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<b>APPLICATION NO.</b>	P11/V2453
<b>APPLICATION TYPE</b>	Full
<b>REGISTERED</b>	10 October 2011
<b>PARISH</b>	Garford
<b>WARD MEMBER(S)</b>	Cllr Matthew Barber
<b>APPLICANT</b>	Memoria
<b>SITE</b>	Land east of A338, Garford
<b>PROPOSAL</b>	Construction of new crematorium with new access, parking, gardens of remembrance and provision of land for natural burials.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	443198 195166

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## 1.0 INTRODUCTION

1.1 This is a full application for the construction of a new crematorium on a site approximately 2.1 hectares in area that lies adjacent to the A338, approximately 200 metres to the north of Venn Mill, at Garford. Site location plans are **attached** at appendix 1. The site is triangular in shape and lies east of the road, in the south-west corner of a larger field. The south boundary of the site is marked by a mature but intermittent hedgerow that is generally four metres in height, which lies adjacent to a stream known as Nor Brook. On the roadside boundary is a continuous mature hedgerow approximately two metres high. There is an existing field access from the road in this south-west corner. The site slopes gently downwards from north to south.

1.2 The surrounding landscape is relatively flat and rural, comprised of fields with mature indigenous boundary hedgerows and sporadic blocks of woodland. To the west of the A338, opposite the site, is Bridleway 222/6 which runs at an angle from the road north-westwards to Garford. Approximately 200 metres to the north of the site is BOAT 222/5 (a Byway Open to All Traffic) which runs westwards from the A338 and crosses Bridleway 222/6. Garford village lies approximately one kilometre to the north-west of the site. Field Barn Farm, a collection of five modern farm buildings, lies approximately 500 metres to the north-east. To the south and east of the site lie the flood plains of Nor Brook and Childrey Brook, both tributaries of the River Ock. The course of Childrey Brook is marked by a substantial tree and hedgerow that runs east from Venn Mill.

1.3 The application comes to committee because Garford Parish Meeting objects to the application.

## 2.0 PROPOSAL

2.1 Extracts from the application drawings are **attached** at appendix 2. The crematorium building would be set back 80 metres from the road and would be approximately 24 metres in length and 14 metres in width. It would be approximately 6.8 metres high with a relatively low eaves height of three metres. There would be a single metal flue, 500mm in diameter, and projecting one metre above the ridge. A memorial garden would lie to the west of the building with an area set aside for natural burials near to the north boundary.

2.2 The existing field access would be closed and a new vehicular access would be built from the A338, approximately centrally located within the roadside boundary, to

serve the proposed crematorium. The A338 would be widened to provide a right-turn lane and the roadside hedge relocated behind the new vision splays of 4.5 m x 160 m in each direction. A car park for 35 cars would be provided immediately to the south of the building, with an overflow area for a further 22 spaces. Two new bus stops, one in each direction, are proposed near to the site entrance, with associated footways. A substantial landscaping scheme is also proposed with blocks of semi-mature and heavy standard trees near to the proposed building and significant blocks of trees along the roadside.

- 2.3 The application has been supported by reports relating to planning, transport, need, landscape and visual impact, trees, ecology archaeology and flooding. These can be inspected on the council's website.

### 3.0 **CONSULTATIONS & REPRESENTATIONS**

- 3.1 Garford Parish Meeting has made detailed objections to the application, which are **attached** at appendix 3.
- 3.2 East Hanney Parish Council objects for the reasons **attached** at appendix 4.
- 3.3 Marcham Parish Council objects for the reasons **attached** at appendix 5.
- 3.4 Local Residents – 37 letters of objection and a petition signed by 76 individuals has been submitted. The grounds for objection can be summarised as follows:-
- The proposal is contrary to local plan policy and is in a remote, unsustainable rural location that can only be accessed by car
  - There is no need for the facility - the use of existing crematoria appears to be in decline and the local plan inspector found there was no need when he examined this issue in the mid-1990's – the applicants are creating a demand not meeting a need
  - The quantitative and qualitative analysis supporting the application is flawed and the some of the data used is inaccurate
  - The applicants' appraisal of potential alternative sites is inadequate and more sustainable sites are likely to be available
  - There will be a harmful visual impact on the surrounding landscape – the development will harm vistas of the Downs, the proposed building is not locally distinctive and there will be further harm from lighting
  - The A338 is a dangerously fast and busy road with regular accidents and frequent congestion and is due to take significantly more traffic from the Grove airfield development – the additional traffic from the proposed use will increase danger, especially due to slow-moving corteges and traffic waiting to turn right at the new access close to the Venn Mill bends – there is likely to be increased traffic through Garford village to avoid congestion
  - Traffic and other pollution during construction
  - Harm to local wildlife
  - The site is subject to flooding
  - There will be air pollution effects from the use which cannot be entirely filtered
  - The proposal should be subject to a Screening Opinion for an Environmental Impact Assessment (EIA)
- 3.5 Five letters of support and one letter of observation have also been received.

- 3.6 County Engineer has no objections to the proposed new access arrangements, as they accord with national standards, and, whilst accepting that the site is likely to be accessed by car, does acknowledge that the proposed use is unusual and, consequently, does not object on the grounds of sustainability – these comments are subject to conditions and a financial contribution to local highway works.
- 3.7 Environment Agency has no objections subject to conditions
- 3.8 Natural England has no objections
- 3.9 County Archaeologist has no objections
- 3.10 Countryside Officer has no objections subject to a condition on a reptile mitigation strategy
- 3.11 Environmental Health Officer has no objections

#### 4.0 **RELEVANT PLANNING HISTORY**

- 4.1 A previous application for the crematorium was withdrawn in September 2011 (application ref P11/V1281).

#### 5.0 **POLICY & GUIDANCE**

- 5.1 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and revokes all previous government guidance contained in PPG's and PPS's. However, the NPPF does not change the status of the development plan as the starting point for the determination of a planning application - proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless material considerations indicate otherwise.
- 5.2 The relevant policies from the adopted local plan include policy CF2, which deals with new community development, and states that permission will be granted where the proposal conforms with the general policies of the local plan (particularly to maximise, as far as possible, access for all) and where any new building is within an existing settlement, or is within, or adjacent to, a group of existing buildings in communal use. Policies DC1, DC5 and DC9 require all new development to be acceptable in terms of design, impact on nearby residents and access. Policy NE9 seeks to protect the landscape character of the Lowland Vale, the area within which the site lies.

#### 6.0 **PLANNING CONSIDERATIONS**

- 6.1 The main issues for committee to consider are:- 1) the need for the proposed crematorium; 2) the location and visual impact of the proposal; 3) access and parking arrangements; 4) the impact on local ecology, on archaeology and on flooding; 5) the impact on the nearest residents; and 6) the availability of alternative sites. Local residents have questioned whether a Screening Opinion for an EIA should be requested. Officers consider that, following the EIA Regulations 2011, the scale and nature of the proposal does not qualify for an EIA, and that a Screening Opinion is not necessary.
- 6.2 The first issue is the question of need for the proposed crematorium. The applicants' arguments on need have been criticised for being statistically flawed. To help with this crucial issue officers have commissioned a report from an independent consultant, Roger Tym & Partners, which has assessed the case made for need by the applicants. The report is **attached** at appendix 6 and concludes that there is both a quantitative and qualitative need for a new crematorium in the area. Given this

conclusion, the next question is whether the proposed location is suitable.

- 6.3 The applicants argue that the controls placed upon crematoria mean that it is not possible to find a location within a settlement. The Cremation Act 1902 requires new crematoria to be at least 200 yards (183 metres) from the nearest residential dwelling. The Department of Environment publication “The Siting and Planning of Crematoria” (1978) states that the site of a crematoria should usually extend from two to four hectares and be in a suitable setting to enable mourners to have the benefit of quiet and peaceful surroundings. Consequently the applicants argue that many modern crematoria are located in rural areas, outside of settlements, and are treated as exceptions to normal policies on the sustainable location of new development. Officers have considered other recent planning permissions for new crematoria at Surfleet Lincolnshire, March Cambridgeshire, Braintree Essex, Alford Lincolnshire, and Shepton Mallet Somerset; these planning permissions do support the applicant’s argument about the treatment of new crematoria as exceptional cases.
- 6.4 The NPPF does not change the established mechanism for decision-making, where local plan policy can be outweighed by other material considerations, Policy CF2 of the local plan requires that new communal buildings be located in existing settlements. The supporting text to the policy (paragraph 9.12) states that, exceptionally, new buildings may be permitted adjacent to settlements. However, officers accept that the constraints imposed on the siting of a crematorium mean that it can be treated as an exception to normal policy. In addition to the constraints, the applicants argue that the combination of the hope value on land adjacent to settlements, and the relatively large area of land that they require (at least two hectares), mean they cannot compete with land values that owners anticipate for new housing developments. The independent consultant considers this is almost certainly true but does not consider this is a convincing reason to override the local plan (para 2.19 in appendix 5). However, it is considered that this issue should be given some weight in the assessment of the location of the proposed crematorium. Overall, officers consider the argument that a crematorium is reasonably likely to be sited in open countryside, outside settlements, to be persuasive.
- 6.5 In terms of visual impact the site is located in the Lowland Vale area, which is characterised by long open views punctuated by sporadic blocks of woodland. The applicants have produced a detailed landscape strategy which proposes significant tree planting, in stands up to 15 metres deep, adjacent to the A338, and in blocks within the site to the north and west of the proposed building and car park. Fast growing species such as poplar and willow are mixed with slower growing species such as oak and ash. In addition blocks of semi-mature and heavy standard trees are proposed immediately adjacent to the proposed building and car park to provide quicker screening. The planting strategy has been carefully designed in terms of providing stages of cover. The intention is that the faster-growing species, and semi-mature trees, will provide a relatively quick cover, which will be supplemented over a longer period by the remaining trees. The overall intention is to replicate blocks of woodland and boundary hedging which are characteristic of the area. The existing roadside hedgerow would be relocated into the site to allow for the proposed road widening and visibility splays.
- 6.6 Officers consider that the visual impact of the proposal should be properly assessed in terms of its degree of prominence in available views from the public highway and in terms of the quality of the proposed landscaping and, importantly, how quickly it should provide an acceptable level of screening of the development. The site is visible in views from the north along the A338 from a distance of approximately 500 metres, once one is clear of the group of trees next to the entrance to Field Farm Barn. Views from the bridleway are available south of its crossing of the BOAT, although it is

screened to some degree by intervening hedgerows. Views from the BOAT to the east of the crossing with the bridleway are largely prevented by a tall tree screen. Views from the south along the A338 are screened by trees until one is past Venn Mill.

- 6.7 The landscape strategy is key to the assessment of the impact of the proposal. The proposed building, car parking and access road all have the potential to bring about an urbanising effect and to harm to the character of the area. However, officers consider the proposed planting strategy to be of sufficient quality that, within a relatively short time, it is likely the development will become integrated into the wider landscape to an acceptable degree. Of assistance to this is the fact that the proposed building has a relatively low eaves and a large clay-tiled roof, which is characteristic of traditional rural buildings. The expected overall effect in the medium term (five to ten years) is that the car park should be reasonably well screened by the woodland and hedgerow planting, and although the large pitched roof of the building is likely to be visible through the surrounding trees, the design and appearance of the building in the landscaped setting should not be incongruous in the context of the rural landscape. The access road will remain visible, but such access roads are not uncommon in a rural area. Officers therefore conclude that the visual impact of the development will be moderate.
- 6.8 The screening will improve further in the following years and the site will appear to be an area of woodland that is typical of others in the landscape. It is also considered that lighting can be suitably controlled in terms of the height and power of lamps to ensure an acceptable impact on the surrounding area. A further point to note is that the proposed landscaping is crucial to the success of the proposal in terms of providing the appropriate setting for mourners, which provides assurance that the quality of the strategy will be fully realised.
- 6.9 The third issue is access and parking arrangements. The proposal is to create a new vehicular access and widen the A338 to provide a right-turn lane. The A338 carries 9,500 vehicles per day, to which the proposal would add an estimated 180 movements on days with maximum usage. This represents an increase of only 1.9%. The proposed access arrangements meet national standards and the county engineer has no objections on the grounds of highway safety. It is accepted that the Venn Mill bends are substandard in terms of safety, but there is adequate vision from the proposed access to the bends for the access itself to be safe. Although three bus routes pass the site, with services every half-an-hour, and two new bus stops are proposed, it is acknowledged that the site will be practically accessible only by car. The applicants argue that the site will lie closer to surrounding communities than existing crematoria and will therefore reduce projected future car travel for mourners to the benefit of the environment, but this is strongly disputed by objectors. The county engineer does acknowledge the unusual location restrictions that apply to crematoria and, for this reason, does not object on the grounds of sustainability. The proposed amount of parking is considered to be acceptable. A financial contribution to local highway works is to be secured via a planning obligation.
- 6.10 The fourth issue is the impact on ecology, archaeology and flooding. An ecological survey has been submitted which has found the presence of some species of protected reptiles on the site. A reptile mitigation strategy has been produced. This has been assessed by the Countryside Officer who has no objections. A desk top archaeological assessment has revealed no archaeological issues that would preclude development, and a condition is recommended to enable further investigation and recording work to be carried out. A flood risk assessment and drainage strategy has been submitted with the application. Although the site did flood in 2007 the Environment Agency has determined that this flood was a rare, extreme

event, and outside the one in one hundred year event level that is the standard for assessing planning applications. A sustainable drainage strategy has been devised for the site and the Environment Agency has no objections subject to conditions.

- 6.11 The next issue is the impact on the nearest residents. The nearest dwelling is at Venn Mill, approximately 200 metres from the site. Although concerns have been raised about air pollution the council's Environmental Health Officer notes that the latest abatement technology is to be used in the development and has no objections. Objections have been made regarding noise and other forms of pollution during construction. However, adequate controls exist under other legislation, for example nuisance can be controlled under environmental health legislation. Overall, the impact on the nearest residents is considered to be acceptable.
- 6.12 The final issue is the availability of alternative sites. The applicants have submitted an appraisal of other potential sites within a search area identified to serve the proposed catchment. This is contained in section G of the applicants' Planning Statement. Six other sites were examined, all outside existing settlements, but all were rejected. This appraisal has been criticised on the ground that the number of sites identified is too small and it is claimed that more sustainable locations have been missed.
- 6.13 The recognised approach to be taken on this issue is provided by *Trusthouse Forte Hotels v Secretary of State (1987)*. Here it was decided that where there are clear planning objections to a development on a particular site it may be necessary to consider whether there is a more appropriate site elsewhere, particularly where the development would have significant adverse effects and where the major argument advanced in support of the application is that a need for the development outweighs the planning disadvantages. However, where there are no significant adverse effects, then there is no necessity to consider alternative sites. A major supporting argument in the application is that of need and therefore this matter does require consideration. The Trusthouse Forte approach turns on the question of whether there are significant adverse effects arising from the proposal.
- 6.14 Officers consider the visual impact to be moderate, the access to be safe, the use to be a justified exception to normal policies on sustainable development, and the impacts on nearby residents, and on ecology, archaeology and flooding, to be acceptable. In short there are considered to be no significant adverse effects arising from the proposal and, following the *Trusthouse Forte* case, and other cases such as *Hulme v Secretary of State (2010)*, there is no reason to consider alternative sites.

7.0 **CONCLUSION**

- 7.1 A need for the proposed crematorium is considered to exist. The location of the proposal is not in accordance with local plan policy, but other material considerations are considered to outweigh Policy CF2 and the proposed location, although not adjacent to a settlement, is considered to be acceptable. The proposed landscaping strategy is of high quality and, within a relatively short time, the proposal is likely to be integrated into the surrounding landscape to an acceptable degree. The proposed access is considered to be safe, the level of parking to be acceptable, and there should be no harm to local ecology, archaeology or neighbours. As the proposal is not considered to have any significantly adverse effects, there is no requirement to examine potential alternative sites.

8.0 **RECOMMENDATION**

- 8.1 **It is recommended that authority to grant planning permission is delegated to the Head of Planning Services, in consultation with the Chairman and Vice-Chairman, subject to:-**

- i) The completion of a planning obligation to secure a financial contribution to public transport**
- ii) Conditions to include external materials, landscaping, boundary treatments, slab and site levels, access and road widening, bus stops, footways, parking, lighting, ecology, archaeology, and drainage**

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