Botanical Gardens are classified as part of the City Historic Parks and Gardens, a grade II listed heritage landscape.

2.2 The site has residential terrace properties located on Bateman Street and Norwich Street to the North, the Botanical Gardens to the South, and residential and commercial areas to the East and West.

3. The proposal

3.1 The application seeks planning permission for alterations to the existing access including improvements to the roadway by installing an impermeable surface, the introduction of an infiltration trench to provide drainage for the new impermeable surfaces, the removal of an existing hedgerow and replacement with planting, the provision of additional cycle parking for users of the Plant Growth Laboratory, and the resurfacing of St Marys Access road with a delineation of kerb line for the pedestrian route.

3.2 The application has been amended to address representations; the landscape design plan has been revised several times, removing trees from the proposed replacement hedge to address neighbour objections, and additional plans have been added to provide clarity for interested parties. Revised Flood Risk Assessment Calculations have been provided to address Drainage concerns, and likewise revised BNG Metrics and Assessment have been submitted to address concerns raised by Ecology.

3.3 A similar application was submitted in 2024 under planning reference 24/03297/FUL. However, this received objections from the Landscape and Highways Teams and Officers recommended that the application be withdrawn.

4. Relevant site history

Reference	Description	Outcome
24/03297/FUL	Alterations to the existing access road due to issues with current drainage scheme. The main changes proposed are: improvements to the roadway by installing a more robust impermeable surface, segregating pedestrian and cyclist facilities from vehicle traffic, introduction of an infiltration trench to provide positive drainage for the new impermeable surfaces, removal of an existing hedgerow and replacement with greater value planting, provision of additional cycle parking for users of the Plant Growth Laboratory.	Withdrawn

Table 2 Relevant site history

5. Policy

5.1 National Policy

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A) EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the next stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.

Following endorsement by Joint Cabinet in November, the draft JLP will proceed to a formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012). This is currently scheduled between 1 December 2025 and 30 January 2026.

In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF, but represents an earlier stage of the plan making process. Therefore, at this stage, the

draft JLP and its policies can only be afforded limited weight as a material consideration in decision making.

5.2 Cambridge Local Plan (2018)

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 59: Designing landscape and the public realm

Policy 61: Heritage

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

5.3 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Development affecting Conservation Areas SPD – Adopted 2009

Landscape in New Developments SPD – Adopted March 2010

Trees and Development Sites SPD – Adopted January 2009

Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2015)

6. Consultations

Conservation Officer- No Objection

- 6.1 No Objection was received from the Conservation Officer. The application was assessed and it was considered that the proposal would not give rise to any harm to heritage assets.

Ecology Officer- No Objection

- 6.2 The Ecology officer originally placed a holding objection on the proposal subject to further ecology information. Revised BNG calculations were

- provided, and the holding objection was removed, subject to conditions for statutory BNG provision, ecological measures, and ecology enhancement.
- 6.3 Ecology later reviewed the preliminary ecological appraisal and deemed the information therein sufficient, subject to the aforementioned conditions.

Environmental Health- No Objection

- 6.4 No objection was received from the Environmental Health Officer subject to conditions for construction/demolition hours, and demolition / construction collections/deliveries.

Drainage Officer- No Objection

- 6.5 The Drainage Officer originally placed a holding objection on the proposal subject to further information. Revised drainage calculations were provided and the officer confirmed that their objection could be removed.

Landscape Officer- No Objection

- 6.6 Informal consultations brought no objections from the Landscape Officer. The loss of the existing hedge was noted, but the necessity of the works and the ecological diversity of the replacement hedge was appreciated.

Trees Officer- No Objection

- 6.7 No objection was received from the trees officer. They advised that the risk to trees on site is low, given that the excavation will not extend below the depth of existing surfacing. They confirmed that there were no arboricultural reasons why the development could not proceed.

Local Highways Officer – No Objection

- 6.8 No objection was received from the Local Highways Officer. No significant adverse effect upon the Public Highway was found to result from the proposal should it gain the benefit of planning permission.

Additional Consultee Comments since 3 December 2025 Planning Committee

Gardens Trust – No Objection

- 6.9 The Gardens Trust have considered the information provided and on the basis of this do not wish to comment on the proposals at this stage. They

state that this does not in any way signify either their approval or disapproval of the proposals.

Historic England – No Objection

6.10 Historic England neither objected to, nor supported the proposal and recommended that the Council's specialist Officers be consulted in their place.

7. Third party representations

7.1 22 representations have been received, all in objection.

7.2 Those in objection have raised the following issues:

- Loss of hedging
- New trees impacted neighbouring properties
- Irrigation and drainage concerns
- Loss of biodiversity in the area

7.3 Since the 3 December 2026 Planning Committee the following 2 no. third party comments have been raised:

- Further scrutiny over the need for the loss of the hedge
- Further objections to the hedge being removed

7.4 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8. Assessment

8.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:

- Principle of development
- Design, layout, scale and landscaping
- Trees
- Heritage assets
- Biodiversity
- Highway safety and transport impacts
- Car and cycle parking
- Amenity
- Third party representations

9. Principle of Development

- 9.1 The proposed development seeks to make alterations to the existing access road on site, creating a more robust and impermeable surface and a new infiltration trench and additional cycle parking. Officers consider that the proposed works are necessary for the continuing effectiveness of the access road, which serves the Sainsbury Lab, Plant Growth Lab and the rear of the Botanical Gardens.
- 9.2 The principle of the development is acceptable and in accordance with the Local Plan.

Design, layout, scale and landscaping

- 9.3 The proposed alterations to the access would have a very limited impact upon the surrounding area, aside from the removal of the hedgerow which will be discussed below. Landscaping Officers have been consulted on the proposal, and whilst the loss of the hedge still forms part of the proposal, the requirement for its loss is deemed necessary and justifies the works. The changes are considered to be necessary, minor in scale, and justifiable under current legislative criteria. To ensure that the local residents are not impacted by lighting pollution, the applicants advise that no lighting which has tall columns is proposed, with downward facing lighting bollards proposed to reduce indirect light pollution. The new asphalt surface will be finished in a buff colour, which is acceptable.
- 9.4 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with policies 55, 56 and 59 of the Local Plan and the NPPF.

10. Trees

- 10.1 The application is accompanied by an Arboricultural Impact Assessment, Method Statement, and Tree Protection Plan which have all been reviewed by the Trees Officer.
- 10.2 As per the advice of the Trees Officer, it is considered that the proposal is acceptable. The details laid out in the three tree protection documents are deemed sufficient to address any potential harm to protected trees in the area.

- 10.3 The removal of the hedge has been justified by the requirement for a traditional filter drain along the northern edge of the site to service the new asphalt surface of the road, precisely where the current hedge is located. The proposed replacement hedge would be planted just north of the existing at 1.5 metres in height and maintained at 1.8 metres height. These dimensions are considered sufficient to replicate the appearance and noise attenuation properties of the existing hedge as soon as planting is complete. In addition, the proposed hedge would comprise a variety of species which would improve the biodiversity of the local area, in comparison with the existing mono-species Yew hedge.
- 10.4 The Trees Officer has advised that by its nature the current hedge is not protected by a TPO or its location within the Conservation Area. Whilst officers acknowledge the loss of the hedge, there is no legislative reason why its removal should not be permitted, and the proposed replacement hedge would serve the same form and function for residents in the area.
- 10.5 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan and the NPPF.

11. Heritage assets

- 11.0 The Cambridge University Botanic Garden is a Grade II* Park and Garden and the site is also within the Cambridge Central Conservation Area, also known as New Town and Glisson Road Common Conservation Area.
- 11.1 The Conservation officer has reviewed the proposal and has not objected stating that no heritage harm would arise from the proposal. The changes to the access would have very limited impact upon the Conservation Area or Botanic Gardens.
- 11.2 Following the deferral of the application at the 3 December 2025 Planning Committee meeting, the Gardens Trust and Historic England have been consulted. Neither consultee have objected to the proposal and instead deferred to the opinions of other consultees.
- 11.3 The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and policy 61 of the Local Plan.

12. Biodiversity and Ecology

- 12.1 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal and Biodiversity Net Gain Assessment which sets out that the proposed development will result in a net gain in habitat biodiversity of +10.06%, and a net gain in hedgerow biodiversity of +122.08%.
- 12.2 The application has been subject to formal consultation with the Council's Ecology Officer. They advise that the site does not lie within any impact risk zones for statutory protected sites however the site lies within Botanic Garden City Wildlife Site, designated for its invertebrate population. Local species records show the presence of species such as bats, badger, hedgehog, great crested newt, water vole, birds, flowering plants, and invertebrates.
- 12.3 The site consists of sealed surface, unvegetated unsealed surface, sparsely vegetated land, shrubs, scattered tree, and a hedgerow with trees. Much of the works on site are to the unsealed surface to replace this with a sealed surface. The hedgerow and underlying sparsely vegetated land is to be replaced with a grassland and new hedgerow of a higher biodiversity value. No habitats of value, or of contribution to the CWS designation, are impacted. As such, although the development lies within the CWS boundary, the works are acceptable in regards to CWS impact. No objection is raised to the proposal. Several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered are recommended.
- 12.4 Officers are satisfied that the proposed development complies with the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

13. Water management and flood risk

- 13.1 The site is in Flood Zone 1 and is therefore considered at low surface water flood risk. The applicants state that the proposed replacement of the road's surface will provide a long-term solution to a current failing road surface. In practice, the prior design of a permeable surface to help reduce surface water runoff typically, is a more sustainable practice than standard asphalt. However, in its current state and with the regular need for maintenance, any benefits it may have had are no longer being realised. The scheme is designed in line with the SUDs Manual and Schedule 3 of the Flood and Water Management Act 2010.

- 13.2 The applicants have submitted Drainage calculations in support of the proposal and upon review the Drainage Officer has advised that they are acceptable and no further information is required.
- 13.3 It is therefore considered that the applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with policies 31 and 32 of the Local Plan and NPPF advice.

14. Highway safety and transport impacts

- 14.1 The applicants set out that the access from Bateman Street will be improved, not only for the Botanic Garden roadway but also the access for St Marys School. Due to the restricted width along the school's land to the gate of the Botanic Gardens, caused by existing parking, a provisional area for pedestrians will be provided along the western edge giving a clear and direct route to the entrance. Flush set granite kerbs shall be used in the existing corridor to delineate this separation from vehicles. Additional cycle parking for the users of the Plant Growth Laboratory will be provided. 10 additional cycle parking spaces will be introduced in the form of a sheltered unit. The proposal is accompanied by vehicular tracking plans.
- 14.2 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal.
- 14.3 It is therefore considered that the proposal accords with the objectives of the Local Plan and is compliant with NPPF advice.

15. Amenity

Neighbouring properties

- 15.1 A number of neighbour objections concerned the trees to be planted within the replacement hedge along the Northern boundary of the site, impacting the amenity of properties along Bateman Mews with windows facing South. However, these trees have subsequently been removed from the proposal, and the proposed replacement hedge will be maintained at no more than 1.8 metres in height. It is thought that no other part of the proposal will impact amenity issues aside from the construction process itself; as a result, the Environmental Health officer has requested conditions pertaining to hours available for construction/demolition, and collections and deliveries.

- 15.2 Given the adjacent context, location, size, and design of the proposal it is unlikely to give rise to any significant amenity impacts in terms of overlooking, loss of daylight, enclosure or other environmental impacts. The proposal is compliant with policies 35, 50, 52, 53 and 58 of the Local Plan.

Summary

- 15.3 The proposed alterations to the access would ensure its viability for the foreseeable future for the Botanical Gardens, Sainsbury Lab and Plant Growth Lab. In addition, the proposed replacement hedge would improve the biodiversity of the area. The Gardens Trust and Historic England have been consulted and neither consultee have objected to the proposal and instead deferred to the opinions of other consultees. The revised access arrangements have arisen from stakeholder engagement and the plans have been amended to address neighbour concerns.
- 15.4 No heritage or ecological harm arises from the revised proposal and the proposal adequately respects the amenity of its neighbours. Subject to conditions, the proposal is compliant with policies 55, 56, 59, 61 and 71 of the Local Plan. The associated construction and environmental impacts would be acceptable in accordance with policies 33, 34, 35 and 36 of the Local Plan.
- 15.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

16. Recommendation

- 16.1 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

17. Planning conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and

Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. The proposed new hedge shall be regularly managed during the course of any one year at a retained height of no more 1.8m from ground level. All new lighting shall be in the form of downward facing lighting bollards no higher than 1.5m from ground level.

Reason: In order to safeguard residential amenity (Cambridge Local Plan 2018 policy 55, 56, 59)

4. All ecological measures and/or works shall be carried out in accordance with the details contained within the Ecological Walkover (Nicholsons, May 2025) and Preliminary Ecological Appraisal – Nicholsons (Feb 2026).

Reason: In order to protect ecology (Cambridge Local Plan 2018 policy 59 and 70).

5. All approved landscaping shall be fully carried out in accordance with the approved plans in the first planting season following the removal of the existing hedge or in accordance with an alternative phasing plan for provision. If within a period of 10 years from the date of planting of any hedge or 10 years from the commencement of development in respect of any retained hedging, they are removed, uprooted, destroyed, die or become seriously damaged or diseased, replacement hedges of the same size and species as originally planted shall be planted at the same place in the next available planting season, or in accordance with any variation agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Cambridge Local Plan 2018; Policies 55, 59 and 70).

6. No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless

alternative hours are otherwise previously agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

7. Statutory BNG condition

Informatives:

1. Nesting birds - The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
2. Bats - Works should proceed with caution and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from one of the following: a bat consultant, the UK Bat Helpline: 0845 1300228, Natural England: 0300 0603900, or the Cambridgeshire Bat Group www.cambsbatgroup.org.uk

Background papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018

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25/04408/CL2PD – Nightingale Avenue Recreation Ground, Nightingale Avenue, Cambridge

Application details

Report to: Cambridge City Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward: Queen Ediths

1. **Proposal:** The application seeks a certificate of lawfulness under S192 for the Excavation for concrete foundations to secure 6 steel posts in place.

Applicant: Peter Mullord, Cambridge City Council

Presenting officer: John McAteer

Reason presented to committee: Applicant is a member of the City Council

Member site visit date: N/A

Key issues: 1. Permitted Development Rights

Recommendation: Approve subject to conditions

Report contents

Document section	Document heading
1	Executive summary
2	Site description and context
3	The proposal

4	Relevant site history
5	Considerations and Assessment
6	Recommendation

Table 1 Contents of report

1. Executive summary

- 1.1 The application seeks a certificate of lawful development for the excavation of concrete foundations to secure five steel posts in place.
- 1.2 Officers have reviewed the application with a view to establishing whether the proposal falls within works permitted under Schedule 2, Part 12, Class A of the General Permitted Development Order 2015.
- 1.3 Due to the nature of the application, no consultees were notified of the proposed works.
- 1.4 Officers consider the proposed works to fall within permitted development, and therefore recommend that a certificate should be granted.

2. Site description and context

- 2.1 The existing site comprises the Nightingale Avenue Recreation Ground, a piece of recreational ground located between Nightingale Avenue and Fendon Road in the City of Cambridge. The grounds are protected open as identified in the Cambridge Local Plan (2018).
- 2.2 The site contains a tennis court, a sports court, a bowling green, a recreational pavilion and a playground. The site has residential properties located in the surrounding area.

3. The proposal

- 3.1 The application seeks a Certificate of Lawful Development under Section 192 of the Town and Country Planning Act (1990) for the excavation of concrete foundations to secure 6 steel posts in place.

4. Relevant site history

Reference	Description	Outcome
19/0040/FUL	Demolition of existing pavilion and construction of new pavilion and associated landscaping.	Permitted
07/1351/FUL	Construction of Bituman macadan court with fencing for basketball and football. Construction of tennis court with fencing and construction of peripheral footpath.	Permitted

Table 2 Relevant site history

5. Considerations and Assessment

The application has been submitted on behalf of Cambridge City Council as part of a public art commission within the Nightingale Avenue Recreation Ground. In this instance, Schedule 2, Part 12, Class A of the General Permitted Development Order of 2015 would apply.

5.1 Rights to Permitted Development

A. The erection or construction and the maintenance, improvement or other alteration by [F1 or on behalf of] a local authority or by [F1 or on behalf of] an urban development corporation of—

(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;

(b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.

5.2 Assessment

The application seeks to establish that the excavations required for concrete foundations to secure six steel posts in place would fall under permitted development rights as established under Class A, Part 12 of Schedule 2 of the General Permitted Development Order 2015.

Officers are satisfied that the Recreation Ground does not fall within a site of special scientific interest, nor does it contain a scheduled monument. As a result, it is considered that the proposal does not conflict with criteria established by Class A and would fall under permitted development rights established under said legislation.

Summary

- 5.3 It appears to the Local Planning Authority that the proposed works would fall within the provisions of permitted development, in accordance with Class A of Part 12 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6. Recommendation

- 6.1 **Approve**

Greater Cambridge Shared Planning

Cambridge City Council - Appeals for Committee



Appendix 1: Decisions Notified By The Secretary of State

NO RESULTS

Appendix 2: Appeals received

REFERENCE	SITE ADDRESS	DETAILS	DATE LODGED
25/03820/FUL (6004406)	CMB-11B Pavement O/s Specsavers 13 Fitzroy Street Cambridge Cambridgeshire CB1 1ER	Installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.	30/01/2026
25/03821/ADV (6004408)	CMB-11B Pavement O/s Specsavers 13 Fitzroy Street Cambridge Cambridgeshire CB1 1ER	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.	30/01/2026

25/04550/S73 (6004511)	13 Highfield Avenue Cambridge Cambridgeshire CB4 2AJ	S73 to vary condition 2 (approved drawings) for ref: 25/00141/HFUL (Erection of a detached garden room adjacent to the rear boundary, ancillary to the main dwelling) to show retrospective alterations to the design, height, footprint and fenestration on the detached garden room and the installation of solar photovoltaic panels.	02/02/2026
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Appendix 3a: Local Inquiry dates scheduled

NO RESULTS

Appendix 3b: Informal Hearing dates scheduled

REFERENCE	SITE ADDRESS	APPELLANT	EVENT DATE
23/04380/FUL (6003093)	Land At Ditton Walk Cambridge Cambridgeshire	Mr Ross Mowle	19/03/2026

Appendix 4: Appeals Awaiting Decision from Inspectorate

REFERENCE	SITE ADDRESS	DETAILS	REASON
<p>23/00566/FUL (APP/Q0505/W/23/3324785)</p>	<p>Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS</p>	<p>Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator</p>	<p>Refusal of planning permission (Delegated Decision)</p>
<p>23/00567/ADV (APP/Q0505/Z/23/3324786)</p>	<p>Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS</p>	<p>Installation of 1no 86 inch LCD screen capable of showing illuminated static displays in sequence.</p>	<p>Refusal of planning permission (Delegated Decision)</p>

EN/00096/25 (APP/Q0505/C/25/3364436)	179 Coleridge Road Cambridge Cambridgeshire CB1 3PW	Without Planning Permission the construction of a detached one bed studio apartment	Appeal against enforcement notice
EN/00044/24 BOC (APP/Q0505/C/25/3370670)	139 Arbury Road Cambridge Cambridgeshire CB4 2JD	The authorised use of the property is as a single dwelling (4 beds) with a self-contained annexe (1 living/bed). I visited the site for a pre-application enquiry for the change of use of the dwelling to a guesthouse (6 beds some studios) and a separate holiday unit (2 beds) on 18 Jan 2024. The internal works had already been carried out and I then found them both on Booking.com. Related Planning Reference: Date breach occurred: 18/01/2024	Appeal against enforcement notice

25/02499/ADV (APP/Q0505/Z/25/3372766)	Pavement Outside 18 - 19 The Broadway Mill Road Cambridge Cambridgeshire CB1 3AH	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit	Refusal of planning permission (Delegated Decision)
25/02498/FUL (APP/Q0505/W/25/3372765)	Pavement Outside 18 - 19 The Broadway Mill Road Cambridge Cambridgeshire CB1 3AH	Installation of 1no. BT Street Hub and removal of associated BT payphones.	Refusal of planning permission (Delegated Decision)
25/02497/ADV (APP/Q0505/Z/25/3372768)	Pavement O/S 90 Hills Road Cambridge Cambridgeshire CB2 1LN	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit	Refusal of planning permission (Delegated Decision)

<p>25/02496/FUL (APP/Q0505/W/25/3372767)</p>	<p>Pavement O/S 90 Hills Road Cambridge Cambridgeshire CB2 1LN</p>	<p>Installation of 1no. BT Street Hub and removal of associated BT payphones.</p>	<p>Refusal of planning permission (Delegated Decision)</p>
<p>25/02500/FUL (APP/Q0505/W/25/3372838)</p>	<p>Pavement Outside Unit 1, 11 - 13 Rectory Terrace High Street Cherry Hinton Cambridge Cambridgeshire CB1 9HU</p>	<p>Installation of 1no. BT Street Hub and removal of associated BT payphones.</p>	<p>Refusal of planning permission (Delegated Decision)</p>
<p>25/02501/ADV (APP/Q0505/Z/25/3372839)</p>	<p>Pavement Outside Unit 1, 11 - 13 Rectory Terrace High Street Cherry Hinton Cambridge Cambridgeshire CB1 9HU</p>	<p>Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit</p>	<p>Refusal of planning permission (Delegated Decision)</p>

<p>25/02503/ADV (APP/Q0505/Z/25/3372897)</p>	<p>Pavement Outside Burleigh Street Cambridge Cambridgeshire CB1 1DG</p>	<p>Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit</p>	<p>Refusal of planning permission (Delegated Decision)</p>
<p>25/02502/FUL (APP/Q0505/W/25/3372896)</p>	<p>Pavement Outside Burleigh Street Cambridge Cambridgeshire CB1 1DG</p>	<p>Installation of 1no. BT Street Hub and removal of associated BT payphones.</p>	<p>Refusal of planning permission (Delegated Decision)</p>
<p>24/04266/FUL (APP/Q0505/W/25/3373568)</p>	<p>122 Malvern Road Cambridge CB1 9LH</p>	<p>Change of use from a 6 person house in multiple occupation (C4 use) to a 9 person house in multiple occupation (sui generis)</p>	<p>Refusal of planning permission (Delegated Decision)</p>

25/01683/FUL (6001322)	33 Coleridge Road Cambridge Cambridgeshire CB1 3PH	Erection of detached self-build dwelling together with access, cycle parking and associated infrastructure following demolition of existing dwelling.	Refusal of planning permission (Delegated Decision)
25/01431/FUL (6001460)	28 Carlyle Road Cambridge Cambridgeshire CB4 3DN	Retention of use as a self-contained 1 bed flat in basement (use class C3) and a large 8 bed 8 person House in Multiple Occupation at ground, first and second floors (sui generis use) (retrospective application) and erection of cycle stores.	Refusal of planning permission (Delegated Decision)
25/02695/HFUL (6002662)	1 Stanesfield Close Cambridge Cambridgeshire CB5 8NJ	Single storey rear extension.	Conditions imposed on planning permission (Delegated Decision)

Appendix 5: Appeals Pending Statement from the Local Planning Authority

REFERENCE	SITE ADDRESS	DETAILS	STATEMENT DUE
25/03820/FUL (6004406)	CMB-11B Pavement O/s Specsavers 13 Fitzroy Street Cambridge Cambridgeshire CB1 1ER	Installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.	11/03/2026
25/03821/ADV (6004408)	CMB-11B Pavement O/s Specsavers 13 Fitzroy Street Cambridge Cambridgeshire CB1 1ER	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.	11/03/2026

25/04550/S73 (6004511)	13 Highfield Avenue Cambridge Cambridgeshire CB4 2AJ	S73 to vary condition 2 (approved drawings) for ref: 25/00141/HFUL (Erection of a detached garden room adjacent to the rear boundary, ancillary to the main dwelling) to show retrospective alterations to the design, height, footprint and fenestration on the detached garden room and the installation of solar photovoltaic panels.	13/03/2026
23/04380/FUL (6003093)	Land At Ditton Walk Cambridge Cambridgeshire	Erection of 12 dwellings, including 3 affordable dwellings, and associated works including alterations to access to the site and creation of second access.	16/03/2026