

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

10 May 2017

**AUTHOR/S:** Joint Director for Planning and Economic Development

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**Application Number:** S/3064/16/OL

**Parish(es):** Hardwick

**Proposal:** Outline planning permission for the erection of up to 155 dwellings following the demolition of 2 existing dwellings, areas of landscaping and public open space and associated infrastructure works, with all matters reserved except for access

**Site address:** Land south of 279 St. Neots Road, Hardwick

**Applicant(s):** Circle Housing Group

**Recommendation:** Delegated approval (to complete section 106 agreement)

**Key material considerations:** Five year supply of housing land  
Principle of development  
Density of development and affordable housing  
Character of the village edge and surrounding landscape  
Highway safety  
Residential amenity of neighbouring properties  
Surface water and foul water drainage  
Trees  
Ecology  
Provision of formal and informal open space  
Section 106 Contributions

**Committee Site Visit:** 10 May 2017

**Departure Application:** Yes

**Presenting Officer:** David Thompson, Principal Planning Officer

**Application brought to Committee because:** Approval of the planning application would represent a departure from the Local Plan

**Date by which decision due:** 10 May 2017 (Extension of time agreed)

### Executive Summary

1. The proposal does represent a significant scale of development on the edge of a group village. Hardwick is however considered to be one of the more sustainable group villages within the District due to its relatively close proximity to and regular bus

service to and from Cambridge. The main area of weakness in Hardwick in sustainability terms is considered to be the limited amount of indoor community meeting space within the village. The proposal would significantly reduce this deficit by adding to the 250 square metre community building to be funded through the recently approved scheme for 98 dwellings on land off Grace Crescent (ref. S/1694/16/OL). The Parish Council control a significant area of land on the recreation ground, centrally positioned within the village, where there would be space to erect such a facility.

2. The provision of this building would enhance the overall sustainability of Hardwick to a point comparable with other villages considered suitable for elevation to Minor Rural Centre Status in the 2012 Village Classification Study. This factor and the need for the development to compensate for the loss of the community space within the primary school (required to meet the additional demands that the scheme will place on pre-school provision), when combined, are considered to ensure that the provision would be CIL compliant. Alongside a contribution to this facility, a contribution to the maintenance costs associated with the community vehicle secured as part of the approved scheme at Grace Crescent referenced above, a contribution towards healthcare provision and the other measures detailed in the main body of the report, mean the development is considered to be socially sustainable.
3. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. The indicative proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development. The presence of a regular bus service within close proximity to the site and the provision of a contribution to the ongoing operation of the community vehicle approved as part of the Grace Crescent development, are factors which are considered to render the scheme environmentally sustainable.
4. Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the social benefits that would result from the development outweigh the harm resulting from the development of agricultural land and the limited landscape harm arising from the scheme. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

### **Relevant Planning History**

5. S/0113/16/E1 – Environmental Impact Assessment (EIA) screening opinion for up to 200 dwellings, associated facilities, additional open space, community woodland and community facilities – no EIA required.

S/2231/88/O – erection of 2 dwellings (land r/o 283 St. Neots Road) – refused

S/1453/87/O – erection of 2 dwellings (land r/o 283 St. Neots Road) – refused

S/0115/79/O – erection of 10 dwellings (287 St. Neots Road Hardwick) - refused

### **National Guidance**

6. National Planning Policy Framework 2012 (NPPF)  
Planning Practice Guidance

**Development Plan Policies**

The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.

7. **South Cambridgeshire LDF Core Strategy DPD, 2007**  
ST/2 Housing Provision  
ST/6 Group Villages
8. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/8 Groundwater  
NE/9 Water and Drainage Infrastructure  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
NE/17 Protecting High Quality Agricultural Land  
CH/2 Archaeological Sites  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact
9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD - Adopted January 2009  
Affordable Housing SPD - Adopted March 2010  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Biodiversity SPD - Adopted July 2009  
District Design Guide SPD - Adopted March 2010  
Development Affecting Conservation Areas SPD – Adopted January 2009
10. **South Cambridgeshire Local Plan Submission - March 2014**  
S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/7 Development Frameworks  
S/10 Group Villages

HQ/1 Design Principles  
 H/7 Housing Density  
 H/8 Housing Mix  
 H/9 Affordable Housing  
 NH/2 Protecting and Enhancing Landscape Character  
 NH/3 Protecting Agricultural Land  
 NH/4 Biodiversity  
 NH/14 Heritage Assets  
 CC/1 Mitigation and Adaptation to Climate Change  
 CC/3 Renewable and Low Carbon Energy in New Developments  
 CC/4 Sustainable Design and Construction  
 CC/6 Construction Methods  
 CC/7 Water Quality  
 CC/8 Sustainable Drainage Systems  
 CC/9 Managing Flood Risk  
 SC/2 Heath Impact Assessment  
 SC/6 Indoor Community Facilities  
 SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
 SC/8 Open Space Standards  
 SC/10 Lighting Proposals  
 SC/11 Noise Pollution  
 TI/2 Planning for Sustainable Travel  
 TI/3 Parking Provision  
 TI/8 Infrastructure and New Developments

### **Consultation**

11. **Hardwick Parish Council** – strongly objects to the proposed development. The Parish Council welcomes the development of affordable homes in the Parish. However, the following concerns are raised:
- The proposals do not comply with policy ST/6 of the SCDC Core Strategy.
  - There is insufficient information to demonstrate that the impact of the development in terms of trip generation and the capacity of services and facilities can be adequately mitigated.
  - The Parish Council wishes to see further information in relation to the Section 106 package and to ensure that these measures are sufficient to mitigate the impact of the development.

Since the date of the initial consultation response, the proposed heads of terms have been developed. As a result of the provision of more detail in relation to the contributions relating to the provision of the offsite community building, further subsidy of the community transport scheme and off site recreation facilities, the Parish Council has resolved to support the application, subject to the provision of satisfactory healthcare facilities in the village, a matter on which progress needs to be made.

12. **District Councillor** - Cllr Chamberlain (Hardwick Ward) has written in support of the application. His comments will be provided in detail in the written update to this report, in advance of the committee meeting.
13. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.

An assessment of the potential noise generated by traffic accessing and egressing the

development and the impact that this may have on the residential amenity of the occupants of the properties adjacent to the proposed main vehicular access on St, Neots Road has been submitted. The mitigation measures suggested in the report i.e. the installation of an acoustic fence along the rear boundaries of the properties adjacent to the access route are considered to sufficient to offset any harm to those properties. Compliance with these requirements shall be secured by condition.

Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.

The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.

14. **District Council Contaminated Land Officer** - low risk in relation to land contamination and as such it is considered that a phase I contaminated land assessment can be required by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
15. **Air Quality Officer** – No objection. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
16. **District Council Urban Design Officer** – no objection to the proposals following revisions to the indicative masterplan to simplify the potential road layout at the entrance to the site. An off road circular walk should be incorporated within the scheme to ensure the health and wellbeing of occupants of the development is enhanced. The footpath which runs east-west through southern part of the site (connecting to Hall Drive - not shown on the definitive map as an adopted Public Right of Way) is an asset which should be positively included within the layout of the development. The design will need to be carefully considered at the reserved matters stage, with a design brief provided in support of such an application, to ensure that the layout and scale of development reflect the character of the surrounding area.
17. **District Council Landscape Design Officer** – The proposed density of development (approx. 28 dwellings per hectare) is considered to be suitable in principle in this edge of village location. The layout indicates several parking courts in the northern part of the development, which appear urban in form and would not be supported at the reserved matters stage (the extent of these areas has reduced in the revised indicative layout.) The revised layout to the northern part of the site indicates that the number of dwellings proposed could be accommodated in a more permeable and legible scheme than the initial submission. These two principles will be key to securing an appropriate layout at the reserved matters stage. The landscaped areas to the south and west will require careful management to ensure

that these areas function well as public open space but also form an effective landscape 'buffer' to the development.

18. **Cambridgeshire County Council Local Highway Authority** – following the submission of additional information, no objection to the proposals subject to the securing of footpath improvements and cycle stands at the bus stops on the eastbound side of St. Neots Road. Details of the scheme for the footway improvements on St. Neots Road and a commuted sum for the provision of the cycle stands and Real Time Passenger Information displays at the bus stop can be secured through the Section 106 Agreement. The trip generation levels are considered to be acceptable and conclude that that the development would not result in a volume of traffic that would have a severe impact on the capacity of the highway network. In relation to the wider network, the capacity of St. Neots Road roundabout and the westbound slip roads of the A428 have been considered and the Highway Authority are satisfied that these junctions have the capacity to deal with the additional traffic flows resulting from the development. Additional work is being undertaken in relation to the Madingley Mulch roundabout and the results of this will be the subject of an update report in advance of the committee meeting.
19. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – No objection raised. Archaeological investigations to the immediate north of the site have revealed evidence of Iron Age settlement and occupation and Roman settlement and droveway (Historic Environment Record reference MCB16338, MCB16811, MCB18507, MCB16337). Archaeological investigations at Scotland Farm also revealed further evidence of Iron Age settlement (ECB2765). In addition, to the south east at Redbrick Farm is earthwork evidence of medieval settlement (MCB15645, MCB13222, MCB15645, MCB13221). Surrounding the application area is also evidence of medieval and post-medieval cultivation visible as ridge and furrow (MCB11392, MCB11391). However, following the completion of additional investigations, it is considered that no specific mitigation is required.
20. **Cambridgeshire County Council Flood & Water Team** – no objection to the revised proposals. The surface water run off rate to Callow Brook would be limited to 2 litres per second per hectare and that is considered to be sustainable. Specific details on site levels, existing surface water run off rates, full details of the capacity of attenuation measures, flow control mechanisms and maintenance will be required at the reserved matters stage and can be secured by condition at the outline stage. The applicant will be required to submit a surface water drainage strategy for the site based on the principles of the Flood Risk Assessment (FRA) submitted with the outline planning application.
21. **NHS England** - state that Bourn surgery and the satellite surgery at Little Eversden (associated with Comberton surgery) do not currently have capacity to accommodate the projected additional demand that will result from this development. On the basis of their calculation, NHS England have requested a sum of £58,673 to provide an additional 25.51 square metres of floorspace to accommodate the additional approximately 372 anticipated population increase (nb. Different projection to the County Council figure in this regard).
22. **Environment Agency** – no objections to the proposals on the basis that a condition is attached to the planning permission requiring final details of the surface water drainage strategy to be agreed and that a condition requiring investigation into and the remediation of any sources of contamination on the site be added to any permission granted.

23. **Anglian Water** - No objections received, and advised –  
Wastewater treatment – The foul drainage from this development is in the catchment of Bourn Water Recycling Centre, which currently has capacity to treat the flows from the proposed development  
Foul Sewage Network – Details of the point of connection to the sewerage network will be required to ascertain the impact of the additional flows (depending upon whereabouts along St. Neots Road the connection is made, this will impact upon either Bourn or Uttons Drove Recycling Centres.) This detail can be secured by condition.  
Surface Water Disposal – The preferred means of draining surface water from the site would be via Sustainable Drainage System, with connection to the mains sewer being a last resort. The Lead Local Flood Risk Authority (LLFRA) should be consulted on this aspect of the proposals.

24. **Affordable Housing Officer** – The site is located outside of the development framework of Hardwick and should therefore be considered as an exception site for the provision of 100% affordable housing to meet the local housing need in line with Policy H/10 of the proposed Local Plan. However, should this application not be determined as an exception site, then the Council will seek to secure at least 40% affordable housing. The developer is proposing 155 dwellings, 62 of these would have to be affordable.

There are currently 44 people on the Housing Register who live in or have a local connection to Hardwick.

The mix and tenure split for the 62 affordable dwellings should be as follows:

6 x 1 bed flats  
6 x 2 bed flats  
24 x 2 bed (3 person) houses  
11 x 2 bed (4 person) houses  
15 x 3 bed houses

43 of the above properties should be for affordable rent, 19 for intermediate shared ownership.

8 properties should be allocated to those with a local connection to Hardwick and the remaining 54 should be allocated on a 50/50 split basis between applicants with a local connection to Hardwick and those with a District wide connection.

Properties should be built to DCLG technical housing standards.

25. **Section 106 Officer** – details of the specific policy compliant contributions are discussed in detail in the main body of the report. A detailed matrix will be appended to an update report, summarising the contributions/projects listed in this report.
26. **Cambridgeshire County Council Growth Team** – This proposal would result in an anticipated 46 children in the early years age bracket, 23 of which would qualify for free provision. The pre-school is currently accommodated via a mobile classroom which does not have capacity to accommodate the additional children. The proposed solution is a two classroom development on the school site. The first of these would replace the existing temporary classroom and is therefore not eligible for a contribution from this development, in accordance with the CIL regulations. The cost of the provision of the second classroom has been calculated as £480,000. This

classroom would accommodate 26 pre-school children (52 in total given the 15 hour a week entitlement) and as such would equate to a cost of £18,461.54 per pupil. The proportionate contribution being sought from this development is therefore £424,615.42 (23 x £18,461.54). An alternative to this would be the provision of the additional capacity required in the pre-school provision through the conversion of the existing community space within the school building, to be compensated for by the new community building.

No contributions are considered necessary in relation to primary school or secondary school provision as the County Council's forecast data indicate that Hardwick Primary School and Comberton Village College have available capacity to accommodate the additional population arising from this development.

In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 283 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £11,135.00 (depending upon final housing mix.)

27. **The Wildlife Trust** – suggest that a desktop study should be carried out to ensure that full assessment is made in relation to the impact on priority habitats, such as deciduous woodland. The consultants that produced the Ecological Assessment in support of the application consider that the site is not covered by a Priority Habitat designation. No objections to the mitigation measures proposed and consider the retention of the unimproved natural grassland as undeveloped space to be a positive element of the scheme.

28. **District Council Ecology Officer** – No objections to the proposals. The Ecological Assessment submitted with the planning application assesses the impact of the development on breeding birds, bat activity, badgers, botany and Great Crested Newts. The ecological appraisal has established that the extensive tree coverage is hawthorn scrub and so the conclusion that the site does not contain Priority Habitat in this regard is supported (noting the comments from the Wildlife Trust outlined in paragraph 27 of this report). Great Crested Newts are considered not to be a constraint to development of the site due to the poor condition of the offsite pond.

There will be a need to ensure that an adequate buffer is provided between buildings and the badger setts when the detailed layout is presented at the reserved matters stage.

The retention of landscaping as a community woodland would require management.

The site is not of significant value in relation to breeding birds. Biodiversity enhancements such as bird boxes can be incorporated into the scheme.

29. **District Council Tree Officer** – no objections to the principle of development. The site does contain many mature trees and hedges around the perimeter that would be affected by the proposals. The site is covered by scrub planting which is not considered to be of a high amenity value or worthy of retention. The application is supported by a comprehensive arboricultural impact assessment and the recommended tree protection measures are considered to be acceptable. There is considered to be a risk that the hedgerows along the access track to be used as the secondary means of access will be removed to facilitate safe passage of the access. Conditions requiring a more detailed tree protection scheme and details of new landscape planting can be secured at this outline stage.

30. **Cambridgeshire Fire and Rescue Service** – No objection to the proposals subject to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.
31. **County Council Definitive Map Officer** – no objections to the proposals. The right of way through the southern part of the site is not formally adopted but measures should be taken to retain this route and incorporate this as an attractive feature within the development when the detailed scheme evolves. Opportunities to enhance the Public Right of Way network should be explored.

### **Representations**

32. 24 letters (including representations received via the website) have been submitted in relation to the application (16 objections, 7 letters of support and 1 letter seeking clarification).

The responses in objection to the proposals raise the following issues (summarised):

- The proposals would have a detrimental impact on the residential amenity of the properties on Meridian Close due to the short separation distance between the rear of the neighbouring dwellings and plots within the development.
- How will the emergency access route be policed to ensure that it is not used by residents of the development as a regular means of access? The point at which the emergency access enters into the main part of the development should be moved northwards to better preserve the amenity of neighbouring properties on Meridian Close.
- Most residents in Hardwick commute by car and so the close proximity of the bus service does not necessarily make this scheme sustainable.
- The proposed pedestrian access link to Hall Drive is considered to be dangerous. Hall Drive is a private road with limited footways and therefore there is a high risk of collision between pedestrians and vehicular traffic. There is no agreement in place between the developer and the properties on Hall Drive for residents of the development to have a right of access over this private road.
- It is considered unlikely that residents of the development will travel to neighbouring settlements by bicycle due to the distance of travel and the unsafe nature of a number of the roads, including St. Neots Road.
- The proposals would result in unreasonable overlooking of the properties on Hall Drive.
- The proposed access arrangements and number of regular trips to and from the development would result in noise and disturbance that would have an adverse impact on the residential amenity of the neighbouring properties on St. Neots Road.
- The biodiversity value of the site is considered to be understated by the applicant. The site is considered to be an example of a wooded area which provides a visual mark of the transition between the edge of the village and the countryside beyond, as identified as a characteristic of this part of the district within the adopted Design Guide.
- The proposal is considered to be too high in terms of the density of development – resulting in an adverse impact on the character of the village edge and the amenity of neighbouring residents.
- Affordable housing will be provided within the planned development on Bourn Airfield, which will meet the needs of this part of the District.
- There are insufficient employment opportunities in Hardwick. This will ensure that residents of the development will be required to commute for work and this

- weakens the environmental sustainability of the scheme.
- The village shop and other amenities within the village are considered not to be within reasonable walking distance of the site.
- The development should include bungalows to accommodate elderly residents.
- The village does not have a wide range of services and facilities and is therefore not suitable for expansion on the scale proposed.
- The village suffers from high levels of congestion due to traffic going to Comberton Village College. The additional traffic generated by this proposal would make that situation worse.
- The noise and disturbance generated by traffic during the construction process would have an adverse impact on the residential amenity of neighbouring properties.
- The proposed development would increase the population of the village by 9.4%. This may be increased by another large scale development. This level of development and the resulting population increase in Hardwick is considered to be unsustainable.
- The policies in the Local Development Framework, which aim to 'strike the right balance between growth and conservation' should not be ignored.
- The emerging Local Plan proposes to retain the status of Hardwick as a Group Village, where the maximum number of dwellings is capped at 15. This proposal far exceeds that and cannot therefore be considered to represent sustainable development.
- There is no capacity in the primary school or Comberton surgery and due to other large scale proposed developments within the catchment, Comberton Village College is under pressure in terms of spaces available.

The letters of support make the following comments (summarised):

- There is a significant need for additional housing in the village.
- This is considered to be the best location for new housing development in Hardwick due to the close proximity of the regular bus service.

The letter of clarification received sought assurances that the proposals would not allow a vehicular connection from the development to Hall Drive. As the means of access is to be approved at this outline stage, the submitted plans demonstrate that the connection to Hall Drive would be for pedestrian access only – vehicular access and the emergency means of access will both connect to St. Neots Road.

**Campaign to Protect Rural England (CPRE)** – Object to the application. The Council's five year housing land supply deficit has been addressed by the submission of the draft Local Plan. The emerging Local Plan makes provision for an increase in the number of houses to be developed in the District. The scheme would significantly exceed the 15 dwelling limit on new residential development in group villages and should therefore be refused. The housing need within the District for the next 2 years could be met in Northstowe and there are plans to develop Bourn Airfield proposed in the emerging Local Plan. The 2010 census indicates that the number of dwellings in Hardwick was 1035 at that point – this proposal would result in a 15% increase in the size of the village on that basis.

### **Site and Surroundings**

33. The application site is undeveloped land which is located at the north western edge of the village of Hardwick. The site is accessed on its northern boundary via a private access track leading from St. Neots Road. The rear boundaries of the properties on Hall Drive abut the eastern boundary of the site. There is a residential development

(Meridian Close) adjacent to the north western corner of the site. There are a number of properties which front St. Neots Road which abut the northern boundary of the site. The site is located within the open countryside, the boundary of the village framework runs along the south eastern boundary of the site.

### **Proposal**

34. The applicant seeks outline planning permission for the erection of up to 155 dwellings following the demolition of 2 existing dwellings, areas of landscaping and public open space and associated infrastructure works, with all matters reserved except for access

### **Planning Assessment**

35. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether Hardwick generally and this site specifically allow the proposal to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the village edge and the surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

### **Principle of Development**

#### **Five year housing land supply and sustainability of the proposed development:**

36. The National Planning Policy Framework (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
37. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory March 2017). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
38. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies that were listed in the Waterbeach appeal decision letters are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
39. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v

Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies, having regard to, amongst other matters, the purpose of the particular policy.

40. Where a Council cannot demonstrate a five year supply of housing land, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted.
41. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF, unless other national policies indicate an exception to this, Green Belt land is one such exception. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands. When assessed against these objectives, unless the harm arising from the proposal 'significantly and demonstrably' outweighs the benefits of the proposals, planning permission should be granted (in accordance with paragraph 14).
42. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
43. The site is located outside the Hardwick village framework, although adjacent to the north western boundary of the village, and in the countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 155 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy. However, these policies are considered out of date due to the current lack of a 5 year housing land supply as set out above.
44. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. Officers consider this assessment should, in the present application, have regard to whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF.
45. Development in Group Villages (the current and emerging status of Hardwick) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. This planning objective remains important and is consistent with the NPPF presumption in

favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.

46. However, this objective has to be considered in light of the 'out of date' status of the policy, resulting from the lack of a five year supply of housing land in the District. By proposing 155 dwellings, the scheme would significantly exceed the indicative maximum of 8 on a greenfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in the recent Over appeal decision (18 January 2017) stated that '...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.'
47. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the 'blanket' way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development.
48. The environmental issues, including impact on the open countryside, are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grades 1, 2 or 3a. Part this site is classified as grade 2 agricultural land.
49. The site is not allocated for development in the existing or the emerging Local Plan. However, given the sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criteria b of NE/17 should be afforded more weight than the conflict with criterion a.
50. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

#### Social Sustainability:

51. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
52. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 155 residential dwellings, 40% of which would be affordable (62 units). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 (discussed in detail later in this report) is a matter to be dealt with at the reserved matters stage.
53. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 155 additional houses, including the affordable dwellings, is a social benefit and significant weight should be attributed this in the

decision making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Hardwick.

54. The adopted Open Space SPD requires the provision of approximately 4700 metres squared of public open space for a development on the scale proposed, depending on the final mix, which is to be determined at the reserved matters stage (this figure represents an approximate amount based on a policy compliant mix). The scheme exceeds this amount by a significant margin (in excess of 7000 square metres is shown on the indicative masterplan, excluding the woodland at the southern end of the site) and would include sufficient space for the inclusion of an equipped play area with land surrounding it, as required by the SPD. Given that Hardwick has an identified short fall in play space and informal open space, the fact that this amount of space can be provided at the density of development indicated is considered to be a significant social benefit of the proposals. Details of the management of the community woodland can be secured in the Section 106 Agreement at this outline stage.
55. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration at the reserved matters stage.

Impact on services and facilities:

56. As already stated, policy ST/6 of the Core Strategy, which limits the size of residential schemes on greenfield sites within Group Villages to 8 is considered to be out of date, due to the inability of the Council to demonstrate a five year housing land supply. Nevertheless, the proposal would significantly exceed this number and would not be within the existing framework boundary. Therefore an assessment needs to be made in relation to the impact of the development on facilities in Hardwick and whether this impact is considered to meet the definition of sustainable development.
57. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
  - necessary to make the scheme acceptable in planning terms
  - directly related to the development
  - fairly and reasonably related in scale and kind to the development proposed.
58. There are bus stops on the northern and southern sides of St. Neots Road, within approximately 60 metres of the entrance to the development. The Citi 4 bus service can be accessed from these stops. This service provides a bus every 20 minutes to and from Cambridge during working hours and an hourly service in the evenings Monday to Saturday, with an hourly service on Sundays. These services would be accessible from the entrance to the development via the existing footway network.
59. The applicant is also proposing to contribute to the ongoing provision of a community vehicle secured as part of the package of measures to mitigate the impact of the development for 98 units at Grace Crescent (ref. S/1694/16/OL approved at the March 2017 meeting of the planning committee.) Hardwick Parish Council has agreed to take ownership of the vehicle and the Section 106 funding from this application would contribute towards annual maintenance of such a vehicle for a five year period, in addition to the five years secured as part of the Grace Crescent scheme.

60. This facility would provide an alternative to single occupancy car journeys for residents of the development as well as the wider village, enhancing the environmental sustainability of this scheme proposal further. The contribution towards this community vehicle is considered to add to the opportunities for sustainable travel options for residents to access services and facilities as well as employment in larger settlements, in addition to the regular bus service which also runs adjacent to the development.
61. In addition to this contribution, the applicant is also proposing to install covered cycle stands adjacent to the east bound bus stop on St. Neots Road. This would provide a greater incentive to cycle from existing houses to the services within the village, such as the village shop, which is within 1 mile of the entrance to the site (approximately 500 metres from the pedestrian link to Hall Drive, via Laxton Avenue and Limes Road).
62. Cambridgeshire County Council is the Education Authority. This proposal would result in an anticipated 46 children in the early years age bracket, 23 of which would qualify for free provision. The pre-school is currently accommodated via a mobile classroom which does not have capacity to accommodate the additional children. One proposed solution is a two classroom development on the school site.
63. The first of these would replace the existing temporary classroom and is therefore not eligible for a contribution from this development, in accordance with the CIL regulations. The cost of the provision of the second classroom has been calculated as £480,000. This classroom would accommodate 52 pre-school children (on the basis of 26 children at one time, each entitled to 15 hours a week) and as such would equate to a cost of £18,461.54 per pupil. The proportionate contribution being sought from this development is therefore £424,615.42 (23 x £18,461.54).
64. The alternative to this, which the County Council acknowledge would be appropriate mitigation, would be the conversion of the rooms which are currently available for community use, within the school building, to provide the pre-school facility, alongside the retention of the existing temporary classroom on site. This space would be compensated for through the provision of the new community building, to be provided offsite. In order to achieve the conversion of the existing community space within the school to classrooms, a contribution of £60,000 was secured through the Section 106 agreement associated with the development at Grace Crescent referred to previously. This would cover the cost of the conversion and as such no further funding is to be sought from this development in that regard, as this space would accommodate children from both developments.
65. Following the decision by the Trustees of the community rooms within the school to relinquish their rights to these, in favour of access to the new off site building, the full amount of £424,615.54 is to be transferred to that project. This will fund an expansion of the capacity of that facility to ensure that the cumulative population growth of both developments is accommodated and that the facility is of a standard suitable to meet the deficit in indoor community space within Hardwick.
66. The County Council consider that there is sufficient capacity at the primary school to accommodate the 54 children within this age bracket anticipated to result from the population of the proposed development. Likewise, it is considered that there is capacity at Comberton Village College to accommodate the 39 children of secondary school age anticipated to result from the population of the proposed development. This is a bus service from Hardwick to Comberton Village College.
67. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 283 in the Council's calculation) is based on the standard charge approach adopted by

the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £11,135.00 (depending upon final housing mix.)

68. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment confirms that the nearest doctor's surgery are located in Comberton and Bourn and that discussions with the NHS have indicated that there is no funding identified for a satellite surgery in Hardwick. This has been corroborated by discussions that officers have had with the Comberton surgery, which already operates a satellite practice at Little Eversden. The Bourn practice has indicated to the Parish Council that it may be willing to consider a satellite branch but there are no specific details of this at this stage and no certainty as to NHS funding. As such, this option is not yet advanced enough to be able to constitute a CIL compliant contribution. Officers will continue to discuss this option with the local practice and NHS England once the size and specification of the community building becomes more certain.
69. NHS England have commented on the planning application and their response indicates that there is currently insufficient space available for doctors within the Comberton Practice and the satellite surgery in Little Eversden, or at Bourn to accommodate the demands of the additional population that would result from this development. As a result, NHS England are requesting a sum of £58,673 to provide an additional 25.51 square metres of floorspace to accommodate the additional 372 anticipated population increase (nb. Different projection to the County Council figures above).
70. Whilst there is limited physical capacity to extend the surgery at Bourn, there would be scope to physically extend the practice at Little Eversden, associated with the GP surgery in Comberton, which also serves residents of the village. Given the modest nature of the amount of additional floorspace required however, it is considered that this could be achieved through a relatively minor alteration to the internal layout at Bourn as opposed to requiring an increase in the footprint of the building. If, once a specific project is identified by the NHS, it is identified that an external extension is required to provide additional capacity in the area, this could be achieved through an extension to the satellite facility at Little Eversden (approximately 2 miles further away from the site).
71. NHS England have indicated in their response that they consider the requested sum to meet the tests for seeking contributions as set out in the NPPF, quoted above.
72. The fact that the developer has agreed to the principle of paying the contribution to fund the additional infrastructure required to offset the impact of the development in this regard ensures that the impact of the scheme on the capacity of these facilities could be adequately mitigated, weighing in favour of the social sustainability of the scheme.
73. In addition to the primary school and mobile library service, Hardwick has a post office and village store, a public house, a social club and sports pavilion, recreation ground a better range of shops and services than is evident in a number of Group Villages in the District.
74. Facilities at the recreation ground include an equipped area of play space, a pavilion, a skate park, 2 football pitches for senior level games (this space also accommodates a cricket pitch in season) and a Multi-use games area (which can also be used for netball and tennis). The pavilion provides some element of community meeting space, there is a community meeting room at the school and there is a Scout Hut. There is no village hall or large dedicated community meeting space within the village.

75. The 2009 Community Facilities Assessment identified Hardwick as one of the larger settlements in the District which has a significant deficit in the amount of indoor public meeting space. On the basis that 111 square metres of such space should be provided per 1000 people, Hardwick was deficient by approximately 300 square metres in 2009. The population of the village was largely static between 2009 and 2013. There has been a community facility approved adjacent to St. Mary's Church since that time, although the net gain from that development is relatively small (120 square metres) as it would include replacement of temporary buildings on that site.
76. The 2012 Village Classification Report assessed the level of services and facilities in each village in the District and considered whether some of the larger Group Villages warranted re-classification as Minor Rural Centres. In this assessment, Hardwick scored the highest grade in terms of public transport links, but scored zero in relation to community services and facilities and sources of employment. The report also highlighted the fact that the village does not have a secondary school.
77. A key element of the proposed package of mitigation measures relating to this application is the provision of a contribution in excess of £400,000 to the contribution secured for the provision of a 250 square metre community building as part of the Section 106 relating to the recently approved scheme at Grace Crescent, allowing for a larger development to be constructed. The Parish Council controls land at the recreation ground, where there would be space for such a facility to be located.
78. Provision of a self contained community facility of this size would be a significant benefit of the scheme. On the basis of the ratio used in the 2009 audit, approximately 30 square metres of indoor space would be required to mitigate the impact of this development. The contribution sought would result in significantly greater amount of floor space being added to the 250 square metre costed scheme secured through the Grace Crescent scheme.
79. However, seeking this level of contribution is considered to be CIL compliant in that the 250 building would be required to mitigate the loss of existing community rooms at the school to meet the pre-school needs arising from the development. When adding the population of this scheme and Grace Crescent together, in the region of 50 square metres would be required on top of the 250 square metres to mitigate the impact of the additional population in the village as a result of the two developments. However, to ensure that Hardwick can be considered among the more sustainable locations within the District, there is a need to address the full identified 300 square metre deficit and mitigate the impact of new development. The additional contribution is therefore considered necessary to make the development acceptable in planning terms.
80. This situation would ensure that Hardwick could score higher in relation to access to services and facilities for residents and would therefore score at a similar level (albeit in different categories) to Swavesey, Bassingbourn or Comberton in the Classification report, all of which are settlements proposed to be elevated to Minor Rural Centres in the emerging Local Plan.

Economic sustainability:

81. It is accepted that there are limited opportunities for employment within Hardwick and this does weigh against the sustainability of the village. However, the opportunities to access the employment opportunities in Cambridge via the extremely close and regular public transport service (as described above) reduce to a significant extent the weight which should be attached to the limited employment opportunities in the village, as an element of harm arising from this proposal.

82. The provision of up to 155 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.
83. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement. This assessment is made on the basis that Hardwick has a range of existing facilities to meet the needs of the settlement and the proposed development. These will be supplemented through the mitigation measures proposed, which would go a significant way to address the lack of good quality community meeting space within the village. This would enhance the sustainability of the village, adding to the fact that Hardwick has one of the most regular public transport connections to Cambridge within the District.

### **Density of development and housing mix**

84. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare) when taking the site as whole (approx. 7.1 hectares in area). The density equates to approximately 22 dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and the need to incorporate significant landscape 'buffers' to the southern and western edges, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
85. The density of the developed area in the indicative layout would be higher than this figure, approximately 28 dwellings per hectare, due to the retention of a significant amount of undeveloped space along the southern and western boundaries of the site. Whilst this layout is not fixed, the illustrative masterplan is considered to demonstrate that 155 units could be accommodated on the site without resulting in a density of development that would be out of character with the edge of village location. Matters of design and landscape impact are discussed in detail in the following section of the report.
86. Under the provisions of policy HG/2, the market housing element of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties. The detail of the housing mix proposed within the market element of the scheme (93 units) has not been specified.
87. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories (1 and 2 bed, 3 bed and 4 or more bed properties), with the 10% margin to be applied flexibly across the scheme. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF.
88. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme is policy compliant and would deliver a high proportion of smaller units, in a District where there is a need to increase the stock of this type of housing.

89. The indicative proposals include a number of single and 1.5 storey dwellings. Whilst the detail would be secured at the reserved matters stage, the inclusion of smaller properties and accommodation suitable for a range of ages and needs within the final scheme enhances the social sustainability of the development.

### **Character of the village edge and surrounding landscape**

#### **Landscape Impact**

90. The application site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) which formed part of the evidence supporting the emerging Local Plan (site 180 – proposed between 150 and 200 dwellings at that stage.). The report which examined the potential for development of this site at that stage considered the townscape and landscape impact of such a scheme. The site lies within the Western Claylands landscape area and the setting of the village is described as a broad scale rolling, largely arable landscape in the 1998 Village Capacity Study. In relation to this site, the Study states that the woodland and small fields with hedgerows provide a more enclosed landscape than the surrounding countryside and this provides a transition between the edge of the built up part of the village and the open fields beyond. The report concludes that development of this site on the scale proposed at that stage would be 'likely to result in the loss of this enclosed woodland area that provides this transitional edge to the village.' The report highlights the presence of pasture land on the eastern edge of the site which creates a visual break in the built frontage along the road, where land with a rural character encroaches into the village.
91. The proposal involves the retention of a substantial landscape 'buffer' on the western edge of the site. The landscaped edge would be 20 metres deep, with the rear of the buildings adjacent to that boundary set further off the western boundary of the site. This buffer would increase to 50 metres in the south western corner of the site. This landscaping would thin out again on the southern boundary, but would remain 20 metres deep at the narrowest point. Whilst the proposed layout is only indicative at this outline stage, it is considered that the applicant has demonstrated that, by reducing the number substantially below the upper limit proposed at the SHLAA stage, a substantial tree belt could be retained to mark the edge of the development and provide a transition to the more open character of the countryside further west.
92. At the density proposed, it would also be possible to locate a large area of open space in the north western corner of the main body of the site, which would significantly offset the closest buildings from the western boundary of the site. This would soften the landscape impact of the development immediately south of Meridian Close, which is a relatively dense residential cul-de-sac. In the north eastern corner, another large area of open space could be located to the rear of the land which provides the visual break to the built frontage identified in the SHLAA report. This would allow the closest buildings to be set a substantial distance in to the site and, in addition to the retention of the hedgerow on the northern boundary. Given the separation distance that could be retained, it is considered that the proposals would not result in an overbearing impact on the character of the landscape, retaining a sense of a 'gap' in development along the frontage of St. Neots Road.
93. The Landscape Design Officer has not objected to the proposals. It is acknowledged that the indicate layout in the northern part of the development is relatively dense and this may need to be altered at the reserved matter stage. However, the overall density of development is considered to be relatively low, allowing the average plot size to exceed the minimum requirements in terms of garden space and comply with the

separation distances stipulated within the Design Guide. In addition, the proposal indicates that flatted development would need only to account for approximately 16% of the units at the density proposed. Given the need for smaller accommodation within the District, it is considered that this percentage could be slightly increased at the reserved matters stage and the density in other parts of the site reduced.

94. The management of the open space is considered to be important in ensuring the effectiveness of the dense tree belt from a landscape character point of view. The retention of the trees on the boundaries of the site can be secured by condition and compliance with the landscape parameter plan can be conditioned at this outline stage. At the density proposed, substantial separation distances can be retained between buildings within the development and the boundaries of the site with adjacent undeveloped land.
95. Within the context of a lack of five year housing land supply, the Inspector for the New Road, Melbourn appeal (199 dwellings and a care home) provided guidance in a case where landscape harm is identified and balancing this against the need to address the lack of housing land supply. In that case the Inspector concluded in relation to landscape harm that 'while the development of this site would cause very limited harm to the wider landscape, there would be a greater localised harm to the character of the village and its countryside setting, in conflict with development control policies. This carries fairly significant weight (in the planning balance).' In weighing this harm against the benefit of housing provision in that location, the Inspector concluded that '...while there would be some notable adverse impacts, they would not be sufficient to outweigh the very significant benefits of the proposal (i.e. the provision of additional housing in the District).'
96. The SHLAA report did conclude that development of the site would have an adverse impact on the character of the transition between the built up edge of the village and the open countryside to the south and west. However, Officers consider that, at the density proposed, an adverse impact on the character of the landscape, both in localised and more distant views, could be mitigated through the retention of the significant landscape buffers proposed. Given the context of a lack of five year housing land supply (a situation which has arisen since the completion of the SHLAA process), the test to be applied to any harm arising from a development is more stringent as this harm must significantly and demonstrably outweigh the benefits. Given the lack of objection on landscape grounds to this proposal and the guidance in relation to the weight to be given to the housing shortage where harm is identified by the Inspector in the Melbourn appeal, it is considered that refusal of this scheme on the basis of landscape impact could not be substantiated at appeal.
97. In light of the above assessment, it is considered that any harm to the landscape arising from this proposal would not itself outweigh the benefits of providing additional housing (including 40% affordable) and additional community benefits on the edge of a village which has a relatively high level of connectivity to Cambridge.
98. The Design Officer has commented that footpath which runs east-west through southern part of the site (connecting to Hall Drive - not shown on the definitive map as an adopted Public Right of Way) is an asset which should be positively included within the layout of the development. It is acknowledged that the houses to the south of this route would back on to the pathway, which is not appropriate in design terms. However, alteration could be made to the internal road layout of the scheme to address this issue, without affecting the number of units. This is an issue to be resolved at the reserved matters stage therefore.

## **Trees**

99. The District Council Tree Officer has raised no objections to the proposals. The application is supported by a comprehensive arboricultural impact assessment and the recommended tree protection measures are considered to be acceptable. There is considered to be a risk that the hedgerows along the access track to be used as the secondary means of access will be removed to facilitate safe passage of the access. The hawthorn hedges that demarcate the boundaries of the track are proposed to be retained but are also assessed as category C specimens by the survey submitted with the application. Specimens in this category are considered not to be of a condition or amenity value that warrant retention. As such, even if these hedges were proposed to be removed, details of a suitable means of enclosure of the track and/or replacement planting can be secured by condition at this outline stage. Conditions requiring a more detailed tree protection scheme and details of new landscape planting can also be secured at this outline stage.

## **Ecology**

100. The Ecology Officer has raised no objections to the application. The Ecological Assessment submitted with the planning application assesses the impact of the development on breeding birds, bat activity, badgers, botany and Great Crested Newts. The ecological appraisal has established that the extensive tree coverage is hawthorn scrub and so the conclusion that the site does not contain Priority Habitat in this regard is supported (noting the comments from the Wildlife Trust outlined in paragraph 27 of this report). Great Crested Newts are considered not to be a constraint to development of the site due to the poor condition of the offsite pond.
101. Badgers are present in the southern part of the site. There are 2 badger setts located in the area indicatively shown as buffer planting on the southern boundary of the site. There will be a need to ensure that an adequate buffer is provided between buildings and these setts when the detailed layout is presented at the reserved matters stage.
102. The retention of landscaping as a community woodland would require management and the details of this can be secured through the Section 106 Agreement. The retention of extensive woodland on the southern and western boundaries of the site and the area on the eastern boundary would allow foraging for bats. No evidence of bats roosting on the site was recorded during the survey period.
103. The site is considered not of significant value in relation to breeding birds. Biodiversity enhancements such as bird boxes can be incorporated into the scheme. These and other enhancements can be secured by condition at this outline stage. Management of the LEAP to be installed on the unimproved grassland will be crucial to ensure successful retention of the biodiversity value of that part of the site. Callow Brook, an Awarded Watercourse runs along the eastern boundary of the site. This has been culverted along large sections and opportunities to open this up as a biodiversity enhancement should be considered. The details of biodiversity enhancements and ensuring compliance with the mitigation measures listed in the ecological survey can be secured by condition at this outline stage.

## **Highway safety and parking**

104. Following the submission of additional information, the Local Highway Authority has no objection to the proposals subject to the securing of footpath improvements and cycle stands at the bus stop on the eastbound side of St. Neots Road. Details of the scheme for the footway and bus stop improvements on St. Neots Road can be conditioned and

a commuted sum for the provision of the cycle stands and Real Time Passenger Information displays at the bus stops can be secured through the Section 106 Agreement. The trip generation levels are considered to be acceptable and conclude that that the development would not result in a volume of traffic that would have a severe impact on the capacity of the highway network.

105. In relation to the wider network, the capacity of St. Neots Road roundabout and the westbound slip roads of the A428 have been considered and the Highway Authority are satisfied that these junctions have the capacity to deal with the additional traffic flows resulting from the development. Additional work is being undertaken in relation to the Madingley Mulch roundabout and the results of this will be the subject of an update report in advance of the committee meeting.
106. Whilst the Highway Authority questioned the feasibility of operating a community bus when this was secured as part of the Grace Crescent scheme, they supported the proposal in principle as a means of improving such facilities. Given that the Parish Council expressed the wish to see such a facility and have expressed a willingness to manage this facility, it is considered that additional funding to support the running of this facility should be secured via the Section 106 Agreement relating to this application, enhancing the environmental sustainability of the scheme.
107. Given the low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.

#### **Residential amenity**

108. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties. Due to the size of the gardens to the rear of the properties which front on to St. Neots Road to the north and Hall Drive to the east, sufficient separation distances could be retained between the rear of those properties and the properties closets to each of those boundaries within the development (position to be fixed at the reserved matters stage) to ensure that the proposal would not result in an adverse impact through overlooking or overshadowing.
109. The majority of the properties on Hall Drive to the east of the site, are set a substantial distance away from the common boundary with the application site, due to the long length of those plots. Properties in the south eastern part of the development would be closer to the properties at the end of Hall Drive. However, the indicative layout demonstrates that plots within the development could be positioned to maintain the minimum separation distances required by the Design Guide (12 metres between blank elevations where they face a neighbouring elevation with habitable room windows as well as the distance quoted above). In addition, a substantial element of the landscaping on the eastern boundary of the site is within the applicant's ownership and retention of these can therefore be secured by condition.
110. The layout of the scheme is indicative at this stage. However, the applicant has indicated in the design and access statement that development would include some units that would be limited to 1.5 storey units. Given the identified need on the housing register, it is considered that the provision of smaller units would be a social benefit of the scheme. Those units could be located in that part of the site, ensuring that the

design of those properties would not be dependent upon habitable room windows in the rear elevations above ground floor level. The final elevational details would be secured at the reserved matters stage but it is considered that in principle, the development would preserve the amenity of the neighbouring properties on Meridian Close. It is considered that this would avoid any significant harm to the amenity of those neighbouring properties, offsetting the impact of a separation distance of 22, marginally short of the 25 metre distance suggested for elevations facing each other which contain habitable room windows in the adopted Design Guide. Appropriate intervening boundary treatments can be secured by condition.

111. The access track leading to the north western corner of the site would be for emergency vehicles only. This is a requirement of the Fire and Rescue service on developments over 100 units. There would be no requirement to use this access by vehicles associated with the development as a main point of vehicular access is proposed and meets the required highway safety standards. A rising bollard mechanism or similar can be installed at either end of this access and the pedestrian access to Hall Drive to prevent the use of those access points by vehicles and thereby reduce the potential for noise and disturbance to adjacent residents. This is matter to be dealt with when the layout of the development is to be approved at the reserved matters stage. The management of these arrangements can be included within the Section 106 Agreement. The issue raised in relation to a right of access over Hall Drive (a private road) is a civil matter and is therefore not a material planning consideration. Nevertheless, the installation of measures to prevent vehicles accessing or egressing the development from Hall Drive would ensure that the road could be used only as a pedestrian route by occupants of the proposed scheme.
112. At approximately 28 dwellings per hectare within the developed area, the average plot size of would be approximately 350 square metres in size (although space for the internal roads would need to be deducted from this). This is considered sufficient to achieve a dwelling size greater than the minimum residential space standards proposed in policy H/11 of the emerging Local Plan (85 square metres for a 3 bed house with 5 occupants) and allow sufficient space for 80 square metres of garden space (the upper limit of the standards within the adopted Design Guide) along with the required space for driveways etc to the front of the plots.
113. It is considered that the indicative layout demonstrates that 155 units could be located on the site, with sufficient separation distances retained between properties to preserve the residential amenity of the occupants of the development.
114. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of the occupants of each of the plots within the development.

### **Surface water and foul water drainage**

#### **Surface water drainage**

115. The site is located within flood zone 1 (lowest risk of flooding). The Lead Local Flood Authority (LLFRA) has not raised an objection to the revised proposal.
116. The capacity of the surface water attenuation measures on site would ensure that the proposals meet the requirements of the National Planning Policy Framework by not

increasing the surface water run off rate beyond the existing greenfield level once the scheme has been developed. The surface water run off rate to Callow Brook would be limited to 2 litres per second per hectare and that is considered to be sustainable. Specific details on site levels, existing surface water run off rates, full details of the capacity of attenuation measures, flow control mechanisms and maintenance will be required at the reserved matters stage and can be secured by condition at the outline stage.

117. The details of the surface water drainage strategy can be secured by condition at the outline stage and the means of management and maintenance can be included as clauses in the Section 106 Agreement. The Environment Agency has also raised no objection on the basis that this condition is attached to the decision notice.

### **Waste and Foul water drainage**

118. In relation to Wastewater treatment, Anglian Water has confirmed that the foul drainage from this development is in the catchment of Bourn Water Recycling Centre and that the facility does currently have capacity to treat the additional flows resulting from the development.
119. Anglian Water state in their consultation response that details of the point of connection to the sewerage network will be required to ascertain the impact of the additional flows (depending upon whereabouts along St. Neots Road the connection is made, this will impact upon either Bourn or Uttons Drove Recycling Centres.) This detail can be secured by condition as specific details will only emerge once the layout is to be fixed at the reserved matters stage.
120. Anglian Water raises no objection in relation to the drainage of surface water from the site, subject to the details of these measures being secured by condition.

### **Section 106 contributions**

121. In addition to the County Council in terms of pre-school capacity and the NHS already identified in this report, the Section 106 Officer has confirmed that the site has the capacity to achieve the 155 units proposed and also meet the required provision for formal and informal space on site. As none of the details are to be fixed at this stage, a legal agreement should make provision for an eventuality where equipped open space would need to be provided off site should the proposal at the reserved matters stage involved a scheme which would not meet the Open Space SPD requirement in full through on site provision.
122. As highlighted previously, a contribution of £424,615.42 (sum arrived at through valuation conducted by the developer) to contribute to the delivery of a community building alongside the funding secured via the Grace Crescent scheme for 98 units is considered to be a significant benefit of the scheme. Provision of this facility is considered to be CIL compliant in that it would address the loss of the community rooms at the school (due to a capacity issue arising from this development) but this would be achieved in a self contained development. This would provide a better quality of community space, independent of the school site, in a village where such facilities are currently limited. As there have been less than 5 pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations.
123. A contribution of approximately £45,000 would be provided towards the development of a referee changing room facility (in the form of an extension to the existing pavilion) at

the recreation ground. A contribution of approximately £45,000 towards the provision of play equipment offsite in addition to the onsite provision is to be secured through the Section 106 Agreement. These schemes would enhance the quality of recreation space within the village, in compliance with policy SF/11 of the LDF and are considered to be CIL compliant given the additional demand on the recreation ground facilities as a result of the increased population of the village. As there have been less than 5 pooled contributions made towards these projects previously, these contributions are considered to be compliant with the CIL regulations.

124. The provision of cycle stands and real time passenger information installations referred to previously in this report as enhancing the environmental sustainability of the scheme, would also be secured via financial contributions in the Section 106 Agreement. These contributions are considered to be CIL compliant as necessary to improve the quality of alternatives to the use of the private car, by providing a greater incentive to use public transport, which can be accessed immediately adjacent to the entrance to the site. Footway and bus stop improvements can be secured by condition.
125. The provision of a contribution of £20,000 towards the maintenance of the community transport facility secured via the Grace Crescent scheme would further enhance the environmental and social sustainability of the scheme.

#### **Other matters**

Archaeology and Heritage:

126. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
127. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
128. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
129. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
130. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
131. There is evidence from the Historic Environment Records (HER) that the application site lies in an area of high archaeological potential. Archaeological investigations to the

immediate north of the site have revealed evidence of Iron Age settlement and occupation and Roman settlement and driveway (listed on the HER). Archaeological investigations at Scotland Farm also revealed further evidence of Iron Age settlement. In addition, to the south east at Redbrick Farm is earthwork evidence of medieval settlement. Surrounding the application site is also evidence of medieval and post-medieval cultivation visible as ridge and furrow. These sites are also listed on the HER.

132. The County Council Archaeologist has considered the additional report submitted by the applicant and consider the findings are thorough, concluding that the risk caused by development in this regard is low. As such, no further investigation is considered to be necessary and no specific mitigation is required.
133. There are no listed buildings within close proximity of the site, the closest being in excess of 750 metres to the south east of the site. The majority of the housing stock in the village sits between the site and those buildings. Given the lack of intervisibility between the site and these buildings, it is considered that there would be no harm to the setting of those listed buildings. The site is also a substantial distance away from the conservation area and due to the extent of development in the intervening distance, the proposed development would have no adverse impact on the setting of the designated area.

#### Environmental Health:

134. The Public Health Specialist has reviewed the Health Impact Assessment and considers that it meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
135. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
136. An assessment of the potential noise generated by traffic accessing and egressing the development and the impact that this may have on the residential amenity of the occupants of the properties adjacent to the proposed main vehicular access on St, Neots Road has been submitted. The mitigation measures suggested in the report i.e. the installation of an acoustic fence along the rear boundaries of the properties adjacent to the access route are considered to sufficient to offset any harm to those properties. Compliance with these requirements shall be secured by condition.
137. The site is considered to be a low risk in relation to land contamination and as such it is considered that a phase I contaminated land assessment can be required by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
138. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.

139. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.
140. The applicant has committed to 10% of the energy requirements generated by the development being produced by renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated. It is considered that each of these issues could be dealt with through the imposition of conditions at this outline stage.

Cumulative Impact:

141. Officers have considered this proposal alongside the other large scale application for residential development in Hardwick (the recently approved scheme for up to 98 dwellings on land off Grace Crescent – ref. S/1694/16/OL), where the principle of development relies on the District Council's deficit in five year housing land supply. Each planning application has to be assessed in its own merits. Whilst officers realise that all development has the potential to contribute to a cumulative impact, the CIL regulations require that each applicant must only be responsible for mitigating the impact of that specific scheme.
142. Therefore, officers are of the view that only schemes of a size that would attract contributions to increasing education and health provision can be reasonably included in the assessment of cumulative impact. Officers have considered the cumulative impact of the two schemes on the capacity of services and facilities in Hardwick and have worked with consultees to ensure that they have done the same, including in relation to education provision.
143. The County Council as Education Authority have considered the anticipated population increase from this development and the Grace Crescent scheme referred to above. In relation to early years provision, 46 children of pre-school age (25 eligible for free school provision) would result from the population of this application and 26 children of the same age group (14 eligible for free school provision) would result from the scheme at Grace Crescent. The additional capacity required would be provided within the 2 rooms currently used as community meeting space within the school building (this loss being compensated for via the erection of the new community building). This would mitigate the impact of both of these developments.
144. In relation to the capacity of health services, whilst a specific scheme is not identified, the amount of space required to mitigate the population increase arising from this proposal amounts to a relatively small proportion of the space required per GP according to the NHS England guidelines. The size of the additional floorspace required suggests that this could be achieved through internal modification. If it was the case that a physical extension to a practice was required, there is space to achieve this at the Little Eversden branch of the Comberton surgery which is not significantly further away from the site than the Bourn surgery. If an alternative project is identified, such as utilising space within the community building as a satellite surgery as suggested by the Parish Council, this could be secured through a deed of variation to the Section 106 once a specific scheme is identified. There remains uncertainty about the feasibility of

this project, which would need to be financed by NHS England but officers will continue to work with the NHS and the local practices to see if a solution can emerge once the specification and exact size of the community building is known.

145. Given this information, it is considered that there is insufficient evidence to substantiate a refusal of this application as part of a cumulative effect on the capacity of social infrastructure within Hardwick.
146. In relation to drainage, it is considered that the revised information submitted with this application would achieve the requirement not to result in additional surface water on the site once the development has been constructed. This is evidenced by the removal of the LLFRA's initial objection and the lack of objection from Anglian Water to the proposed scheme. In relation to landscape impact, it is considered that this development would be sufficiently separated from the other scheme to avoid cumulative impact in this regard.
147. Following this assessment, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily when assessed alongside the proposal at Grace Crescent. It is therefore considered that approval of this application is not prejudiced by the outcome of that application.

### **Conclusion**

148. Given the fact that the Council cannot currently identify a five year supply of housing land, policies which restrict the supply of housing outside of village frameworks are out of date and should therefore only be afforded limited weight in the decision making process. In accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
149. The proposed development would provide a significant number of dwellings, 40% of which would be affordable. This is a benefit which should be given significant weight in the determination of the planning application. The provision of a financial contribution towards the provision of a community building (as an extension to the funding already secured via the 98 dwelling scheme at Grace Crescent) would provide a better quality stand alone facility to compensate for the loss of the community rooms within the primary school building, which would be given over to the expanded early years provision. The provision of a self contained community building independent of the school site would allow Hardwick to rank alongside a number of the more sustainable group villages in the District, which the 2012 Village Classification Report recommended for elevation to Minor Rural Centre status in the emerging Local Plan.
150. It is considered that the proposal would not result in a significant adverse impact on the character of the landscape. The proposal would retain a substantial belt of trees along the southern and western boundary and the community woodland in the south western corner would provide a significant 'buffer' to the most sensitive edges of the site in terms of softening the transition from the extension to the developed part of the village and the open countryside beyond.
151. The density of the development is considered to be acceptable, accounting for the need to retain the significant areas of planting along the southern and western edges. It is considered that the number of units proposed could be achieved in a manner that would preserve the residential amenity of neighbouring properties, through the positioning of bungalows on the north western edge of the development, adjacent to the properties on Meridian Way.

152. It is acknowledged that this proposal would significantly exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages by the policies of the LDF. However, in the absence of a five year housing land supply, the key issue is the extent of the services and facilities available in and accessible from Hardwick and whether these have the capacity to accommodate the additional population growth.
153. In addition to the provision of the community building, the proposal would provide a contribution towards the maintenance of the community transport vehicle secured via the Grace Crescent scheme, which would be managed by the Parish Council. This would be a significant environmental benefit of the scheme, alongside the fact that the occupants of the development would be within walking distance of a regular bus service which would allow access to the employment, services and facilities in Cambridge within a relatively short journey time.
154. It is considered that the scheme includes positive elements which enhance social sustainability. These include:
- the positive contribution of up to 155 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
  - the provision of 62 affordable dwellings on site, making a significant contribution to the identified need in Hardwick (currently 44 people within the village currently on the Housing Register) and the wider District
  - significant public open space, including a Local Equipped Area of Play on the site and a commuted sum towards the provision of additional equipped play space elsewhere in Hardwick, a village which currently has a significant under provision in this regard.
  - The provision of a self contained, purpose built community centre building (adding to the funding already secured as part of the Grace Crescent scheme) which would address the fact that the existing provision is considered to be below the required standard.
  - The provision of a contribution towards the maintenance of the community vehicle secured as part of the Grace Crescent scheme, to be operated by the Parish Council, providing an alternative to single occupancy car journey, alongside the regular bus service operating within close proximity of the site.
  - The provision of upgrades to bus stops on St. Neots Road, the provision of 10 cycle stands at the east bounds stop on that road and improvements to the footpath network along St. Neots Road. These improvements would all enhance the environmental sustainability of the scheme.
  - potential to result in an increase in the use of local services and facilities
155. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.
156. Officers recommend that the Committee grants planning permission, subject to the following:
157. **Section 106 agreement**  
To secure provision of onsite affordable housing, the provision of public open space, the management of the public open space and surface water drainage within the development and the community benefits and education contributions listed in Appendix 1, which shall be included in a written update prior to the meeting.

## **Draft conditions**

158.

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit for implementation (within 2 years of approval of reserved matters)
- (d) Approved plans
- (e) Landscaping details
- (f) Contaminated land assessment
- (g) Dust, noise, vibration mitigation strategy
- (h) Details of renewable energy generation (including water efficiency/conservation measures) within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (i) Scheme to detail upgrading of bus stops on St. Neots Road
- (j) Scheme for provision of additional cycle stands adjacent to bus stop on St. Neots Road
- (k) Details of scheme for improving footways and street lighting adjacent to the site
- (l) Foul water drainage scheme
- (m) Surface water drainage scheme (management and maintenance to be secured through Section 106)
- (n) Sustainable drainage strategy
- (o) Tree Protection measures
- (p) Retention of existing planting on site boundaries
- (q) Compliance with flood risk assessment
- (r) Detailed plans of the construction of the accesses
- (s) Pedestrian visibility splays
- (t) Ecological enhancement and habitat management plan
- (u) Site waste management plan
- (v) Restriction on the hours of power operated machinery and deliveries during construction
- (w) Phasing of construction
  
- (x) Compliance with ecological survey submitted
- (y) External lighting to be agreed
- (z) Cycle storage
- (aa) Housing mix within market element to be policy compliant
- (bb) Boundary treatments
- (cc) Waste water management plan
- (dd) Construction environment management plan
- (ee) Details of piled foundations
- (ff) Fire hydrant locations
- (gg) Screened storage for refuse
- (hh) Vehicle Charging Infrastructure Strategy

## **Informatives**

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval – indicative layout plan not to be approved at this outline stage

## **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.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/3064/16/OL

**Report Author:**

David Thompson  
Telephone Number:

Principal Planning Officer  
01954 713250