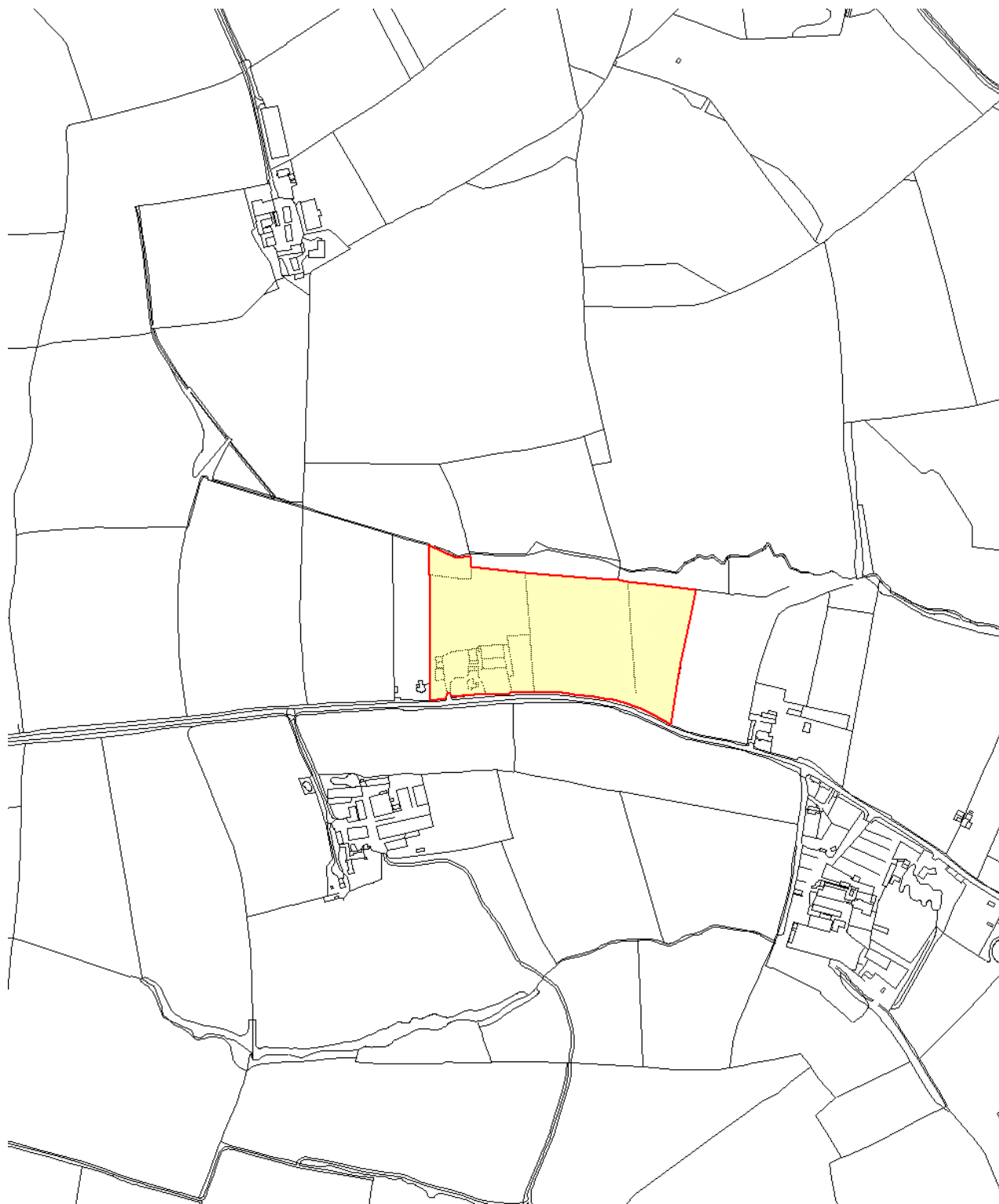


Planning Report for 2012/0799

Location :

Orchard Farm 216 Catfoot Lane Lambley



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site
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APPLICATION NO: 2012/0799

LOCATION: Orchard Farm 216 Catfoot Lane Lambley Nottinghamshire

PROPOSAL: Demolition of dwelling and outbuildings and proposed development of a Crematorium building with memorial woodland, landscaping, nature conservation enhancement works and associated matters

APPLICANT: Mr N Lymn Rose

AGENT: Mr Robert Hughes

Site Description

The application site consists of approximately 4.4 hectares (11 acres) of agricultural land, within the Green Belt for the Nottingham, a Mature Landscape Area and the Greenwood Community Forest. The site comprises open fields, currently in use for horse grazing, and a vacant dwelling and range of outbuildings and stables, which occupy the south-western part of the site. Directly to the north-east of the site is a Site of Importance for Nature Conservation (SINC).

The existing dwelling and outbuildings at Orchard Farm have a combined gross floor area of 905.7 square metres, whilst the areas of associated hardstanding have a gross floor area of 1,685 square metres.

The site is located on the north side of Catfoot Lane, which links Lambley and outlying residential properties and businesses with the B684 Mapperley Plains road. The application site is about 685 metres from the junction of Catfoot Lane with Mapperley Plains and just under 1 mile from the edge of Lambley village, which lies to the east.

There are a number of relatively isolated residential properties, farms, a public house, rugby club and businesses within the general vicinity of the site, including Cottage Farm, The Lighthouse and Brookfields Garden Centre to the south-west; 224 Catfoot Lane directly to the west; Barn Farm, The Travellers Rest public house and Mellish Rugby Football Club to the north-west; Foxhill Farm to the east; and Floralands Garden Centre to the south-east.

The site is bounded by mature hedgerows and trees, and falls steeply in level from its southern boundary with Catfoot Lane to its northern boundary with the Dumble by approximately 17 metres, with a fall of approximately 21 metres measured diagonally from its south-western corner to its north-eastern corner. There is also a fall of 3 metres across the site from west to east.

No public footpaths pass through the site, although Lambley Footpath No.33 runs across the north side of the Dumble, approximately 150 metres to the north of the site, in a north-easterly direction towards Lambley Bridleway No.24. Some 210 metres to the east of the site, Lambley Footpath No.23 runs from Catfoot Lane into the bottom of the Dumble, from where it runs eastwards into Lambley.

Proposed Development

The proposed development is for a crematorium, with a linear plan form, comprising a main chapel and crematorium building, which accommodates a lobby, foyer, family room, public WC's, chapel, committal area, chapel exit, a covered walkway and floral tribute area; administrative areas comprising a reception, interview room, administrative office, staff room, staff WC's, a kitchenette, vestry and music room; and facility areas including a charging room, transfer room, crematory and store room.

Both the chapel and walkway would provide views into the Dumble. It is also proposed to construct a garden store, which would be linked to the main building by a wall containing openings, providing further views into the Dumble.

Associated works proposed include memorial woodland, footpaths, landscaping and tree planting, vehicular access and car parking areas and nature conservation enhancement works, involving the creation of wetlands and extensive native tree planting.

The proposed crematorium building would be located on gently sloping land, just over halfway down the site and on its eastern side. The finished floor level of the proposed crematorium building would be approximately 8.3 metres lower than the highest part of the site, the south-western part of which also contains the existing dwelling and associated outbuildings of Orchard Farm, adjacent to Catfoot Lane. It would measure a maximum of 79 metres in length by a maximum of 18 metres wide (including the porte cochere and garden store), with a flat sedum or zinc roof containing roof lanterns, and having a height ranging between 4 metres to 7.75 metres and a stack height of 8.25 metres.

Whilst the site has a total area of approximately 4.4 hectares, the proposed crematorium building would have a gross floor area of 555 square metres (800 square metres including covered areas) and the car parking areas and driveways would cover an area of approximately 3995 square metres, resulting in a total developed area of just under 0.5 of a hectare.

The proposed crematorium would have a seating capacity of 96, with space for an additional 88 seats and would provide a total of 67 car parking spaces. A number of spaces for the main funeral cortege cars and private buses would be provided in addition to the visitor car parking areas, together with bicycle and motorcycle parking.

Access into the site would be gained directly from Catfoot Lane via a new access through the existing hedgerow, approximately 900 metres from the junction with Mapperley Plains and approximately three quarters of the way along the site boundary with Catfoot Lane. The proposed access would consist of a minimum 6 metres wide carriageway from the site entrance to the proposed car parking areas, beyond which funeral vehicles would enter a one-way, circulatory access system, on narrower internal roads.

It is stated that design and mitigation measures are integral approaches that have been adopted as part of the iterative design process. This process has considered the optimum location for the development within the site, with the proposed building sitting much lower in the landscape than the existing buildings, together with matters of access and drainage, including linear ponds and swales to provide water attenuation, whilst also addressing landscape features on the site and the provision of a Green Infrastructure framework.

Although the siting of the proposed main building has not changed, a revised Site Layout Plan has been submitted, showing an amended landscape scheme with a low intervention approach and more informal tree planting, including reinforcement tree

planting along the northern boundary, an existing apple tree retained and soft landscaping on the site of the farm buildings. In addition, the revised plan shows the removal of the following:

- Memorial woodland & footpaths;
- Parkland area
- Low level mounding
- Small and scattered trees
- New hedgerows.
- Ornamental planting
- Bulb planting from various areas

Additional information, details and revisions have also been submitted, showing:

- A redesigned site access and internal layout arrangements and a vehicle swept path analysis
- Revised elevations and cross-sections through the site, showing a reduced height retaining wall on the northern side of the building and the terracing of the watercourses
- A contour plan to reflect the changes to the site layout and clarify the extent of earthworks, finished levels and gradients
- Existing and proposed visual impact viewpoints to support the Landscape and Visual Impact Assessment in assessing the level of impact that the scheme would have on the landscape character of the site and surrounding area
- A landscape context drawing to illustrate the impact of the proposal in context with the surrounding area
- Illustrative Lighting Details, including a statement that the use of lighting would correspond with the opening hours of the proposed crematorium (9.00 am to 5.00 pm Monday to Friday, and 9.00 am to 1.00 pm Saturdays, so even in winter months there would only be a need for general lighting for a very short while first thing in the morning and towards the end of the day.
- Cortege Routes
- Stack Height Calculations

As part of the proposed development, all the existing buildings currently within the site would be demolished, resulting in an overall decrease in the amount of built development on the site.

The application is accompanied by a Design and Access Statement, Ecological Walk-Over and Bat Survey, Flood Risk and Run-Off Assessment, Landscape and Visual Impact Assessment (LVIA), Landscape Management Plan, Arboricultural Implications Assessment and Arboricultural Method Statement, Statement of Need, Site Search Information, Transport Statement (including Travel Management Plan), Archaeological Desk-Based Assessment.

The scheme has been independently considered by the OPUN Design Review Panel, at the request of the applicant's design team and apart from the Borough Council's

application process. In summary, the Panel praised the strong design and sustainable concept for the development, which was considered to be a logical and thoughtful response.

In subsequent submissions in response to CCOG, Lymn state that it never claimed that the theoretical capacity of crematoria in Nottinghamshire is less than the total number of cremations required in the County. However that balance is not important because of other factors such as

1. distance of travel
2. time taken to travel
3. suitability of times available
4. the waiting times for suitable available times.

Lymn then goes on to rebut the evidence about core slots presented, arguing that both the number of core slots and the days available has been exaggerated.

Further information was provided in March 2013 regarding the time between death and funeral taking place, after what was said to be a change in working practices at Wilford Hill. This information showed that there had been an increase in the average time between death and funeral for Lymn clients.

Full details on 'need' are included in the Introduction Report.

A Technical Briefing by the applicant and agents was held for members of the Planning Committee on 28th January 2013. This was also attended by members of the public.

Consultations

Local Residents & Businesses - have been notified by letter, site notices have been posted and the application has been publicised in the local press.

I have received 793 emails and letters of representation¹ which raise objections, concerns or issues on various grounds to the proposed development in response to consultation on the proposals, as originally submitted or following the submission of revised plans and additional information. These representations have been made direct, by planning consultants on behalf of the occupants of 5 properties in the vicinity of the site and the other applicant, Westerleigh Group Ltd, or via Members and the local MP, and can be summarised as follows:

Green Belt Issues

Policy

- This represents inappropriate and harmful development of undeveloped Green Belt land, as it is not a type of development defined by saved Local Plan Policy ENV26 as being appropriate development in the Green Belt. The two relevant purposes of including land within the Green Belt are to prevent the unrestricted sprawl of built-up areas and to safeguard the countryside from encroachment. To allow this development would be in clear breach of what Green Belt land is there for.
- It is understood that there has to be special reasons to allow development within the Green Belt, which neither application has shown, or that they have made a robust enough case to show there are no other suitable sites. It has not been demonstrated

¹ This figure does not include additional letters from the same respondent in respect to the revised plans or additional information.

that there is a proven case based on need for what would be a fifth crematorium within Nottinghamshire.

- The applicant has failed to demonstrate that very special circumstances apply which outweigh the substantial harm caused to the Green Belt by reason of inappropriateness, the encroachment of building on undeveloped land, and any other harm. The encroachment of a large building with extensive hard surfacing on undeveloped land will be clearly visible and would have a harmful effect on the openness of the Green Belt and the purposes of including land within it, contrary to Local Plan Policy ENV26 and the National Planning Policy Framework (NPPF).
- The fact that there are already buildings on the application site is promoted as a further virtue of the proposal, particularly in terms of seeking to offset the harm to the openness of the Green Belt caused by the proposed development. However, it is contended that this land has never been previously developed and that whilst the farmhouse and outbuildings are proposed to be removed, their use comprises one that is already regarded as appropriate within the countryside and the Green Belt. The removal of buildings which are considered appropriate within the countryside and the Green Belt (and indeed within the landscape character area) to make way for a form of development comprising a wholly inappropriate use therefore does not appear to be as beneficial as indicated.
- The applicant's argument of building on an existing site is not valid, since they are proposing to demolish a residential property and replace it on a totally different footprint much further down the valley (almost in the Dumbles). Demolishing these buildings does not mitigate for building on what is currently a greenfield site.
- The Green Belt issue is of major concern. The Lambley Dumbles is what Lambley is famous for and everything should be done to keep this local heritage. It would be a shame if Lambley were to become associated with a crematorium in the same way as Wilford and Bramcote have, and which have also had new road schemes over the years to increase capacity and widen access roads. If Lambley were to go the same way, it would soon no longer be a village, but part of the urban landscape.
- It is understood that owing to the need to build 200 yards away from the nearest dwelling, the proposed crematorium will be built on Green Belt land which has not previously been developed. This increase in the distance will lead to sporadic development, culminating in the conflict of two of the purposes of including land within the Green Belt – checking unrestricted sprawl of built-up areas and safeguarding countryside from encroachment. This will clearly result in the character of the area being altered detrimentally and irreversibly. The proposed development will therefore prejudice both of these purposes.
- The applicant cites the need for the facility and the lack of suitable alternatives as the very special circumstances. However, these arguments are both flawed, as existing facilities in the Greater Nottingham area already cater adequately within capacity for the needs of the population and there is no urgent need for expansion.
- Given that both Wilford and Bramcote exist (as well as Mansfield and Ollerton) and have, over the years, had improved accesses, it would be more sensible to explore ways to upgrade these facilities further.
- The Government has recently emphasised its support for retaining Green Belt land in preference to building elsewhere.

Need

- An urgent or overriding 'need' for the proposed crematorium or cemetery has not been proven.
- The applicant refers to a 2005 Services Scrutiny Committee Report, which recommended that the Council embraces and encourages the private sector to assist in the development of crematoria, in pointing to a clear and demonstrable need for a new crematorium in this part of Nottingham. However, in the Oxton Road appeal four years later in 2009, Inspector Novitsky also made reference to this, yet concluded that he saw no strong evidence of an overall shortage of capacity provided by existing facilities in the area, even within the preferred core hours. The application also notes that, despite the passage of time, the need for a new crematorium has still not been met.
- Crematorium figures available in the public domain suggest that cremations from 2009 to 2012 have actually decreased [statistics have been submitted in respect of this point, and evidence provided by Westerleigh confirms that the annual death rate and cremation numbers have remained fairly constant, which does not justify another crematorium. Even if it was accepted that there was a general need, this has clearly not become more acute over recent years as to warrant it being described as an urgent, desperate or overriding need.
- If, owing to existing or future capacity levels at Bramcote or Wilford Hill crematoria, there is a requirement for a new crematorium, it is quite feasible that such a facility could be secured within one of the adjoining authorities similarly comprising part of the overall catchment area.
- The four crematoriums at Wilford Hill, Bramcote, Mansfield and Ollerton are operating at well below 50% capacity, proving that there is not any need for a fifth crematorium/cemetery. Wilford Hill has also just had a £600,000 facelift and is an excellent crematorium. The applicant's desire to build a crematorium at this site is solely for commercial reasons and, in claiming all the supposedly needed cremations for this proposal, there is absolutely no need for a second crematorium.
- The applicant states that they will be conducting four to five funerals per day. This will not significantly reduce pressure on the existing four crematoria, giving doubts about the viability of such a project. Extra capacity could be found if existing crematoria were to open on Saturdays.
- There are already two crematoria serving this area, Mansfield and Sherwood Forest, which have been dismissed as not being local, with a total of four crematoria in the overall City and County area, which is more than much larger cities. Five crematoria are definitely not needed, especially to the detriment of this historic landscape.
- No weight should be attached to the conclusions of the applicants residents survey, given the leading nature of the questions and the unqualified context of the survey. The results of the survey simply indicate a preference rather than a demand for the type and location for a new facility, something previously recognised by Inspector Novitsky [see Introduction Report].
- Doubt is raised over whether the purported delays can truly be attributed to Bramcote and Wilford Hill being too busy to cope, as suggested.

- None of the existing crematoriums are so far away that they are difficult to get to by all forms of transport. An average car journey to Mansfield Crematorium takes about 20 minutes from Arnold Town Centre, whilst a journey from Catfoot Lane to Bramcote Crematorium takes 25 minutes to cover just over 9 miles. Funeral corteges may commence and conclude their journeys at a slow speed, but generally keep up with the flow of traffic.
- The aspiration of no more than a 30 minute drive for mourners is flawed as family and friends often live at a distance and therefore this 30 minutes distance can rarely be achieved, a principle noted by Inspector Novitsky in 2009 [see Introduction Report, with funerals more often being held close to the deceased's residence rather than a central point for mourners. A journey time of 5 or 10 minutes more would not warrant the release of land from the Green Belt in advance of the Local Development Framework process.
- The average person attends no more than twelve to fifteen funerals in a lifetime. In all probability, some of these funerals will occur outside of Nottingham, or even abroad, bringing the actual number down. No one has been heard to complain that twenty or five minutes is a long time in travelling to attend the funeral of a loved one. It is suggested that none of the present crematoria in Nottinghamshire are too far away (under thirty minutes maximum) for mourners to attend. Some mourners, who attend funerals for friends or relatives in other cities, have considerably longer journey times, in excess of thirty minutes. Some possibly incorporate over-night stays, but most mourners expect to undertake these journeys. The main beneficiary of shorter journey times would surely be the applicant.
- Apart from a few specific requirements by users, most families want a reasonable time to contact all friends. For most people a 10 to 14 day delay is acceptable for time to put a notice in the paper and to cancel other appointments to give time to attend a funeral.
- The delays for services are due to requests from family members in order to facilitate arrangements rather than there being a lack of capacity within nearby crematoriums/cemeteries.

Alternative Sites

- It is understood that to grant planning permission in the Green Belt a full investigation of available alternative sites which are not designated as Green Belt has to have been carried out and ultimately proved that alternative suitable sites do not exist, especially those of brownfield designation. It is not considered that the search exercise has been either robust or conclusive in demonstrating that this is the only suitable site in the Green Belt, which may be attributed to the applicant's need to rush the preparation of the application.
- There are many other suitable sites for a development, and in a previous application for a crematorium near Calverton, the applicant identified several alternative sites which were being considering. At that time, it was stated that Catfoot Lane had been discounted as not viable and an inappropriate site for such a development, being within the Green Belt. It is difficult to understand how both applicant's now believe that Catfoot Lane is viable.

- There has been extensive mention of the former Gedling Colliery site, which is a brownfield site being acquired by the Borough Council, which would appear to offer such an alternative site.
- The former Household Waste Centre, which has no dwellings affected by the 200 yard rule, has the necessary infrastructure being served by roads which could cope by the extra traffic with a bus stop at the end of the entrance drive. As the site is brownfield, any required screening earthworks could be carried with no detriment to Green Belt land.
- There are surely a number of brownfield sites on this side of the Borough more suitable for this project, given that this type of site should be considered ahead of any Green Belt sites, such as the former Calverton Colliery site, which is no great additional distance, or at the vacated tip on the A614.
- Other sites could be found along the A60, A614 with better access and more suitable for a development such as this, such as around the Calverton/Ravenshead locality or within the Ashfield and Newark and Sherwood areas. Even if need was proved, a development such as this should be located alongside or very close to one of the major roads, rather than in a quiet Green Belt location.
- The site of the previously refused application on land off Oxton Road seems a much better place.
- The site search has been unnecessarily limited to sites of around 10 to 12 acres, meaning that smaller sites which may otherwise have been potentially more suitable would have been automatically discounted (as demonstrated by the revised Westerleigh application). This is another flaw in the robustness of the exercise.
- The application site, comprising farmhouse, agricultural outbuildings and extensive areas of open Greenfield land, the latter comprising the majority of the site, cannot be regarded as previously developed land for the purposes of the NPPF.
- The applicant's lack of suitable alternatives is based on outdated information from pre-existing Council plans that are no longer relevant, such as the Gedling Colliery site which is no longer a household waste facility.
- No in-depth information has been supplied to enable a judgement to be made as to whether or not the sites considered by the applicant were unsuitable. In considering the current preferred site, the applicant has overlooked the Mature Landscape Area designation and the fact that the site is adjoining the bottom Dumble, an historic and environmentally rich area.

Landscape Issues

- Lambley Dumbles and the proposed site is designated a Mature Landscape Area and is of unique visual and historic significance. As such, it is a particularly sensitive and special landscape, which should be protected from inappropriate development and encroachment. The applicant has failed to demonstrate that there are reasons for the proposal that clearly outweigh the need to safeguard the area's intrinsic value, contrary to saved Local Plan Policy ENV37 and the NPPF.

- The typical farm buildings located towards the front of the site form part of the existing character of the area. To demolish these and build an ultra contemporary commercial facility would severely compromise the rural landscape.
- The site was purchased by the applicant at auction. The immediate risk to the applicant is that planning permission will be refused if they contravene the '200 yard' rule. However, if they acknowledge the rule, then demolishing existing buildings will necessitate a new building not on the footprint, but on virgin greenfield land. This is unacceptable and severely undermines their application when other potentially suitable alternative sites have been ignored. They have sought to protect their investment by disregarding basic planning regulations.
- The suggestion that the proposed landscaping will be of 'outstanding high quality, capable in its own right of justifying the grant of planning permission' is both calculating and misleading. The natural beauty of the existing landscape totally transcends any contrived landscaping planted for the purpose of screening a substantial development in open countryside. Flora and fauna already exist in abundance in this area and an ultra modern building will not encourage wildlife. Old farm buildings are usually the preferred habitat of many different species of wildlife.
- The proposed development is significant and substantial in size that will harm and dramatically alter this open, expansive and attractive local landscape. This is unique Nottinghamshire Dumbles landscape that has Mature Landscape Area designation. The proposed development would adversely affect the appearance of the area by reason of its scale, bulk, form, layout and materials, contrary to Local Plan Policy ENV1 and NPPF.
- The LVIA acknowledges that the proposed development would have an effect upon the local landscape character area and reliance is placed on the line of Poplar trees along the northern boundary of the site which serve to help screen the site from the north and north-west. However, the future of these trees is uncertain, as they are outside the applicant's control and the adjoining landowner has a vested interest in the rival application by Westerleigh. Without these trees, the proposed development would be far more visible from the nearby public footpath and wider area and there is no mention in the LVIA of the time for the additional screening proposed to become effective. The adjoining landowner has confirmed that these trees are to be felled.
- The associated infrastructure, inevitably including both internal and external lighting, and significant additional landscaping required to help screen the development, will also combine to irreversibly alter this part of the local landscape, which has remained unchanged throughout the years, something recognised through its Mature Landscape Area designation.
- The proposed site has no regard for the historic field boundaries and instead intends to create arbitrary new ones that do not take into account the important historic Dumbles landscape.
- The landscape will be detrimentally and irreversibly altered by this substantial development. It will be very easily seen from many vantage points, including the B684 and the Travellers Rest to the north/north-west of the site, and will inevitably attract attention. There will be significantly less natural screening for the 5 months of the year when there are no leaves on the trees and hedges.

- Lambley is a village surrounded by open countryside of outstanding natural beauty, including numerous footpaths and bridleways, which are used frequently.
- The footpath that runs towards Lambley House and onto Bank Hill has tremendous views back towards Catfoot Lane and Spring Lane, as well as Leicestershire and Lincolnshire, so these buildings cannot be masked from the landscape.
- The removal of a large part of the hedge along Catfoot Lane, to make way for the access and visibility splays, will result in further views of the proposed development from this direction.
- There will be extensive car parking areas with regimented layouts and associated landscaping, alien to the rolling rural character of the area, and intrusive and visible from outside the application site which cannot be absorbed into the rural landscape.
- What is presently a traditional open agricultural field will become a substantial commercial development. Associated lighting will only serve to attract attention to the proposed development, and will alter this landscape detrimentally and irreversibly.
- The crematorium may be extended in the future. Although the applicant has stated that there will be no more than 5 funerals per day, this is a business which will want to increase its turnover.
- The addition of a footpath along Catfoot Lane to serve the proposed development would not be an improvement, as it would have an urbanising effect, which would destroy the existing character of the lane, with its planted grass verges.
- The peace and quiet, views and lack of traffic and light pollution in this undeveloped Green Belt location would be compromised if the application is accepted.
- The proposed development is substantial in size and would become yet another blot on the landscape.
- The LVIA fails to provide any assessments of the effects of light pollution caused by the proposed development, both from within the building and the outdoor areas during the winter months, in an area that is otherwise largely devoid from artificial light in the evenings. No details of any required lighting have been included in the application.
- Although far from preferable, perhaps one such establishment could be landscaped effectively, but to approve both would result in the entire environment surrounding this unique area being changed irrevocably and permanently.

Highway Issues

- Catfoot Lane is a narrow country lane of restricted width (ranging between 4.15 metres to 5.85 metres, uneven camber and high hedges, which is already very busy and dangerous. It struggles to cope with the numerous large lorries, farm vehicles, vans and fast cars, while at the same time being frequently used by horse riders, cyclists, joggers and walkers. This is on a road that has no public footpaths, road markings or street lights and which is set at the national speed limit of 60 mph. Residents of Catfoot Lane know the difficulties of this road, on which traffic often exceeds the speed limit, making it difficult for pedestrians and cyclists who live along the road or who are visiting the Dumbles and local farmers in the course of their work.

- There are many tight, narrow and sharp bends where school buses and even regular sized cars struggle to pass, often being obliged to stop or move onto the grass verges where the edges have become eroded and dangerous [photographs have been submitted in respect of these points]. There have been a number of incidents, accidents and near-misses along its length, particularly at the 'S' bend and the last bend where the lane descends to the village centre and Lambley Primary School (situated at the junction of Catfoot Lane and Main Street). Some school children have to walk up Catfoot Lane to their homes. Extra traffic, especially funeral convoys, will only make this lane more dangerous (there were two accidents within three days during the first week in July 2012).
- New major development in the area would instantly increase traffic onto the road and increase problems. It is difficult to accept claims that there will only be a minimal increase in traffic if this development goes ahead, as the facility would generate visitor and staff traffic in addition to funerals. The Lambley Parish Plan identified Catfoot Lane and the junction with Mapperley Plains as dangerous several years ago, any application which will increase traffic (especially long and/or wide vehicles such as this one), should be refused on highway grounds as the road is not suitable, being used by walkers and often people on horseback.
- Concern is expressed on highway safety grounds as to whether the proposed visibility splay is attainable in both directions without the loss of a significant length of hedgerow, or whether the appropriate visibility splay is achievable at all. There is insufficient detail provided to clarify this and the applicant's Highway Consultant has chosen the least onerous visibility splay, which is contended. Planning permission should therefore be refused on highway safety grounds, being contrary to Local Plan Policy ENV1 and paragraph 32 of the NPPF.
- Visibility to the left [east] when exiting the proposed site, appears to be restricted by a bend in Catfoot Lane in this direction. The roadside hedgerow at this point would also appear to be outside the control of the applicant, which would restrict any required hedge trimming to improve visibility.
- The site entrance is in an extremely dangerous position, adjacent to a corner, with evidence in the hedge of previous accidents. A large section of the hedge would need to be removed to achieve the visibility splays, which may not be achievable and would make the proposed development more obvious.
- The junction of Catfoot Lane and the B684 is unsuitable, difficult and potentially dangerous for use by a large number of slow moving vehicles travelling in convoy, due to its emergence at a blind spot following a dip in the road and the speed of traffic travelling towards it along the B684. There have been numerous accidents and near misses at this blind junction.
- There will be an increase in traffic using the junction of Catfoot Lane and the B684, despite the applicant's assertion.
- Turning left or right out of Catfoot Lane onto Mapperley Plains is always difficult and delays are common, with traffic along the B684 driving at 60 mph or above. Looking right at the top of Catfoot Lane is a small brow. Speeding traffic only appears there very quickly and so there is only a short time to make the necessary turn out of Catfoot Lane.

- Adding slow moving funeral traffic to this junction would be extremely dangerous. This would be exacerbated when an incoming cortege meets an exiting cortege, trying to find space in the traffic on Mapperley Plains.
- The access is compromised by a rising blind bend, exponentially increasing the risk of accidents, especially for those who are strangers to the area. Given the slow moving nature of funeral vehicles, any shortcomings in the junction design could have disastrous consequences.
- The anti-skid surfacing recently provided at the junction of Catfoot Lane with Mapperley Plains can only have been deemed necessary where problems had previously occurred.
- Additional traffic in the vicinity may cause danger and problems to members of the nearby Mellish RFC, including members of the junior section.
- Additional slow moving traffic would be generated from some distance to this rural area and through the villages of Lambley, Woodborough, Calverton and Lowdham, as well as Arnold, Gedling and Carlton, as it is not possible to legislate which route mourners or funeral corteges will take. The issue of transport packs to each funeral director may be useful, but the reality is that corteges will travel by the route that suits them. This increase in traffic will be on an inadequate road infrastructure, which is already overloaded with traffic and the nature of the vehicles will further exacerbate the issues and cause congestion in the villages.
- This development will have a knock-on effect for the whole of the area in terms of increasing traffic numbers, as vehicles visiting the crematorium will certainly use both ends of Catfoot Lane.
- The B684 is single carriageway virtually all the way from the City to Lime Lane, so an increase in traffic is to be expected along this arterial road, with frequent delays for slowing moving funeral convoys as they negotiate the narrow road lanes near the Mapperley shops and the two mini-roundabouts at the Spring Lane and Coppice Road junctions.
- It is doubted that the applicant would wish to see the operation of the crematorium restricted in terms of numbers of funerals per day and per year and the level of activity on site promoted within the Travel Management Plan and Transport Statement cannot be adequately controlled to such an extent by planning conditions.
- Residents of Catfoot Lane for five years, who travel along it by car, bicycle and foot, know that the road and junction with Mapperley Plains is always busy.
- There will be a substantial increase in traffic due to the number of people simply visiting the proposed crematoria, even when funerals are not taking place. Traffic lights, pavements, road markings, street lighting and a lower speed limit may all be required for safety reasons at the road junction and the whole of Catfoot Lane may require upgrading, to the detriment of the rural area and possibly at public expense, which would be hard to justify in these times of austerity.
- The provision of signage on Catfoot Lane in an attempt to control traffic flows would make the situation worse and lead to vehicles making three-point turns or be detrimental to the listed building at the bottom of Catfoot Lane.

- Funerals often generate business for local public houses and this would result in further movements of traffic at regular intervals throughout the day and towards the end of the crematoria working day, meaning that these additional movements would not necessarily fall outside rush-hour times.
- Everyone walking along Catfoot Lane is aware of the great risk from all types of residential, commercial and agricultural traffic. There are currently no pavements or footpaths at any point along Catfoot Lane and it would not be acceptable for people to walk to the proposed crematorium along this dangerous lane, either from Mapperley Plains or from Lambley village [photographs of the lanes narrow blind bends have been submitted in respect of this point].
- The proposed development would fail to provide a safe and suitable access to the site, contrary to Local Plan Policy ENV1 and the NPPF.
- The figures promoted in the Transport Statement cannot be relied upon without planning conditions to restrict the operation of the proposed crematorium in terms of numbers of funerals per day and per year. Such restrictions are unlikely to be acceptable to the applicant.
- There is no regular public bus service down Catfoot Lane, with the nearest bus stop is over 1.1 kilometres away. Despite the applicant's claims that the distance is walkable, this cannot be described as a reasonable walking distance. Most mourners will have to get there by car or taxi, which will lead to a substantial increase in the volume of traffic on Catfoot Lane, particularly when mourners from one funeral overlap with outgoing mourners from another funeral, effectively doubling the number of cars using the lane at any one time and increasing their distress due to delays.
- Lambley Primary School and the associated playing fields are situated almost on the junction of Catfoot Lane and Main Street, which is already a dangerous place for children to cross the road or to be dropped off or collected.
- The junction of Church Street with Park Lane in Lambley is already extremely busy and any additional traffic, particularly slow moving traffic, is only going to exacerbate this.
- The introduction of the bus plug on Burton Road encouraged many drivers to commute via Lambley and, despite recent changes, they have stayed with this route, creating road safety dangers in the village for the young and old. Funeral corteges and other visitors to the proposed crematorium from the east side of Nottingham would also approach via Lambley, increasing traffic problems and congestion further.
- There will be an increase in traffic through Lambley to access the proposed facility, causing congestion, delays and potential vehicle conflict along what is already a cut through between the A612 and the B684 Mapperley Plains.
- The proposed crematorium is even further down Catfoot Lane than that proposed by Westerleigh, so the applicant cannot use the argument that only one end of Catfoot Lane would be affected. It is also close to the Floralands Garden Centre business and traffic.
- The B684 Mapperley Plains is already congested and this part of Gedling is badly served by a proper road system. If this and other proposed developments go ahead,

the inconvenience for local residents in the area will only increase. The volume of traffic entering or leaving the nearby Brookfields Garden Centre often causes hold-ups, tailbacks and general congestion on this road.

- The increased traffic will pose a danger to horse riders and disrupt livery yards businesses on Catfoot Lane.
- Access may be difficult from local roads during the winter months, when they often become impassable due to ice and snow. This has not been taken into account by the Highway Authority assessment.
- There are no very special circumstances with respect to highway considerations for locating a crematorium on Catfoot Lane, which is required for inappropriate development within the Green Belt.
- If permission is granted, Catfoot Lane should be widened from Lambley village to Mapperley Plains. The junction should have a mini-roundabout or traffic lights should be installed and a footway provided at least down to the site.
- If one application is to be allowed, it should be application no: 2012/0616, with the condition that a direct access from the B684 is provided and a suitably designed and safe junction with that road, such as a roundabout, forms part of the approved design.

Sustainability Issues

- The application site is located some considerable distance from the main urban area and clearly comprises open countryside for planning purposes.
- The nearest bus stop is approximately 1.5 km away, which is clearly beyond reasonable walking distance. Even if it were, there are no footpaths along Catfoot Lane which would link the proposed crematorium to the bus stop.
- The location of the application site is considered to be in an unsuitable and unsustainable location with complete reliance on the private car.
- The proposed development would give rise to a significant number of car borne journeys on a daily basis.
- Despite the applicants Highway Consultant suggesting that public transport accessibility should not be a major factor when considering site suitability, this was specified as a requirement of the site search exercise.
- The '200 yard' rule is not accepted as a means of automatically discounting a more sustainable site, as careful design to utilise areas for screening, landscaping and car parking within the exclusion area could achieve a much more efficient layout and use of land. Such an alternative approach would enable a site much closer to the existing urban area, in a much more sustainable location, and prevent large areas of land from being wasted, as is the case with the current site. This casts further doubt on the size of site considered as part of the site search exercise.
- Despite a significant proportion of the site being used to provide landscaping and wetland areas, and proposed as a virtue of the scheme, in its simplest form this is a requirement to ensure that the additional surface and storm water run-off generated by the proposed development can be satisfactorily managed.

- The notion of 'miles saved' appears flawed since this appears to assume that all vehicles will make the same journey. This point, and the '30 minute' journey time argument was recognised by Inspector Novitsky [see Introduction Report] in the Oxton Road appeal.
- It is spurious to claim that a significant number of journeys will be taken off the ring road, as there is no clear evidence of the route taken by cars per cremation.

Pollution Issues

- The quality of air will be affected and pollution in the form of smoke, ash, toxic gases, specifically mercury vapour from dental fillings, will be emitted.
- The prevailing wind is westerly and would funnel pollution straight down the valley into Lambley. Local properties and walkers will be at risk as a consequence, especially those on the 200 yard minimum border.
- There will be greenhouse gas emissions and traffic fume. Emissions from the proposed crematorium will have an adverse impact on local residents.
- There is potential for future leakage of foul water from the site into the stream.
- The proposed development will require lighting and more street lighting may be needed, which will introduce light pollution into what is now an unlit area of Green Belt and Mature Landscape and further highlight the location of the facility.

Water Environment

- At the lowest point of the site there is a watercourse which forms the Lambley Dumble, which causes concern as to how drainage is going to be dealt with.
- Laying large areas of tarmac on this Green Belt site will cause a huge increase in surface water run-off into the Dumbles, with no adequate mitigation.
- Surface water run-off during heavy rainfall will pass via Cocker Beck into the village and exacerbate existing flooding problems and costs.

Amenity Issues

- The proposed development would have a significant adverse effect on the amenities of the locality in general by reason of the level of activities on the site and the level of traffic generated, contrary to Local Plan Policy ENV1 and the NPPF.
- It would be impossible to screen the sites effectively from nearby properties and businesses, which are located within a picturesque landscape, which should be protected.
- Barn Farm is a residential property which will look onto the proposed development, as the topography does nothing to assist screening from this direction and Nottingham Road, nor would additional screening assist due to the fall in the land.

Ecological Issues

- The Dumbles landscape offers a natural habitat to many species of indigenous plant species and wildlife, which should be protected in order to safeguard the natural diversity and survival of these species in the future.
- The proposed development is immediately adjacent to the Lambley Dumbles and would be particularly damaging to the sensitive local environment.

Design Issues

- The site is not particularly suited for the proposed development, as it is steeply sloping from the road. It is therefore unsuitable for the disabled, infirm and elderly.
- Whilst the applicant's team might consider the design to be outstanding, many local residents are of the view that the modern design represents an incongruous feature within this highly sensitive rural and historic landscape, much used by recreational walkers. Rather than comprising a virtue, many local residents consider that the design would have a detrimental effect on this quiet, rural and most attractive part of the Green Belt countryside and Mature Landscape Area.
- The amount of landscaping only serves to highlight the sensitivity of the landscape setting and the consequent need to work extremely hard to attempt to minimise the visual harm caused by the proposal, both in terms of the physical building itself and the day-to-day activities arising from the use.
- To achieve construction at the proposed location, very extensive earthworks and plateau construction would be required.
- The proposed building touches the 200 yard line from two neighbouring properties.

Other Issues

- Given that the review of the Local Plan is under way, this application is considered to be premature pending the outcome of the Local Development Framework (LDF) process.
- As part of the Local Plan review and localism, as championed by the Prime Minister, all the Borough's residents should be consulted on more appropriate sites for a crematorium, if it is concluded that there is an operational need for an extra facility over the forthcoming period.
- It would appear to be advisable to wait for the outcome of this review before making decisions on major services such as this, especially those which will affect local communities and the Green Belt.
- The recent publication version of the LDF is silent on this matter. Given that the draft Core Strategy has been aligned between the very local authorities within which Bramcote and Wilford Hill crematoria catchment areas lie, some reference to the identified need for such a facility would have been expected, particularly since the increase in new housing will inevitably give rise to the need for associated infrastructure over the next plan period.

- Consultation by the prospective developer for local residents has been inadequate, given the nature of the business proposed. The prospect of a crematoria and a burial site in close proximity needs to be discussed fully. Some local residents have found this extremely difficult and upsetting, therefore such a development needs to be handled with sensitivity and a great deal of dialogue, which has not happened.
- The traffic surveys, wildlife surveys and flood risk assessments are not realistic and show no awareness of the situation on the ground.
- A project of this importance deserves a Public Inquiry.
- Local residents have worked hard over the past few years to encourage visitors to Lambley and to enable residents to take a stronger role in their local community, all of which is now under jeopardy with these crematoria proposals.
- Lambley is an historical village and has a Grade I listed church with its own burial ground. There is also another burial ground within the village.
- The applicant may seek to enlarge the proposed development in the future.
- To allow this development would be a dangerous precedent, as it would be a clear signal for similar companies to build on Green Belt land in this area, adding to the gradual sprawl of development in recent years between Mapperley Plains and Lambley.
- Slow moving funeral traffic will unavoidably have to pass the Lambley Primary School and the Lambley Day Nursery to access the proposed crematorium. It is possible that children will be in the school playground during the core funeral procession times and exposure to funeral corteges will have a detrimental effect on young minds.
- The constant reminder of death by the view of passing funerals is not a sight local residents wish to see.
- Loss of high quality farmland.
- Local properties will be de-valued.
- It would be unwise to recommend either application, as only one crematorium is required to satisfy the supposed 'need' for cremation capacity; the supposed 'need' is contradicted by alternative evidence from objectors; the proposed locations and connecting highways are less than satisfactory for the traffic likely to be generated; and favouring one application over another may lead to litigation by the loser, which could prove very costly and time consuming to the Borough Council, as well as exposing the processes of the Borough and County Council to detailed scrutiny, which they may not be sufficiently robust to withstand.
- If planning permission is granted, it is vital that conditions are imposed to protect the interests of Gedling Borough and to minimize the impact on local residents, surrounding areas and the public highway. These should include restricting the development to 5 cremations per day, 10.30 – 15.00 Monday to Friday, regular air sampling and establishing an appropriate monitoring system, which is available for public inspection. Any subsequent changes in operation should be subject to a further planning application or public consultation process.

- It is possible that the operation of a crematorium by a local funeral director may restrict access to other funeral directors and lead to increased prices. As such, the proposed development by Westerleigh is preferable as they appear to be an experienced operator and the provision of a crematorium and a burial ground is better than just a crematorium alone.

Conclusion

- It is considered that the applicant's very special circumstances are essentially unsubstantiated as there is no proven need for this facility and the site is not at all suitable for the proposed development.

Antony Aspbury Associates, on behalf of Westerleigh Group Ltd, have commented, in summary, as follows:

There are obvious parallels between the two applications and much of the information has been duplicated. One benefit of this second application is that it reinforces the issue of need for a new crematorium in this location, adding weight to this as a material consideration.

□ Visual Impact

This application presents its most significant and dramatic aspect to views from the north, which will present a significant change in terms of architectural mass when viewed from the public footpath.

The proposed development sits much lower in the Dumble valley and does not preserve the openness of the valley, in this part of the landscape character area.

Whilst the building presents an interesting architectural approach, it is not necessarily contextually appropriate for the area and conflicts with the requirements of the character area policy.

The proposed development is sited much further away from the urban edge into the open countryside and will require additional infrastructure to facilitate access, and will push new traffic further along Catfoot Lane in an easterly direction. The potential loss of Poplar trees to the north of the site will add further to its visual impact.

□ Design

It is questioned if such a modern design fits in with the natural character of the area.

Specific design comments are made that:

1. The noise from the cremators would be audible to exiting mourners, as it is irregular for the exit route from the chapel to pass alongside the crematory wall, because of the likely noise resulting from the cremation process.
2. Noise and industrial equipment, such as various types of external plant and secondary means of fire escape would compromise the floral tribute area.

3. There is no provision for the installation of air blast coolers, which would be highly visible.
4. There is no service yard area, which may require the use of the floral tribute area for servicing events and force the closure of the crematorium for several days a year.
5. The crematory height is considered to be low for the type of equipment to be accommodated in a safe and satisfactory way.
6. Little regard seems to have been given to the provision and design of a memorial garden and no detail is provided of the memorial woodland area, which is small and in full view of exiting mourners.
7. There is a clear and pressing need for new burial space for the borough of Gedling and this application fails to address this issue in any way.

Layout

Car parking with 71 spaces is proposed, despite a forecast of 100 more funerals per year. The promotion of especially designed services is likely to attract larger congregation sizes, which is likely to make the proposed crematorium busier than that proposed by Westerleigh and would result in higher volumes of traffic travelling to the premises.

Access

There is no suggestion that access to the site could potentially be gained by public transport, although there is a concession to the provision of a gravelled footway linking back to Mapperley Plains, if necessary.

The Highway Authority requested the provision of a footway and pedestrian refuge as part of the Westerleigh application, neither of which are proposed as part of the A W Lymn application. This shows that the application site is not accessible by public transport and is, therefore, a less sustainable option for such a development. The pedestrian refuge should still be provided for this application.

Crematoria development should be located as close to the edge of an urban area as possible in order to minimise the requirements for additional infrastructure whilst capitalising on existing public transport facilities. The distance from Orchard Farm to Mapperley Plains will make this very difficult to achieve.

Between the Westerleigh site and Mapperley Plains, Catfoot Lane is on average 5.5 metres in width. This reduces to the east of the Westerleigh site to around 5.1 metres in width. In such areas, a standard car may struggle to pass a double decker bus (stated as a potential means of access to the A W Lymn site), which would result in one of the vehicles having to stop in order for them to pass safely, which is not ideal in terms of highway safety or the free flow of traffic.

The proposed visibility splays were deemed substandard by the Highway Authority for the Westerleigh application and the same requirements should apply for the A W Lymn application. Forward visibility from the point of access is also queried, given the location of the access near to a bend in the road.

□ Site Search

There is no evidence of an extensive site search and the information provided has forced the proposed development to share a common boundary with a SINC and into a location where it would be more visible and have a greater impact on the surrounding openness of the countryside, which would not be appropriate in this Green Belt location and within the valley setting.

□ Ecology

The Ecology Survey indicates some misgivings with the bat survey and also appears to play down the significance of the adjacent SINC and the presence of important wildlife species within that area, which are not reflected in the survey, apart from a suggestion that further checks are undertaken prior to works commencing.

This report is very light, especially as the site is immediately adjacent to a SINC, and it is hoped that this will be thoroughly assessed by the Council's ecology consultees.

The site appears to be more contentious in terms of ecology than the Westleigh site and should be treated accordingly.

□ Conclusion

The fact that A W Lymn are a renowned firm of funeral directors within the Nottingham area is respected, but the Westerleigh Group Ltd have unrivalled experience in this specialist field and are best placed to provide this essential service in this location.

Limited thought and information has gone into this application, which is incomplete in many areas, sited in a less sustainable location and would be more visually intrusive and less accessible than the Westerleigh proposal.

There is no evidence to suggest that the proposed development would not harm the ecology within the area and the technical aspects of the proposed access into the site are sub-standard and liable to present a risk to highway safety.

Revised Plans & Additional Information:

In addition to re-iterating some of the above comments, further representations made in response to re-consultation on the revised plans and additional information which have been submitted, have raised a number of other points, which can be summarised as follows:

Green Belt Issues

Need

- The additional information primarily relates to an alternative, lower key, landscape mitigation approach rather than supplementary evidence to bolster the applicant's very special circumstances case on need.
- Attention is drawn to the comments on need, made by the operators of Wilford Hill Crematorium and the comments on capacity, travelling time, the timing of funerals and delays in funerals, made by the operators of Mansfield and District Crematorium.

- Local residents have obtained further information, set out in two tables, from the existing crematoria in terms of the number of cremations compared to the number of available slots, both on the basis of peak hours only and overall [see CCOG comments below]. This shows that there is ample capacity amongst existing crematoria within the core hours:
 - 40% available capacity at Bramcote;
 - 37% available capacity at Mansfield; and
 - 56.6% available capacity at Wilford Hill.

These figures are significantly higher when taking into account all available slots presently offered by the existing crematoria.

- On this basis, it cannot be judged that there is presently an ‘overriding’ or ‘immediate’ need for a new facility such as to justify inappropriate development in the Green Belt.
- As there is no need for the facility, the lack or otherwise of alternative sites is then largely irrelevant.

Alternative Sites

- The majority of the sites were considered as part of an initial search exercise in 2005, which pre-dated the 2007 Calverton planning appeal – more than 7 years ago.
- Little more work appears to have been done since, apart from purchasing the current site at auction, entirely at risk, in 2011. Having done so, it is not in the applicant’s interest to identify an alternative site.
- No reasons have been given in the Site Search Information as to why the Gedling Colliery and Floralands Garden Centre sites were discarded following discussions more than 7 years ago with the Council.
- The information submitted with the application is not exhaustive, robust or up-to-date. Doubt is expressed as to whether previous sites considered have been revisited to check if conditions have changed.
- The selection criteria used for the site search has resulted in many sites being instantly disregarded, but included by the applicant to verify an exhaustive search, which would be greatly reduced without them.
- The land adjacent to Bestwood Country Park (site 9) would appear to be ideal, but to read this is classed as ‘inappropriate development’ adjacent to a Country Park, is confusing when comparison is made with the chosen site.
- It is interesting to read that the Westerleigh application site (site 20) is described as a Green Belt site with no buildings, whilst the applicants chosen site is a Green Belt site with buildings. The location of the proposed crematorium is nowhere near the existing buildings and is on greenfield, Green Belt and Mature Landscape Area land. It is surprising to read that the Borough Council suggested the applicant would need to trade buildings, as this appears to go beyond normal initial advice.
- The former Gedling Colliery site comprises over approximately 660 acres. Despite existing proposals for this land, surely an area of approximately 7 acres could be located within such a large extent and be suitably adapted and landscaped to accommodate such a development.

- For sites at locations like Calverton, Epperstone and Bulcote to be described as too far out of the City is inaccurate, as all these sites are only approximately 5 minutes further than Catfoot Lane.
- The Site Search Information shows that there have been willing landowners along the way and the correct way to deal with the provision of a new crematorium should be through a 'Call for Sites' as part of the Council's new Local Plan process.

Landscape Issues

- The amendments do nothing to allay the very serious misgivings local residents have regarding the need for this facility, the suitability of this site to accommodate the proposed development and the impact this would have on this otherwise quiet, rural, attractive and largely unspoilt mature landscape. As such, the proposed development is at odds with the local landscape strategy to conserve and protect the distinctive rural character and landscape, by:
 1. Restricting sprawled ribbon development along the roads approaching the village.
 2. Concentrating new development in existing villages.
 3. Conserving the rural landscape from expansion of urbanising features, such as garden centres and large barns, which are often constructed in the open countryside.
- The applicant is still relying on the line of Poplar trees which fall beyond his control to help screen the proposed development from wider views from this direction. Proposed viewpoints 5 and 6 indicate that the proposed facility will be seen behind the row of Poplar trees, even in the summer months when screening potential is at its optimum.
- During the winter months, the impact of the proposed facility from this direction will be more apparent and heightened by the accepted need for street lighting and bollard lighting across the site early in the morning and from 4.00 pm onwards over this period.
- This is more apparent on viewpoint 7, where the view is already presently clear and uninterrupted, as evidenced by the applicant's own visual material.
- The Poplar trees are due to be felled shortly, in order to maintain the continuity of the electricity supply and to increase the biodiversity of the planted area, making the whole area visible from the footpath 180 metres away. The area is to be replanted with species that have less impact on the power line. This felling work will increase the visibility of the proposed crematorium when viewed from all northerly and westerly viewpoints. There is also a need to be aware of Ash dieback disease on the surrounding landscape.
- The revised site layout plan shows a substantial amount of hedge and tree screening removed. Whilst this may be more in keeping with the local landscape and in retaining its openness, with no screening the commercial building together with its infrastructure would present a more obvious blot on the landscape and be easily viewed from the adjacent property, surrounding footpaths and Catfoot Lane.

- The revised site layout plans shows the extent of the existing farm cottage and farm buildings which are proposed to be demolished. The applicant has indicated in the Design and Access Statement that the new building, covered area and car parking areas are smaller than the existing farm buildings and hard standing. However, no mention is made of the extensive areas of roadways to be included in the proposed development. It is apparent from the revised plan that the footprint of the existing farm buildings would fit into the new development several times over, reinforcing how great would be the detrimental impact of such a development.
- The existing farm buildings are more in keeping with the area and their use for equestrian purposes is far more appropriate.

Highway Issues

- The proposed access and egress onto Catfoot Lane remains in the same position and even with the increased visibility splays, the danger to traffic and persons leaving and entering the site together with traffic travelling along Catfoot Lane from the village will not be reduced. With the enlargement of the splays, the development will be made more obvious as hedging will have to be removed to achieve the increased splay.
- Doubt is still expressed about the visibility splays required and whether they are achievable. This is an accident black spot and there will be numerous accidents with vehicles accessing and egressing the entrance. Catfoot Lane and this area cannot take such a 7 day operation.

Sustainability Issues

- Surprise is expressed that there does not appear to be a requirement for a footpath, offering reasonable access for non-drivers.

Pollution Issues

- This area of countryside is largely devoid from artificial lighting during nightfall and this will only serve to make the proposed development more conspicuous and bring an urbanised effect to the locality.
- Whilst the applicant has additional information regarding the types of external lights envisaged, the amended site layout makes no reference to these and it is impossible to ascertain how many lights, and in what positions, would be required. Without such details, the impact of the proposed development on the local landscape and Mature Landscape Area at night cannot truly be assessed.
- The LVA makes no reference to the proposed external lighting required to serve the facility or any assessment of the impact of this on the local landscape designations.
- From a health and safety aspect, bearing in mind the use proposed, it is expected that there would be a significant number of the various lights suggested, both in bollard and streetlight formats, the cumulative impact of such, within this remote location, would simply serve to add to the urbanising effect of the scheme and the prominence of the building at night (but also during the day in terms of the proliferation of street furniture).

- Lighting is not something that should be dealt with by planning condition, as the overall impact of the proposed development on the surrounding landscape is an integral part of the decision-making process.
- Dust and any spills from the proposed crematorium will find its way into the Dumble.

Ecology Issues

- The SINC has been managed very carefully for many years in order to protect and enhance the unusual plants and wildlife found there. The biodiversity of this area and the adjoining woodland is particularly good and there are concerns that the artificial lighting in the winter months would have an adverse impact on this area.
- Could the proposed crematorium be sited at the top of the field next to Catfoot Lane so that it is further away from a watering hole in the south-west corner of the SINC. There will be a huge increase in water run-off once the site is no longer permanent pasture and there is a danger of flooding and damaging this integral part of the conservation process.
- There should be no wetland, as the area will become a bog whenever it rains. No water will be held in the field and this will flow into the Dumble damaging the natural integrity of the area. It will become a small river, not a steep sided stream, as the Dumble suffers from too much water not too little and is served by two springs, which only dry up in extreme drought.
- It would be preferable only to demolish the farmhouse as the outbuildings are a roosting and breeding site for birds and owls.
- A crematorium on this site would have a significantly greater negative effect on the biodiversity of the surrounding area than if it were sited elsewhere due to the close proximity of an important area for plants and wildlife.

Design Issues

- The proposed crematorium building remains entirely out of scale with its surroundings. It represents a stark, urban design (and choice of materials), which local residents consider will be incongruous and a most alien form of development within this part of the countryside, Green Belt and Mature Landscape Area.
- What need is there for the tar and chip overlay to the proposed road.
- This will be an ugly, commercial development, out of keeping with the area, which it would change forever.

Other Issues

- Both applicants appear to have been granted additional time to amend their applications to a more favourable version. A general member of the public would be allowed only one chance and then be required to apply and pay again. The system should be the same for everyone.

The Catfoot Crematorium Opposition Group (CCOG) has submitted a letter and statistics of existing crematoria capacity in support of its argument that the proposals constitute

inappropriate development in the Green Belt and that no proven justifiable need exists to warrant the building of a crematorium on Catfoot Lane, or indeed, in Nottinghamshire.

In summary, this letter states that:

- Neither applicant can prove that exceptional circumstances exist to build a crematorium (or cemetery) in an important environmental and historic area.
- The information presented in both applications, suggesting a spurious need, emphasise the shortfall in the present system, when in actuality there is in existence an extremely robust and capable crematoria system in Nottingham and Nottinghamshire. Figures provided by the existing crematoria disprove the assertions of both applicants that a need exists.
- There is substantial spare capacity at present, which has increased recently due to refurbishment and improved facilities at several existing sites. There will still be spare capacity when the 'baby boomer' era reaches maturity, with respect to the number of funerals, in the next 10 to 15 years, after which there will be a decline, coupled with the fact that people are living longer.
- The accompanying figures, which can be corroborated, belies the applicant's assumption that a proven need exists and negates the very special circumstances needed for building in the Green Belt.
- The present need is actually less than when the Inspector appointed to determine the appeal by A W Lymn for a crematorium in Calverton advised [January 2009] that "...I see no strong evidence of an overall shortage of capacity provided by existing facilities in the area. This is so even within the preferred core hours".
- It is indicative from the information provided by the existing crematorium representatives that they consider the proposals to be ill-conceived and flawed in content, whether by design, deliberate manipulation or by inspirational wishful thinking. The transparent fudging of issues, which rely on the apathy of the public and spurious statistical information, should not be given any credence or relevance. Nottingham and Nottinghamshire does not need or require a fifth crematorium and both applications should be refused.

Further representations have been received during January and February 2013, which reiterate previous comments and draw attention to the above CCOG submission.

Following the Technical Briefing and re-consultation on the most recent additional survey information with regard to the impact of the increase in capacity at Wilford Hill Crematorium on the time taken to arrange and hold cremation services, I have received further representations, which (excluding previous comments already reported above) can be summarised as follows:

- The information supplied, by the applicant's own admission, has "nothing further to add". The average waiting times which have been supplied cover December to February in 3 consecutive years.
- This period in any year is not representative of a whole year, and provides a detrimental and unrealistic view of waiting times since it takes in the period over the Christmas and New Year holiday periods. It could be argued, regardless of the number of crematoria, that there would still be delays caused by one, or in some cases, several of the following:

1. The clergy are not always available or willing to carry out funerals over the religious festivals.
 2. The funeral directors are the ones who offer the slots to people and they have staff members who require to take holidays over this period.
 3. The weather adversely affects movement of individuals to attend funerals.
 4. Mourners often book holidays or have family commitments over the festive period and are therefore not available to attend funerals.
- One or more of the above would lead to delays between death and cremation. The crematoriums are actually available, but not operating due to reduced demand. The applicant's letter suggests that based on the fact that there have been no afternoon funerals on Christmas Eve and New Years Eve (in the current year only), that it is reasonable to suggest that there are no afternoon funeral slots available on the afternoon before any Bank Holidays. This argument is not accepted and is a manipulation of statistical data to make a point. The letter does not deal with the reasons there are no funerals (this may be down to the crematorium not being available at all, but for other reasons as above).
 - The delay data does not advance the cause of either applicant in any significant way because:
 8. The Lymn data is not validated as an independent source and not even any quantities are provided.
 9. The Westerleigh data is taken from the Nottingham Post and the accuracy cannot be guaranteed in either reporting or collating the facts.
 10. Neither set of data gives any indication of the reasons for the delays which can be various, excluding the lack of cremation slots.
 11. As the numbers are relatively small, a few exceptional circumstances will distort the data, making it unrepresentative of a normal year.
 12. There is no analysis of the causes of the delays.
 - This is an effort to twist the data to suit a hopeless case. One resident has attended a number of funerals recently, where in all cases there was a delay of over 14 days because the family wanted it. You need enough time to make sure that distant family members can attend, so unless you have a special need, a quick service is not wanted. There is always time outside peak hours for an urgent service if wanted.
 - The data is presented by Westerleigh as strongly supporting the need case of their application, yet the Lymn letter on the same issue states that this additional information does little to address the key issues.
 - The need case in terms of actual capacity is now not a valid argument, which has always been the case from the outset. This has now been confirmed in writing by Lymns and verbally at the Technical Briefing.

- At the Technical Briefing, the applicant stated that there was no capacity issue and appears to be relying on the travel time – an unproven and statistically flawed calculation. Given that both applications are geographically so close to one another, any point regarding capacity must also be applicable to the Westerleigh application, dismissing their capacity argument.
- At the Technical Briefing there was emphasis by the applicants on the travel times to the existing crematoria, but when questioned it was conceded that both of the existing crematoria were within 30 minutes.
- It was also conceded that 80% of the travel was attributed to mourners who can travel for 3 minutes or 3 days. Consequently, the travel time argument is not relevant because it is very largely beyond any control and the two key issues regarding travel identified by the applicant (distance and time to travel) are irrelevant.
- Travel time is the major flaw in the applicant's case. From Woodborough to Mansfield is about 20 minutes and Ollerton is the same. Time to go to Wilford or Bramcote, because of travelling around or through Nottingham is a least 45 minutes. Yet Mansfield and Ollerton have plenty of spare time.
- If Gedling needs its own crematorium, it should be on a major traffic route easily found by strangers to the district, not hidden down a remote country lane.

CCOG has written outlining its observations on the Technical Briefing and the published minutes, together with its own comments on the specific questions raised by members, which relate predominantly to the various issues outlined above.

In response to the additional survey information, CCOG has commented, in summary, as follows:

- The 'needs' of Gedling Borough residents are already adequately met by existing crematoria. Wilford Hill has increased its capacity, despite the applicants unproven assertion to the contrary. 'Core Slots' are available to anyone in Nottinghamshire. However, the applicant does not offer GBC residents the choice. A W Lymn suggest travelling times render these slots prohibitive, which is totally untrue. The applicant has not proven that the residents of Gedling Borough are unhappy with existing arrangements, indeed the 1,300 protests received by GBC outweigh the diminutive 126 persons canvassed (in Gedling and Carlton).
- CCOG refers to the actual facts provided by Wilford Management, which conclusively disprove the applicants spurious claims regarding selective dates.
- CCOG has presented unequivocal factual based information submitted by bona fide sources to prove that a need for a fifth crematorium in Nottinghamshire does not exist. The applicant admitted that a quantitative need does not exist at the Technical Briefing. This is a particularly devastating admission and totally contradictory to the applicants aims. Despite this admission, the applicant has contrived to 'cherry pick' information where delays occur at particular times of the year and tabulate these findings.
- The comment concerning 'funerals being held beyond seven days of death' has nothing to do with lack of 'slot' availability. This is not due to crematorium times or availability, but one of organisation with respect to the bereaved and, in part, the

funeral directors themselves in providing a service. More competition in the funeral service arena would actually solve the perceived problem, not more crematoriums.

- The applicant has been selective with the dates, which does not reflect the true picture. By choosing periods that coincide with public holidays, particularly the Christmas/New Year period, they are deliberately confusing the fundamental issues. Delays occur for a variety of reasons, none of which are due to a lack of 'slots':
 1. The clergy may not be available, as clergy often cover several parishes.
 2. The Coroner may advise on a delay due to ongoing investigations and police enquiries.
 3. Their own staff may be on holiday.
 4. Families may wish to delay a cremation due to relatives travelling long distances or wanting a specific date/time.
 5. Other relatives may be unable to attend at short notice, due to other commitments.
 6. Availability of Pathologist, should a post-mortem be required.
 7. Availability of Registrar.
 8. Availability of florists.
 9. Availability of a venue for a wake, which may coincide with heavily booked periods, such as Christmas and Easter Bank Holiday Times.
 10. The bereaved are not generally advised of slots available out of core hours by funeral directors, even though existing crematoriums have evening and weekend slots. It would be inconvenient for the applicant to book 'out of hours' slots, as cremations are scheduled, whenever possible, around core hours. This saves money by limiting hours worked by their staff. A W Lymn prioritise their slots in core hours by booking online (Wilford Hill).
 11. It should be noted that 'core' hour slots total 14/16 at Bramcote/Wilford Hill (2 cremators at each crematorium). Inevitably, some bereaved will not be able to take up a 'core hour' slot on a given day, so a delay will occur. It is obvious that most delays are beyond the control of funeral directors and not, as suggested, by a lack of slots at crematoriums. Both applicants would have us believe that this proves a justification for another crematorium, whereas the only real motivation is a desire to increase profit margins.
 12. There are no statistics to prove that bereaved families prefer 'core hour' slots. They are not advised to book outside these hours, for the reasons given above. Today's peripatetic lifestyle suggests that early morning, late afternoon or evening slots will fit better with 'working' families, as 'real time convenience slots'.
 13. Limited fleet availability, when families choose compressed time slots.

All inevitably lead to delays, which affect the functionality of new crematoriums or existing ones.

- The fifteen members of this Committee and the hundreds of protest letters (against the building of a fifth crematorium) received by GBC, indicate that residents of the Borough of Gedling are perfectly happy with the present four crematoriums in the Nottingham/shire area. Not one resident canvassed has suffered a delay as suggested by the applicant, unless they chose to delay a funeral themselves. The true fact is that most bereaved families are placed under considerable pressure to arrange a funeral within seven days of death, (see aforementioned reasons).

With respect to the unsigned letter which accompanied the additional survey information, CCOG has commented, in summary, as follows:

- CCOG contends that the statement 'It is quite possible...neither convenient nor appropriate as I am sure you will agree' is designed to lead the Committee into believing the propaganda. It would pose the question 'Inconvenient or appropriate for whom?' - the Funeral Director or the bereaved family? CCOG would cite an example of its own - 'A resident of Catfoot Lane held a funeral service at Lambley Church - the cortege left for the cremation at Ollerton Crematorium, as the majority of the deceased's family lived in the Wellow (Ollerton) area. Consequently, CCOG would suggest that most bereaved families tend to want their relative cremated where, historically, their ancestors have been cremated, even if that crematorium is a distance away. It is clear that the applicant is unaware of the concept that a family may not choose a crematorium out of convenience, but rather out of preference. There are many different reasons, which will dictate this decision, listed above, and the applicants assertions have little relevance to their decision in this regard.

CCOG does not consider these are key issues for the reasons stated below:

1. Distance of Travel - despite the fact that this concept is 'old ground', CCOG feels obliged to make a further comment, to supplement that quoted by Inspector Novitsky [see Introduction Report]. Distance of travel (checked recently by members of the CCOG and other residents) confirmed that the journey from Lambley to Mansfield is 10 miles and not 14 (this is the actual distance to the centre of Mansfield), as suggested by the applicant. Lambley to Bramcote has been clocked at 9.5 miles, Wilford is closer. All journeys took less than 30 minutes.
2. Time taken to Travel – both applicants refer to the 'Cambourne' crematorium as an example of the need for a fifth crematorium in Nottinghamshire. Until 2010, only two crematoriums served the whole of Cornwall, with a population of 536,512 covering 1,376 square miles. The analogy by both applicants, that Nottinghamshire is comparable to Cambourne, is an enigma - Cornwall is a peninsula, whereas Nottinghamshire is land-locked and has four existing crematoriums spread evenly around the city/county, which can all be reached under thirty minutes. Cornwall has a linear land-mass, with very narrow winding roads. Obviously, it would take mourners in remote areas, well in excess of 30 minutes to reach crematoria. At extreme points it may take over an hour. Further reference is made to Inspector Novitsky's comments in relation to time [see Introduction Report].
3. Suitability of times available - as previously stated, 'more competition in the funeral service arena would actually solve the perceived problem, not more crematoriums.'
4. The waiting times for suitable available times - this item has already been answered.

- The applicants latest submission, designed to prove a 'qualitative need' is without foundation and has little relevance for the following reasons:
 1. Travel times for the United Kingdom's population have no relevance in that its people are wide spread and dispersed far more than in the past.
 2. Out of core hour times for funerals will become the norm. Evening funerals are already offered by Bramcote, to facilitate more slot choice and less delay.
 3. The refurbishment of existing crematoria proves that the 'qualitative' need is already being met at Bramcote, Wilford and Mansfield.
- West Chapel availability – the applicant indicates that the first slot should be 11 a.m. and the last slot 2.20 p.m. which squeezes the 'core hours' into a limited timescale of 3 hrs 20 mins. They indicate that a lunchtime slot has not been available for over 20 years. However, CCOG is assured by the manager at Wilford Hill, that this is not true - their staff have staggered lunch times, as do Bramcote and Mansfield crematoriums and slots are not affected. The slot prior to the 11 a.m. slot (10.20) is reasonable to include in the 'core' hours, as mourners only have to start their journey just prior to 10 a.m., at the outer limits of the city/county. This is still a convenient time. The slot immediately after the suggested A W Lymn 2.20 time, is 3.00 p.m., achievable again, even with a service lasting 40 minutes. It is still convenient for anyone to attend a wake or undertake a journey home. CCOG would again draw attention to Inspector Novtisky's comment in respect of travel times [see Introduction Report].
- There has not been a survey asking whether residents from the 'proposed area' are unhappy travelling throughout the day. Any time after 9.30 a.m would seem reasonable. The applicant does not offer a flexibility to its customers, thus reducing the choice. The actual figure is 16 slots, which are available to everyone.
- CCOG understand that three of the existing crematoriums have confirmed the day before a Bank Holiday is a normal working day. The applicant has deliberately failed to mention that out of the six groups of Bank Holidays, four fall on a Monday and as crematoriums do not open on a Sunday, staff would not need to take a half day off, prior to the Bank Holiday. The other bank holidays are the Christmas/New Year period. The likelihood of anyone wishing to book a cremation on Christmas Eve/Christmas Day/Boxing day/New Year's Eve/New Year's day is negligible and occur on a different day each year.
- The applicant has been consistently informed that training days do not affect slots. Confirmation of this point has been provided previously from three existing crematoriums and again in response to the latest correspondence.
- 252 days is the statutory number used and confirmed by the existing crematoriums. The loss of the 8-day Bank Holiday and 3 days pre-bank holiday submission is an indication of the applicants determination to disregard the actual facts, along with the spurious 6 day training issue.
- The applicants suggestion that the Borough Council has an open ended remit with respect to their planning application is a nonsense. The applicant has moved the goalposts on several occasions and submitted revisions which CCOG and other parties have felt the need to respond to.

- The applicants speculative gamble of purchasing the farm and buildings, in an irrational move to promote the building of their own crematorium, has misfired badly. Their aspirations for a profit making enterprise fall short of proving an actual need, either quantitative or qualitative.
- The applicant is 'clutching at straws', proven by their latest submission, which has nil credibility. Observations submitted by other crematoria deny their 'analysis' of delays in forthright terms. The analysis has no basis in fact and is obviously a feeble attempt to confuse councillors on the Planning Committee, which CCOG consider totally inappropriate.
- Irrespective of the revisions contained in the revised documentation submitted by both applicants, the proposals still come within the auspices of an 'inappropriate' development in the Green Belt. Previous applications have been refused in similar circumstances in the immediate Gedling area and this application only emphasizes their arrogance in pursuing this particular strategy.
- Neither applicant has proven that the 'very special circumstances' needed for building in the Green Belt exist and for this reason both applications should be refused.

CCOG considers that its observations refute all claims made by the applicant and prove conclusively that a crematorium should not be built in Nottinghamshire.

I have also received 24 letters of representation in support of the proposed development on various grounds, made in response to consultation on the proposals as originally submitted. These representations have been made direct or via Members and can be summarised as follows:

- The application is supported by the silent majority of people in the Gedling area, who would appreciate a quiet and peaceful garden of remembrance in which to remember their loved ones.
- A large population lives in the north-east of Nottingham and there is no facility such as this to cater for the needs of the community, which should not be overlooked in favour of a small minority of objectors.
- The existing crematoria are overstretched at times and this leads to delays for available service slots. Such delays can be very upsetting for families at an already difficult time.
- A new crematorium would provide a local and more accessible choice for people in this area and reduce waiting times.
- The journeys to the existing crematoria are long and difficult and it is unfair for mourners to have to travel such large distances, which is an added discomfort at such a difficult time.
- Long travel distances to the existing crematoria make it harder for the elderly or those without a car to attend funerals.
- The stress caused to families travelling to existing crematoria would be reduced significantly and the community as a whole would benefit. A crematorium in this area would be much easier to visit and would cater for the needs of everyone on this side of Nottingham.

- The number of cars that currently travel the lengthy journey from the Borough all the way to Wilford Hill or Bramcote should be factored in. A cemetery off Catfoot Lane would actually have benefits for the environment.
- The proposed development would be popular and serve thousands of people across Gedling and would help ensure that people do not have to wait unnecessarily long times.
- This would be good use of the farm and well needed provision of crematorium facilities for the local area.
- The current road is narrow and very uneven and the developer may fund improvements, which would benefit everyone.
- The proposed development is preferable to a supermarket or fast-food outlet.
- The proposed development will bring much needed employment to the area, during construction and when operative.

Lambley Parish Council – makes the following observations:

1. Community Involvement in the Pre-planning Process

The Parish Council is pleased that the applicants have engaged in an open manner with the Parish Council, MP, local District Councillor and the village Anti-Crematorium Protest Group. The applicants attended two Parish Council meetings, and whilst consensus was not achieved, the applicants conducted themselves in a thorough and professional manner.

2. Green Belt

The Parish Council is very concerned that the proposed crematorium will breach the Green Belt, which will have a detrimental impact upon the village, both for residents and visitors, and will pave the way for further breaches in the future. The applicants contend that as there are already buildings on the site, and that the proposed building will be smaller, therefore the Green Belt is not breached. The Parish Council does not accept this argument because the site is currently utilized as a dwelling plus outbuilding generating minimal activity, whereas the proposed crematorium would be a busy place which would be incompatible with the Green Belt environment. Lambley is proud of its village 'feel', which will be jeopardised by the development. It is suggested that further efforts be made to investigate other more suitable locations.

3. Traffic

It is the view of the Parish Council that insufficient attention has been given by the applicants to likely traffic problems, in particular in relation to Catfoot Lane, which is a narrow winding country road, ill-suited to take additional vehicles. Residents of Catfoot Lane have made representations to the Parish Council in the past about traffic hazards – prior to the present application being submitted. The Transport Statement makes hardly any mention of additional traffic on Catfoot Lane, along which some mourners will inevitably drive, particularly those coming from an easterly direction.

4. Conclusion

It is submitted that both the Green Belt and traffic issues summarised above are significant substantive problems, which have not been fully addressed by the applicants. In the view of the Parish Council, taken together, the problems are so serious that the application should be rejected.

In response to re-consultation on the revised plans and additional information, the Parish Council has reiterated the above objections.

Woodborough Parish Council – reiterates the observations made on application no: 2012/0616, which are as follows:

- Consideration should be given to traffic flow and access on Catfoot Lane, which is not equipped to cope with traffic of this nature.
- Consideration should be given to increased traffic through Woodborough, and the likelihood of traffic processions causing an accident.
- Consideration should be given to the provision of public transport, particularly for the workforce and visitors to the cemetery.

In addition, the Parish Council observes that if consent is given for either/both crematorium, the applicant should pay for traffic lights at the top of Catfoot Lane (Section 106 Agreement).

Car parking may be inadequate in this plan. There is no available parking on Catfoot Lane.

Wilford Hill Crematorium – makes the following comments with regard to the Crematorium facility available within the City of Nottingham at Wilford Hill (Southern Cemetery):

- The Crematorium was first opened in 1931 and built in a traditional style with two chapels, two waiting rooms, book of remembrance, toilet facilities and shelter to the frontage. Since its opening, the facility has continued to be well used and as the years have moved on families have developed strong links with the site being the place where their loved ones were cremated.
- During the last year alone, Nottingham City Council has invested £750k, which has funded mercury abatement works in line with new legislation. It has also implemented an ongoing programme of works, including redecoration, new carpets and curtains, refurbished toilets and the provision of refreshment facilities. All of these works have helped to transform the facility offered and enable us to continue to meet the needs of the bereaved. Nottingham City Council now has a traditionally built Crematorium that is fully compliant with new legislation, maintained in good order, is fit for purpose and is the preferred choice for the citizens of Nottingham.
- During the last few months, Wilford Hill has also been awarded the Gold award for the Charter for the Bereaved and Green Flag status. This award was confirmed on the 27th June 2012 and recognizes the standard of service and related processes achieved and maintained by Nottingham City Council. In order to meet the required standard there on average 220 questions covering all aspects of the Cemetery Service provided, which have to be answered. The total number of marks possible is 1061 and this year Wilford Hill achieved 977, which represents Gold standard.

- The charter sets out the standards of service for the bereavement industry including future development and continued implementation of the charter. It also helps authorities set out priorities for future development and improvement along with demonstrating that they are committed to providing excellent service, designed to meet the needs of our citizens.
- The achievement of this standard is a reflection of the continued dedication of the Cemetery Service colleagues and the broad approach to ensuring all areas of service provision are continually reviewed and improved ensuring the needs of the bereaved are met. The same service area has also achieved Green flag standard for both Highwood Cemetery and Wilford Hill Cemetery and Crematorium which in turn recognizes standards that are both achieved and ongoing and development plans for the next 5 years. The achievements noted above have been awarded by independent organizations that have professionally assessed the service and facility, including site visits and interviews.

In addition, the following comments are made in direct response to comments made by the applicant as part of this application:

- The capacity figure quoted is merely the number of cremations held during the year 2011/12 and has no bearing at all on the actual capacity of Wilford Hill. This was also the year in which the major installation of the new mercury abatement system took place with some time being lost to these works. With all works now completed, Wilford Hill now actually has increased capacity with better systems, which will enable it to increase to around 4000 cremations per year, if required. Moving forward, Wilford Hill will also be offering the option of a Saturday service which will increase capacity further along with choice and flexibility for our citizens. The staff team has also strengthened, with additional qualified colleagues on call to support additional service requirements, when needed.
- The reference to the buildings is also incorrect in that they provide a perfectly capable and accessible facility that is constantly maintained and, as mentioned previously, has recently undergone extensive works to further update and meet the needs of the bereaved. The building is of traditional style, but over the years has been fitted out with the latest technology such as Wesley music system, video recording of services, CCTV, appropriate lighting and refreshment area. These areas are subject to regular quality checks to ensure standards are kept high.
- There is provision for parking of 90 vehicles in formal parking bays with space for a further 100 vehicles around the site along the main roadways when required. This amount of parking is generally more than adequate. On occasion, there are funerals that attract a large attendance and every attempt is made to manage these accordingly. However, it is quite often the case that the Funeral Directors do not give the Crematorium sufficient notification and also that when the mourners arrive it is very difficult to get them to fully cooperate with planned parking requests. These types of issue affect every site providing such a service, but they are the exception to the rule. There are also very good and regular public transport links to the site.

In conclusion, it is clear that the specific references made about the Wilford Hill facility are completely inaccurate and it does indeed provide a perfectly good service with the flexibility to increase its offer where requested.

In respect of the actual application for a new Crematorium, the City Council would comment by stating that there is not a need for this as there is ample capacity at Wilford Hill Crematorium to provide the appropriate service, with the added benefit of the service having a ICCM Gold award standard and the grounds on site having the national Green Flag award. The Wilford Hill Crematorium is a long established site used by generations of families with good parking, transport links and is set in 46 acres of well maintained grounds, well established within the south of the city. The capacity referred to earlier of up to 4000 cremations per year is there to be utilized by Funeral Directors when required and Wilford Hill even has a remote booking facility to ease the process. It offers a sympathetic and flexible service that includes regular contact from Funeral Directors to help ensure specific requests from the bereaved are met wherever possible.

Following re-consultation on the most recent additional survey information with regard to the impact of the increase in capacity at Wilford Hill Crematorium on the time taken to arrange and hold cremation services, I have received the following comments from the City Council:

- It is noted that the figures quoted 12.2 (July 2011) and 13.1 (July 2012) are actually based on information available from the Nottingham Post. These figures merely provide information to interested parties regarding the death of a person, relevant dates and arrangements for the funeral. They have no bearing whatsoever on the availability of cremation slots at Wilford Hill. The figures quoted will contain the wider picture in terms of arranging the funeral, such as availability of certain close family to attend/arrangements for the service if not at Wilford and also arranging a get together afterwards. These additional considerations are what actually add time for a funeral to actually take place. At the time of producing this response [received on 2nd April 2013], Wilford Hill currently has 80 core time slots available over the next 7 working days and 118 slots available over the next 10 working days. This clearly demonstrates ample capacity for funerals to take place well within the figures quoted via the information in the Nottingham Post. Based on this, there is absolutely no additional need to accommodate cremations and it is the case that the wider arrangements for a funeral are what add timescales to the process.

Distance of Travel

- This point can be viewed in different ways. It is accepted that distances for the immediate family in a cortege may be reduced with a new crematorium. However, Wilford Hill needs to allow for the fact that family may be travelling from around the country, or even beyond, and would probably commute directly to the crematorium thus making the local travel distance irrelevant.

Time taken to travel

- Again, as above, travelling time would be subject to where people are actually commuting from. Also, and certainly with core slot times, these are outside of normal considerations for rush hour traffic with commute times reducing accordingly.

Suitability of times available

- There are ample slots available for cremations to take place, with the most popular times being late morning/early afternoon which enables people from further afield to travel to the Crematorium.

Waiting times

- There are no issues with waiting times to be able to book a cremation at all, these are not down to Wilford Hill's service, but are inclusive of other arrangements outside of its control, such as service availability at another church and ability for all concerned to attend on a specific day. Of course, all relevant paperwork needs to be submitted and processed in order for a cremation to take place, however this applies to all crematoria.

Further response to points 1-6

- If the cut off point in the afternoon for core time is 3 pm, then this would reduce the number of slots to 15. However, the City Council still considers the first time of 10:20 am to be relevant, as the majority of this slot falls within the core time.
- There are no restrictions in booking the 13:00/13:20 slots, as with new working practices break times are staggered.
- As detailed in point 1, the City Council does consider core times to include 10:20/10:40 and 15:00 and indeed by making reference to this in respect of the new crematorium, the applicant is actually saying it would be inconvenient for people in West Bridgford to travel to their proposed crematorium for a 15:20 slot. The City Council maintains the availability of 15 slots at Wilford Hill.
- The number of working days remains at 252 per year. With reference to last Christmas, availability was reduced on the last afternoon before Christmas/New Year to ensure that all cremations could be completed before the respective Bank Holiday. This would apply to any crematorium and such circumstances only occur on a given day immediately prior to a Bank Holiday.
- The reference to 12 half day training days is completely incorrect. On an ongoing basis, Wilford Hill has have team meetings which are held around cremation slots. All servicing of equipment takes place without a wider closedown of its service, except in an emergency situation which would be the case with all crematoria. Where training is required, this is scheduled in such a way as to not affect the service times and additional casual cover is also utilized where required.
- To confirm, the number of days Wilford Hill's service is available is 252 per year.

Bramcote Crematorium – makes the following specific comments on errors within the Statement of Need document for the proposal, in relation to the assessment of Bramcote Crematorium, and to append points that apply equally to Bramcote as well as the proposed crematorium:

- Core Services - Bramcote offers Saturday and Sunday services, though these are seldom offered to families by Funeral Directors.
- Truncated Services - the clock in the chapel is maintained at the correct time, though does slow a little when the battery is about to fail.
- Comments about instructions to staff and the use of warning lights for the minister to conclude the service are incorrect. No complaints have been received by families about these issues.

- Second Slot - with regard to Funeral Directors advising families to pay for a second slot, which reduces the number of core times available, in the year ending 31st March 2012, Bramcote conducted 2654 cremations, of which 35 were extended (1.3%) and of those 13 (0.4%) were for A W Lymn funerals.
- Delays - with regard to the deceased being held for up to three days, Bramcote's crematory operates on a 6-day cremating week and any residual Friday Services are routinely cremated on Saturday, or very occasionally Sunday. It is only in the case of a mechanical issue that Bramcote would carry over beyond that time period, but all cremations are within the 72 hour period.
- Chapel Delays - with regard to specific comments that there are no times available in either chapel for upwards of two weeks, this relates to the time of the 5 yearly Cremator reline and initial concerns led Bramcote to advise Funderal Directors that times may be limited. In reality, the Crematorium operated 24/7 with the remaining machine and there was no actual need to reduce cremation numbers, as first thought, other than 2 days at the start, and then only for Health and Safety needs of the mechanical/building work necessary in the crematory. On two days, numbers were reduced for the works. There were no days without any services, as claimed, and in the period specified (21st June – 5th July) there were actually 120 services held, of which 3 were on Saturday.

In addition, the following comments are made about the proposed crematorium by A W Lymn:

The proposed Chapel seating; emergency facilities and procedures; administration arrangements; toilet and other facilities and the floral viewing area are the same as Bramcote.

Mansfield & District Crematorium – makes the following comments:

1. Provision of Crematoria within Nottinghamshire

Whilst it is noted that the applicant refers to only four crematoria serving Nottinghamshire, it should be noted that only a few miles across the border are Chesterfield, Derby, Grantham, Bretby and Loughborough crematoria, which also serve the people of Nottinghamshire, especially those communities who lie within the Nottinghamshire boundary, but are actually closer to these other crematoria. It would be interesting to know if any thought had been taken to the actual Geographic's of the other shires, as the location of the crematoria in most areas is centred around large centres of population.

2. Capacity

Bramcote and Mansfield and District Crematoria are amongst the busiest in the country and both have more than adequate capacity for the area they serve. However, it should be noted that capacity goes hand in hand with how many cremations can actually be undertaken within the actual working day and that might differ from the number of funerals that are carried out according to the individual site's protocols.

In a normal year, Mansfield has 5040 services available during the week and 468 services available at a weekend. For core hours between 11 am – 3 pm, there are 2772 services available during the week.

The average number of annual cremations at Mansfield is 2600, which leads to more capacity than need during the core hours themselves. However, families often wish to have funerals that tie in with other daily activities, leading to an increase in the number of Saturday morning funeral requests; early morning before 10.00 am; or 4 pm slots being taken. Reference is made to the most recent appeal decision for the site on Oxtan Road, Calverton, and the Inspectors statement that “Although the figures are disputed, and the Appellant points to the Council’s earlier encouragement for the establishment of further facilities, I see no strong evidence of an overall shortage of capacity provided by existing facilities in the area. This is so even within the preferred core hours, although seasonal shortages may arise.”

3. Travelling Time

Whilst it is agreed that as an ideal mourners should not have to travel great distances, in the modern world this is regrettably a fact of life and often mourners use the crematorium as the destination point of their initial journey and no longer congregate at one location to then follow, en masse, to another.

It is interesting to note that in the above appeal decision, the argument relating to the case for need relating to travelling times states that it is not an entirely persuasive argument as differing population densities leave an incomplete picture, together with the fact that it still applies that those living on the outer edge of the 30 minute travel radius would actually be within a few additional minutes of any adjacent facility.

4. Timing of Funerals

The submission refers to the fact that ‘funerals are concentrated in the middle of the day and not at regular intervals from 9am – 5pm’ and that ‘problems arise booking a ‘preferred slot’ which is generally considered to be from late morning to early afternoon’. In reality, Mansfield find that families work around existing commitments, whether that be childcare, medication or only being able to have half a day off work, and these are the factors that influence funeral times together with commitments of officiants and Funeral Directors. As such, Mansfield has had funerals taking place this week [October 2012] which started at 10 am, as that time suited the family (3 instances over 5 days) and not because they were the only times available. Likewise, Mansfield has two funerals booked for this coming weekend [27th October 2012], as it suits family commitments.

5. Delays in Funerals being booked

The submission also refers to delays in funerals and is slightly misguided in the information it portrays, implying that the fault in the delay arose from lack of capacity by the crematoria. Whilst Mansfield fully support HM Coroner’s Mairin Casey’s comments that delays of over 7 days are unacceptable and should be avoided, it is often the case that, due to background investigations by HM Coroners officer or accessibility to doctors or the family, delays occur for many other reasons before a decision on when to book an appointment is made. From Mansfield’s perspective, a death which occurred on 22nd October 2012 was only booked on 25th October 2012 for a date in early November, which whilst still 7 days between the date of writing and the funeral, does serve to show that delays are caused by all sorts of things, not just an inadequacy of availability at the crematorium. This is indicative of Mansfield’s normal bookings.

6. Location of proposed Crematorium and Impact on Neighbouring Crematoria.

It is also noted, with some concern, that A W Lymn have implied that there will be little impact on Mansfield and District Crematorium. It is expected that some impact will be felt, due to the very nature of the road infrastructure.

Likewise, families will usually migrate back to the crematorium where historically their previous generations have had their funeral, especially if the cremated remains have been strewn there, or they will return the cremated remains back to that crematorium at a later date.

7. Size of Funeral

Whilst Mansfield applaud the fact that there is a large number of parking spaces catered for and this should cater for the average sized funeral, the question is raised as to what will happen should there be an exceptionally large funeral (Mansfield often gets funerals which utilise all their car parking space, which is in excess of that proposed, park down the drive, on Derby Road and on occasion have to be directed to park at the adjacent cemetery and walk through the crematorium grounds). It is understood from the proposed plans that there is no additional safe area to park outside of the proposed crematorium's boundary and that there does not appear to be a pavement which would give some form of safe access into the crematorium grounds.

8. Special Dates

Has any thought been given as to how, eventually, the area will cope with the abundance of people who will arrive for special anniversaries or occasions. At Mansfield, when dealing with Christmas Day and Mother's Day, the main gates have to be left open overnight, otherwise staff cannot get in due to the number of cars parked along Derby Road or waiting at the gates and on Derby Road to get in, potentially causing a traffic problem.

Whilst this would not occur instantly, it should be taken into account as it has the potential to create a legacy for the future with regards to traffic issues.

Following re-consultation on the most recent additional survey information with regard to the impact of the increase in capacity at Wilford Hill Crematorium on the time taken to arrange and hold cremation services, I have received the following comments from Mansfield and District Crematorium:

- Whilst unable to comment on how funerals are booked at other crematoria, Mansfield record both date of death, time and date the funeral booking is made by the funeral director with the crematorium and the date requested for the funeral. Mansfield Crematorium has no reason to believe that the timescales between date of death and booking the funeral with the Crematorium will differ from one crematorium to another. Data is provided for all the funerals which took place at Mansfield and District Crematorium during January 2013. Whilst the Crematorium allows 5 days between date of death and the funeral director actually contacting the Crematorium to arrange the funeral, there are several occasions where this time difference is far in excess of the 5 days. For every day Mansfield Crematorium was open for funerals, it was never at capacity and on several occasions the funeral director requested funerals quite a long distance, timewise, from the date of contacting the Crematorium.
- Outside influences, such as Coroner's involvement, access to doctors, access to registrar of births and deaths, family commitments, funeral directors commitments and

official commitments will all have an impact on when a funeral is booked for and therefore the crematorium cannot be held solely responsible for delays in funerals.

Nottinghamshire County Council (Policy Advice) – in strategic planning terms the proposal must be considered in the context of the East Midlands Regional Plan (March 2009) (RSS) and the National Planning Policy Framework (NPPF).

The site lies within the Nottingham- Derby Green Belt.

RSS Policy Three Cities SRS 2 states that the principle of the Nottingham-Derby Green Belt will be retained.

The NPPF states that the essential characteristics of Green Belts are their openness and permanence and inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It sets out the types of development which are considered to be appropriate in the Green Belt.

The proposed crematorium building does not fall within any of the categories of development which are considered to be appropriate. The proposal therefore constitutes inappropriate development within the Green Belt, which is, by definition, harmful to the Green Belt. In order for planning permission to be granted for inappropriate development the applicant must demonstrate that there are material circumstances which amount to very special circumstances which outweigh both the harm arising from the fact of inappropriateness and any other harm caused to the Green Belt by the development.

The applicant has submitted information to justify the need for the development in terms of the need for a new crematorium in this part of Nottinghamshire and the lack of an appropriate Green Belt site in this area.

The County Council would not wish to raise any strategic planning objections to the proposal provided that the Borough Council is satisfied that very special circumstances have been demonstrated to justify the proposed development in this Green Belt location, particularly in terms of:

- There being an overriding need for a crematorium in this part of Nottinghamshire, and;
- No other appropriate sites being available in the area, either outside the Green Belt or in an alternative Green Belt location where the development would be less harmful to its openness.

Nottinghamshire County Council (Landscape Advice) – made the following observations on the application as originally submitted:

1. Existing Site

The existing site lies immediately to the north of Catfoot Lane, and comprises a steeply sloping, north-east sloping arable field bounded by established hedgerows. The site falls within Policy Zone MN045 (The Dumbles Rolling Farmland) of the Mid-Nottinghamshire Farmlands Character Area of the Greater Nottinghamshire Landscape Character Assessment (GNLCA). This policy zone has been assigned 'strong' landscape strength and 'good' landscape condition. Overall, the landscape strategy is to conserve the distinctive rural landscape of long views over rolling farmland, the existing simple and repeated field pattern, agricultural use and sporadic clumps and blocks of woodland on the steeper slopes.

The site is screened from Catfoot Lane by an established mature hedge. There are isolated farm sites and private houses in the Lambley Dumble valleys, and a large garden centre (Floralands) to the east, accessed from Catfoot Lane approximately 400 metres from the site.

2. Methodology

The report outlines current and recognised methodology, and the visual assessment uses an appropriate range of viewpoints.

However, although there is a reference to the site's MLA status and the current policy for The Dumbles Rolling Farmland Area, there is no systematic assessment of the effect of the proposals on the landscape character. The report also misappropriates the term Green Infrastructure (GI), and appears to confuse the strategic planning of a network of open space within developed and urban areas, with incidental planting around a building.

The term GI is not generally used to describe landscape features within a particular site, particularly when that site already forms part of extensive open countryside and proposals are detracting from and/or reducing, the existing established landscape.

3. Landscape Character

The key features of the existing landscape are the open field pattern and long views over a distant landform. The ridgelines are particularly prominent in this landscape and north-east facing slopes of the area can be seen from high points in surrounding landscape areas around Epperstone, Woodborough and Calverton.

Actions quoted for Policy Zone MN045, Rolling Dumbles Farmland, include;

- Conserve the character of the settlements by restricting sprawled ribbon development along the roads approaching settlements.
- Conserve the strong pattern of field boundary hedges by minimising the fragmentation.
- Conserve the rural farming character of the landscape.
- Conserve the distinctive character of fast flowing streams and steep-sided narrow valleys which contribute strongly to the sense of place.

The section on Local Landscape Character reiterates the landscape features listed in the Policy Zone guidelines and notes that the overall strategy is to conserve the landscape. The report also quotes Guidelines for Landscape and Visual Assessment (The Landscape Institute), which states that "the loss of distinctive and high value landscapes should be given greater weight where a landscape is defined as being of importance and strong character" as is the case here. However, this reference, although quoted, does not appear to form the basis for the design presented.

Whilst the report describes the site and local topography, it fails to clarify or note that the strength of the local landscape (to which this site contributes), is derived from the repeated pattern of open fields, strong hedge lines and woodland blocks ranged across a rolling landscape with long views filtered through linear stands of trees. Apart from the occasional dwelling or outbuilding complex, which tend to be located

near the road network, buildings are scarce and despite a location immediately next to the northern edge of the conurbation, the area is surprisingly free of creeping development and suburbanisation.

The report appears to argue that the introduction of 'new' landscape features, eg. attenuation ponds, parkland tree planting etc, will improve the existing landscape character as it will comprise a 'GI framework'. Apart from what is considered to be a misuse of the term GI in this context, the assumption that the imposition of new landscape features is beneficial to the existing landscape character must be challenged. The particular and distinctive strength of this policy area is the uniformity of topography and repeated simple and open field pattern. Parkland tree planting, car parks, buildings and glades/memorial gardens may well contribute to habitat diversity and an attractive crematorium setting, but can only be considered incongruous and out of place (in terms of conserving the existing landscape character) in this particular location.

Whilst it is recognised that locating the building below the ridgeline reduces its impact, the site plan shows a landscape that will be very difficult to achieve on a sloping site and there is inadequate consideration of the substantial earthworks that will be needed – which will themselves have a substantial impact upon the local topography. For example, the extensive watercourses are located on a section of site currently sloping at a gradient of less than 1:3. If the water level shown is consistent across the pond features, a further retaining structure some 3.5 metres high would be required below the building. If the watercourses are to be terraced, this will again require substantial earthworks and substantially alter the local landform which is, again, a unifying factor in the wider landscape.

Similarly, the woodland walks would require substantial associated earthworks for DDA compliance.

4. Visual Impact Assessment

The series of viewpoints analysed is satisfactory, although it is difficult to identify any features in the landscape in some of the photographs. There is no evidence that the viewpoints have been ranked for sensitivity of receptor, which is usual practice.

It is suggested that the impact from two viewpoints would be 'moderate adverse', rather than the 'low beneficial/low adverse' reported. Recreational users (from the footpath) are highly sensitive receptors – introducing a different type of landscape, however attractive, does not necessarily represent an improvement if it contrasts with what is already there.

5. Native Species

Although it is mentioned that native species are to be used, there is no indication of what the species might be. Species used should be characteristic of the area and also of native provenance. The County Council has provided a list of recommended species for the mid-Nottinghamshire Farmlands. Tree and shrub selection for native planted areas in this locality should be limited to these species only.

6. Summary

The following landscape conclusions were reached about the proposed development:

- The study follows standard procedure for visual impact assessment, but does not fully assess the impact of the scheme on landscape character.
- The scoring underestimates the impact of change on particularly sensitive receptors i.e recreational users on the footpath to the north-east of the site.
- Tree and shrub species should be local to the area and of native provenance, if they are to contribute positively to biodiversity.

Whilst the County Council did not necessarily object to the proposal in principle, it was felt that the design introduced the character of a suburban parkland into what is essentially agricultural land, and the supporting documentation is insufficient to demonstrate and assess the true impacts, or mitigation. Indeed, the proposals appear to directly conflict with the actions for this particular area.

As such, the County Council did not support this application as originally submitted.

Following the submission of cross-sections through the site, including an additional detail showing a reduced height retaining wall immediately to the north of the building and the terracing of the watercourses, the County Council suggested the submission of a contour plan to clarify the extent of earthworks, finished levels and gradients.

With regard to the cross-sections and the additional work undertaken on the key viewpoints to further support the LVIA in assessing the level of impact that the scheme would have on the landscape character of the site and surrounding area, the County Council commented as follows:

1. Landscape Character

The further information has shown the terracing of scrapes and watercourse parallel to the Dumble. Whilst it is not disputed that this will have habitat value, it is not a feature generally associated with the steep sided, 'V' shaped, dumble valleys.

The site lies within a MLA and has been assessed as having a strong character, which is derived from a combination of rolling topography and a very simple pattern of open fields with limited built form. As previously outlined, the strength of the landscape is derived from its simplicity and openness; introducing buildings and a diverse landscape of memorial gardens, woodland, parkland trees, bulb planting etc will 'fundamentally change the key characteristics of the landscape' described in the LVIA as a 'high adverse' magnitude of change. The Dumbles MLA is one of the most extensive in the County and is considered an area of high landscape sensitivity, consequently the impact on Landscape Character will be 'high adverse'.

2. Visual Impact Assessment

The County Council is particularly interested in the visual impact of the proposal from points within the visual envelope, ie from the nearby footpaths and from Catfoot Lane. The LVIA describes the ranking for visual sensitivity; users of Rights of Way are described as 'high medium' or 'medium' sensitivity. Using the description given for magnitude of change, the County Council is of the opinion that for three viewpoints, the introduction of a substantial building and associated external works into an agricultural field will cause a 'notable deterioration or change in the view and/or a recognisable incongruous new element readily noticed by the casual observer' ie 'medium adverse' change.

From two viewpoints, the building and associated terracing located to the east of the field would be very apparent, as the screening effect of the Poplars is lost at this end of the site; although the Poplars give filtered views for one viewpoint, it demonstrates that at this range the open field behind the trees is readily visible. Users of the footpaths are generally familiar with the landscape and do value the views.

Although it is accepted that the development would include additional tree planting, memorial gardens and terraced watercourses and wetlands, these are incongruous in the context of the existing set of landscape components (as previously outlined). Therefore, using the definitions given, the County Council considers the Visual Impact has been underestimated, and should be 'moderate adverse'.

Users of Catfoot Lane would generally fall into the low or medium sensitivity category; although there may be walkers less interested in their surroundings and more focussed on the road. There are gaps in the hedgerow at present, but the topography obscures much of the lower area of the site; the proposed regrading should prevent casual views of the building and parking, although the landscape characteristics would be changed. However, there would be views into the site at the entrance, especially given the extensive visibility splays required and it seems likely that some of the existing hedgerow would need to be removed. Whilst the County Council would generally agree with the assessment of views from into the site from Catfoot Lane, the proposed tree planting, memorial gardens etc seen from the entrance, however attractive in their own right, are incongruous in this landscape, and are incompatible with the policy of 'conserving the rural farming character' of the landscape. Consequently, the visual impact at the entrance is considered 'moderate adverse' (ie. Medium low sensitivity, medium adverse magnitude of change).

3. Contours

A comparison of the sections and the contour plan appears to show some discrepancy in the extent of excavation needed for the car park. The contour plan does not indicate the extensive mounding shown on the layout in the north-east and north-west corners of the site.

4. Conclusion

The proposals would have less impact on the locality if the scale and extent of the groundworks was reduced eg. a double bank of car park bays instead of two lines of single bays and less extensive earthworks. It is accepted that the building itself is not of an excessive size, especially compared to the existing farm buildings which would be removed. However, the nature of the sloping site and requirement to service the building with appropriate access, walkways, terracing and gardens necessitates extensive earthworks and ground remodelling; together with the associated landscaping and more formal management, the proposals are clearly at odds with the stated policy aim to conserve the rural farming character, and to conserve the strong field pattern by minimising fragmentation.

The LVIA concludes by noting that the proposed development 'would not be out of scale or context with the landscape in which it is proposed'. Given the existing policy for this site and current designations, it is the County Council's view that the proposals are both out of scale and out of context and consequently the County Council does not support the proposal.

With regard to the additional information, showing proposed viewpoints; Site Layout Plan; Landscape Context, Sections and Contours, the County Council has commented as follows:

- In terms of Landscape Character, it is not disputed that there are similar developments nearby; the current landscape policy for the area has been formulated in the context of the existing surroundings. Piecemeal development with an increasingly cumulative impact is specifically what the policy aims to avoid.
- In terms of Visual Impact, the additional montages are useful but the County Council's conclusion in respect of visual impact on receptors from the public footpaths is unchanged. When there are no leaves on the trees the visual impact will be greater than shown in the photomontages and the building and environs will be lit during winter months (presumably the building will be open for staff for longer hours than the official opening).

The simplified landscape proposals are considered more in keeping with the area and policy guidelines, although there was a presumption by the Landscape Team that the mound was required to accommodate an excess of site material generated by the earthworks required for the site. The sensitivity of the landscape remains high, but the simplified proposals are considered a 'medium adverse' magnitude of change, leading to a 'moderate adverse' overall impact.

Nottinghamshire County Council (Arboricultural Advice) – the County Council is wholly satisfied with the information submitted within the Arboricultural Impact Assessment, which demonstrates a factually correct appraisal of the trees concerned and supports their future satisfactory protection and retention.

Trees should be retained in accordance with the recommendations in the report.

The Ash tree, shown as T7 on the tree survey is of sufficient quality and public visual amenity to warrant a Tree Preservation Order and should be protected should consent for development be granted.

The County Council has no further comments to add on the revised plans and additional information provided.

Nottinghamshire County Council (Highway Authority) – makes the following comments:

Although Catfoot Lane is of variable width, from a highway point of view the Highway Authority does not consider the volumes of traffic using it to be any more than average. It has no footways, street lighting or road markings, but that lends itself to the roads environment. Recent speed surveys undertaken as part of the application, show that despite the road being covered by a 60 mph speed limit, the actual 85th percentile speed is 47 mph, well below the permitted 60 mph. Taking all this into consideration, in conjunction with the reported injury accident statistics (that show no incidents in the past 5 years between Mapperley Plains Road to east side of Orchard Farm) the Highway Authority does not consider the nature of the road to raise significant highway safety concerns.

As mentioned above, the Highway Authority's road traffic injury collision records show that between January 2007 and November 2012 there have only been 5 incidents at the Mapperley Plains Road/Catfoot Lane junction and no accidents along Catfoot Lane between Mapperley Plains Road to just east of Orchard Farm. Of those 5 incidents, 3

involved right turning vehicles into Catfoot Lane, 1 right turn out of Catfoot Lane and a left turn into Catfoot Lane. Only one of these 5 incidents was severe. These records do not indicate that the junction is operating unsatisfactorily.

The new development will have an increase in local traffic, but the applicants transport consultants have shown that this increase is not a material increase and will not have a significant impact on the highway network.

The visibility splay at the junction of Catfoot Lane with Mapperley Plains Road, is 150 metres at a setback distance of 2.4 metres, in a northerly direction, upon exiting. Manual for Streets 2 contains a formula for calculating visibility splays and in accordance with this formula the visibility requirement is 125 metres for a 60 mph road, which is within the available 150 metres.

The Highway Authority had no highway objections in principle to the proposed development as originally submitted, but advised that the submitted details were insufficient to be considered favourably and recommended that the application be refused, as it would result in a risk to highway and pedestrian safety.

The speed limit on Catfoot Lane is derestricted and, whilst the Highway Authority agrees with the speed survey results, it is essential that a 160 metres visibility splay is provided, rather than the 2.4 metres by 84 metres proposed. A visibility splay of this dimension would allow adequate time for a slow moving cortege to be seen and be seen.

In addition to the inadequate visibility splays, the site access layout shows the access point being served by a 12 metres and 6 metres radius kerb. An access point of these dimensions is totally inappropriate for the use and the location. From a highway viewpoint, an access served by two compound curve radii with all movements tracking would give a better gateway into the site.

The Transport Statement states that there are no footpaths along Catfoot Lane, although on site observations indicate that it is regularly used by pedestrians throughout the day. The Highway Authority considers that it is likely that the proposed development, with its memorial woodland, would generate pedestrian movements to and from the site, particularly from the B684. It is therefore essential that a footpath link is provided between the site access point and the B684, with the provision of a pedestrian island on Mapperley Plains.

To allow the development in this format would result in a risk to highway and pedestrian safety.

However, following the submission of a revised site access and internal layout arrangements and details of the figures used to calculate the visibility splay requirements, the Highway Authority has confirmed that splays of 2.4 metres by 111 metres and 98 metres are acceptable.

The access has been redesigned to accommodate a compound kerb, which gives a less engineered entrance to the scheme and is also acceptable.

The provision of a footway on the south side of Catfoot Lane, between the site and Mapperley Plains Road is considered not to be required, as it is unlikely that pedestrian traffic would be generated to just a crematorium. If a cemetery was also proposed, the Highway Authority would wish to reconsider this aspect.

The Highway Authority advises that the above comments are based on the proposals as a stand alone application. If this development and the proposed neighbouring proposal were also to be granted permission, the Highway Authority would wish to review its comments to take into account the combined traffic generation of both sites and their impact on the public highway.

As such, the Highway Authority is satisfied that the proposed development would not adversely impact on the public highway, subject to a number of conditions regarding:

1. Provision of the proposed parking, turning and servicing areas, which should not be used for any other purpose.
2. Provision of the proposed new vehicular access, as shown on drawing no: F12072/01.
3. Provision of the proposed visibility splays, as shown on drawing no: F12072/01, which should thereafter be kept free of all obstructions, structures or erections exceeding 0.9 metres in height.

Public Protection – it is unlikely that there will be any adverse environmental protection issues. As the operator will need to apply for an environmental permit to operate, all the pollution issues should be dealt with via this route.

Whilst it would be preferable for planning permission and the environmental permit to be applied for together, sufficient additional information has been provided in respect of the chimney stack height, although this may need to be re-visited when an application for a permit is submitted.

Public Protection has no further comments to make on the revised plans and additional information provided.

Environment Agency – comments that the proposed development will be acceptable if the following measures are implemented and secured by way of a planning condition on any planning permission.

The development should not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme should be implemented as approved.

The application form indicates that foul drainage is to be discharged to a non-mains drainage system. In these circumstances DETR Circular 03/99 advises that a full and detailed consideration be given to the environmental criteria listed in Annex A of the Circular in order to justify the use of non-mains drainage facilities.

It is not clear currently what drainage system is being proposed. The application indicates that the proposal is for a septic tank. However, the supporting information states that the ground conditions are 'likely to be relatively impermeable' and that a 'septic tank which is emptied regularly' may be suitable. It is unclear whether the applicant is actually proposing a cesspool.

Justification would be required for use of a cesspool over preferred alternative means of foul disposal, for example, septic tank or package treatment plant in accordance with the hierarchy set out in DETR Circular 03/99/WO Circular 10/99.

Advice and information is also provided by the Environment Agency about any discharge

from the foul drainage system to the environment, which may require a permit, and the treatment and disposal of sewage where no foul sewer is available.

The Environment Agency has no further comment to add on the additional information provided.

Severn Trent Water – no objection to the proposal and has no comments to make.

Natural England – the proposal does not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils, nor is the proposal EIA development.

Although there are suitable features for bat roosting within the site, the application does not involve a medium or high risk building, as defined in standing advice, and permission could be granted.

The local planning authority should assess the possible impacts resulting from this proposal on other protected species.

Nottinghamshire County Council (Conservation Advice) – makes the following comments regarding nature conservation issues:

1. Site Survey

The proposals will not directly affect any statutorily or locally designated nature conservation sites. One locally designated site, Fox Covert Grasslands, Lambley SINC 2/375, does abut the eastern end of the northern boundary of the site. However, no impact on this site appears likely.

No particularly notable habitats were found to be present on site (with none valued at greater than Parish value), the majority of which is dominated by species-poor, semi-improved grassland, bounded by species-poor hedgerows.

No evidence of protected species was found at the site, and no evidence of roosting bats was found in the farm buildings present on site (which will be demolished); the ecology report states that no further bats surveys are required in relation to the farm buildings and that a Natural England European Protected Species Licence will not be required. Nevertheless, a number of recommendations are made in relation to bats and other protected species.

2. Mitigation

Planning conditions should be used to secure the following mitigation measures:

Vegetation clearance during the bird nesting season (which runs from March to August inclusive) should be controlled.

The hybrid black poplar should be subject to an evening emergence survey with regards to bats, immediately prior to its removal.

As a precaution, parts of the existing farm buildings should be dismantled by hand, with the procedure outlined on page 33 of the ecology report followed in the unlikely event that bats are encountered.

If any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other animals that may fall into the excavation to escape, and any pipes over 200 mm in diameter should be capped off at night to prevent animals from entering them.

Bat boxes should be affixed to the proposed crematorium building at a number of discrete locations, and with a variety of aspects.

A range of habitat creation works are proposed to mitigate against the loss of existing habitats present on the site.

3. Site Enhancement

A range of habitat creation measures using native species are proposed as part of the site landscaping, which is welcomed, including species-rich grassland, ponds and wetland and areas of woodland. The ecology report concludes that these can be expected to have a significant positive impact on biodiversity.

Therefore, the submission of a landscape scheme should be made a condition of any permission granted, to incorporate native species appropriate to the local area and of native genetic origin.

In addition, a condition should be used to require the production of a habitat management plan, detailing how habitats created as part of the landscaping scheme will be managed and maintained, in order to maximise their value.

4. Conclusion

In summary, the proposals will not give rise to any significant ecological impacts, although a number of mitigation measures are proposed which should be secured through appropriate conditions. The site landscaping offers the potential to create valuable areas of new habitat, and a detailed landscaping scheme and habitat management plan should be secured through planning conditions to ensure that the value of these habitats is maximised.

Nottinghamshire Wildlife Trust – welcome the habitat creation proposals included in the landscaping and the creation of a sedum roof on the new buildings.

The Trust also welcomes the ecological walkover and bat survey that has been undertaken and trust that the pre-construction checks and good working practice recommended in the report is secured by the use of an appropriately worded condition. The specific measures, the Trust would wish to see secured are as follows:

- Restoration of disturbed grassland areas with suitable wildflower meadow mix.
- No storage of material and machines under the drip zone of trees.
- Evening bat emergence survey on the hybrid black poplar tree, prior to removal.
- Vegetation removal to take place outside of bird breeding season or under ecologist's supervision.
- Ramps provided in any trenches left overnight and any pipes to be capped overnight in order to protect wildlife.

The Trust is pleased to see that the 'habitat compensation recommendations' are illustrated on the landscape plans and would also wish to see the proposed enhancements for faunal species secured.

The Trust welcome the production of the landscape management plan and wish to see this fully implemented. The key management actions summarised should also be secured.

Other general comments include:

- Assurance that there is no option for retaining trees identified for removal.
- Assurance that the proposed wetlands will include permanent areas of water to maximise its wildlife value and that the land in the vicinity of the ponds will remain wet for most of the year.
- Meadow species to be planted should include species found on the nearby SINC.

The Wildlife Trust has no further comments to make on the revised plans and additional information provided.

Urban Design Consultant – has no objections to the proposed layout and is supportive of the contemporary linear design, with distinct shapes and exaggerated elevations, in this location. The proposed material mix is also considered favourably.

Parks & Streets Care – make the following comments:

- The 'green roof' is a very practical idea to aid surface water run-off.
- One cremator currently proposed – possible need for expansion in future.
- Lack of additional burial space noted.

Nottinghamshire County Council (Archaeological Advice) – no observations or recommendations to make.

Planning Considerations

The key planning considerations in the determination of this application are the location of the site within the Green Belt for Nottingham.

The main planning considerations which must also be assessed are the impact of the proposed development on the local landscape, highway safety and whether the proposal would meet the main principles of sustainable development.

Other planning considerations include the impact of the proposed development on pollution, the water environment, the amenity of nearby residential properties and businesses; ecology; and the design of the proposed development.

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. The following core planning principles of the NPPF are relevant to this planning application:

- 7. Requiring good design (paragraphs 56-68)

- 9. Protecting Green Belt land (paragraphs 79-92)
- 10. Meeting the challenge of climate change, flooding and coastal change (paragraphs 100-104)
- 11. Conserving & enhancing the natural environment (paragraphs 109-125)

Locally, the following saved policies of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) are relevant to this planning application:

- Policy ENV1: Development Criteria
- Policy ENV2: Landscaping
- Policy ENV11: Pollution Generating Development
- Policy ENV26: Control over Development in the Green Belt
- Policy ENV36: Local Nature Conservation Designations
- Policy ENV37: Mature Landscape Areas
- Policy ENV40: River Environment
- Policy ENV43: Greenwood Community Forest
- Policy ENV48: Hedgerow Protection
- Policy T10: Highway Design and Parking Guidelines

Gedling Borough Council at its meeting on 13th February 2013 approved the Gedling Borough Aligned Core Strategy Submission Documents (ACSSD) which it considers to be sound and ready for independent examination. Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies contained in the ACSSD than to previous stages, as it is at an advanced stage of preparation. The level of weight given to each policy will be dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given).

The following emerging planning policies are relevant to this planning application:

- 1. Climate Change
- 3. The Green Belt
- 10. Design and Enhancing Local Identity
- 16 Green Infrastructure, Parks and Open Space
- 17. Biodiversity

The Borough Council is aware of a letter from the Department for Communities and Local Government dated 27th May 2010, which confirms the Governments' intention to rapidly abolish Regional Spatial Strategies (RSS). There have been a number of legal challenges to this letter, but the current position is that the RSS forms part of the Development Plan, although the intention to revoke the RSS is a material consideration. After reviewing the East Midlands Regional Plan, it is considered that none of the policies it contains are relevant to this application.

Green Belt Considerations

The relevant planning policies that need to be considered in relation to the proposed use within the Green Belt are set out in Policy ENV26 of the Replacement Local Plan (RLP), Policy 3 of the ACSSD and Section 9 of the NPPF.

The NPPF emphasises the importance which the Government attaches to Green Belts and states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their

openness and their permanence. Paragraph 80 of the NPPF advises that the Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Development within the Green Belt is inappropriate, unless it is for one of the purposes identified in paragraph 89 of the NPPF or Policy ENV26 of the Replacement Local Plan (RLP).

Policy ENV26 of the RLP states that within the Green Belt planning permission will be granted for appropriate development including, amongst other things, cemeteries. In all cases, appropriate development must be located and designed so as not to harm the openness of the Green Belt or the purpose of including land within it.

This is reflected in paragraph 89 of the NPPF, which states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, apart from certain exceptions, including the provision of appropriate facilities for cemeteries, as long as this preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Paragraph 90 of the NPPF then states that certain other forms of development, such as mineral extraction, engineering operations and local transport infrastructure, are also not inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Paragraph 87 of the NPPF states that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88 of the NPPF then states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Policy 3 of ACSSD retains the principle of the Green Belt and sets out the approach to be taken to recasting and reviewing its boundaries.

As stated in the NPPF, where development is deemed inappropriate, the applicant will need to demonstrate that very special circumstances exist which outweigh the harm to the Green Belt and any other harm caused. Crematoria are inappropriate development and 'very special circumstances' need to be demonstrated in two regards:

- Firstly, the applicant must demonstrate that there is a need for a new crematorium in the area;
- Secondly, the applicant must demonstrate that there is no alternative non-Green Belt location.

The need for the proposed development and alternative sites has been tested in the Introduction Report. This concluded, on balance, that it is in the public interest that a single crematorium site is provided in the Borough to serve the Arnold and Carlton areas and this is sufficient to be regarded as very special circumstances in this instance. It was also concluded that there are no reasonable alternatives or sites which have been identified which perform better in terms of planning policy and meet the identified needs of the community.

If Members are minded to accept the recommendation in the preceding report on the Westerleigh application, it follows that there is no longer any need for this particular application, so the very special circumstances necessary to justify inappropriate development do not exist.

It is also considered that the scale and appearance of the proposed development, together with the associated hard surfaced areas, would be detrimental to the openness of the Green Belt in this location and would constitute unacceptable encroachment into the countryside, contrary to one of the five purposes of including land within the Green Belt, as stated in paragraph 80 of the NPPF. However, it is acknowledged that the demolition and removal of all the existing buildings currently within the site would partially mitigate the local impact on openness.

As such, the proposed development would be contrary to Policy ENV26 of RLP, Policy 3 of the ACSSD and paragraphs 80, 87, 88 and 89 of the NPPF.

Landscape Considerations

The relevant planning policies that need to be considered in relation to landscape matters are set out in Policies ENV2, ENV37, ENV43 and ENV48 of the RLP, Policies 10 and 16 of the ACSSD and Section 11 of the NPPF.

Policy ENV2 of the RLP states, amongst other things, that where landscaping is required as part of new development it should complement the facilities on the site, retain and enhance established features and reflect the character of the surrounding landscape.

Policy ENV37 of the RLP states that development which would have an adverse effect on the visual, historic or nature conservation importance of a Mature Landscape Area (MLA), will be permitted only where it can be shown that there are reasons for the proposal that clearly outweigh the need to safeguard the areas intrinsic value. Where development is permitted proposals will be required to minimise the harm to the area.

However, it should be noted that Policy ENV37 is not completely consistent with paragraph 113 of the NPPF, which refers to the use of criteria based policies against which proposals affecting the landscape may be judged. Consequently, Policy ENV37 may be of more limited weight in this particular case. In this context, Policy 10 of the ACSSD is more up to date (see below) in that it requires proposals to be assessed with reference to the Greater Nottingham Landscape Character Assessment and reflects the policy approach guidance in the NPPF.

Policy ENV43 of the RLP states that prior to granting planning permission for development within the Greenwood Community Forest area, the Council will seek to negotiate with developers to secure new tree or woodland planting as part of the development.

Policy ENV48 of the RLP states that development which involves the loss of, or adversely affects one or more important hedgerows will not be permitted unless the desirability of the proposed development clearly outweighs their archaeological, historical, wildlife or landscape value.

Policy 10 of the ACSSD states, amongst other things, that new development will be assessed with regard to its potential impact on important landscape views and vistas and that, outside settlements, new development should protect, conserve or where appropriate enhance landscape character. In broad terms, this also reflects the aims of Section 11 of the NPPF.

Policy 16 of the ACSSD states that a strategic approach will be taken to the delivery, protection and enhancement of Green Infrastructure and requires, amongst other things, that Landscape Character is protected, conserved or enhanced where appropriate in line with the recommendations of the GNLC.

Paragraph 109 of the NPPF states, amongst other things, that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The potential landscape and visual effects of the proposed development have been assessed in the Landscape and Visual Impact Assessment (LVIA), as revised, which forms part of this application. The site is identified as falling within the 'Mid Nottinghamshire Farmland' Landscape Character Area and is classed as 'The Dumbles Rolling Farmland' landscape character type.

As a consequence of the revised plans, the landscape proposals have been simplified and are considered by the County Council's Landscape Team to be more in keeping with the area and the landscape policy guidelines, but would still introduce buildings and a fundamentally diverse landscape into an area of high landscape sensitivity, derived from its simplicity and openness.

I note that these simplified proposals are now considered a 'medium adverse' magnitude of change, leading to a 'moderate adverse' overall impact, in comparison to the Westerleigh application which would only have a 'slight adverse' impact on Landscape Character and Visual Impact.

In addition, the location of the proposed crematorium closer to the bottom of the Dumble valley conflicts with the existing sporadic pattern of development along Catfoot Lane, where built development is typically found on the higher levels adjacent to the Lane and away from the bottom of the Dumble, such as Orchard Farm itself. As such, the proposed development, by reason of its proximity to the valley floor, would be detrimental to the distinctive character of this part of the Dumble. This compares unfavourably with the Westerleigh application, where the proposed crematorium building would be sited closer to Catfoot Lane, and further away from the bottom of the Dumble, in a location where it is less well established.

In terms of Visual Impact, I note that the County Council considers that from some viewpoints the introduction of a substantial building and associated external works into an agricultural field would cause a 'notable deterioration or change in the view and/or a recognisable incongruous new element readily noticed by the casual observer'. Although it is accepted that the development would include additional tree planting and wetlands, these are incongruous in the context of the existing set of landscape components and the Visual Impact is considered to be 'moderate adverse'.

Having regard to the conclusions of the LVIA, as revised, and the comments of the County Council's Landscape Team, I consider that the proposed development would not accord with Policies ENV2 and ENV37 of the RLP, in that the proposed landscaping would not enhance established features or reflect the character of the surrounding landscape; nor has it been shown that there are reasons for the proposal that clearly outweigh the need to safeguard the areas intrinsic value.

Having regard to the GNLCA, and by reason of its 'moderate adverse' overall impact on Landscape Character and Visual Impact, I do not consider that the proposed development would accord with paragraph 109 of the NPPF or Policies 10 and 16 of the ACSSD.

Notwithstanding the above, it is considered that the requirements of Policies ENV43 could have been met and that the proposed development would not have involved the loss of an important hedgerow, as outlined in Policy ENV48.

Highway Safety Considerations

The relevant planning policies that need to be considered in relation to highway safety are set out in Policies ENV1 and T10 of the RLP.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development if it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated and that development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and that, in this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children.

Policy T10 of the RLP refers to highway design and parking guidelines and states, amongst other things, that developers will not be required to provide more parking spaces than they consider necessary unless failure to provide enough off-street parking would harm road safety or prejudice the flow and management of traffic on nearby streets. In addition, Policy T10 requires that special attention will be paid to providing parking spaces reserved for disabled people in all non-residential development.

Whilst I appreciate the concerns which have been expressed with regard to different aspects of highway safety by the Parish Council's and local residents, I note that the Highway Authority does not consider the nature of the road to raise significant highway safety concerns.

In particular, although Catfoot Lane is of variable width, the Highway Authority does not consider the volumes of traffic using it to be any more than average; the actual percentile speed of vehicles is well below the permitted 60 mph; the reported accident statistics at the junction of Catfoot Lane and Mapperley Plains do not indicate that the junction is operating unsatisfactorily and the visibility splays meet the specified requirements.

It is accepted that the proposed development would lead to an increase in local traffic, but it has been demonstrated to the Highway Authority's satisfaction that this increase is not material and would not have a significant impact on the highway network.

As such, the Highway Authority has no objections in principle to the proposed development or the level of parking proposed, subject to the imposition of appropriate

conditions regarding the provision of the parking, turning and servicing areas, vehicular access and visibility splays.

Highway considerations do not form part of the case that very special circumstances exist which outweigh the harm to the Green Belt and any other harm caused.

It is considered, therefore, that the proposed development would provide access, parking and turning arrangements in accordance with Policies ENV1 and T10 of the RLP.

Sustainability Considerations

The relevant planning policies that need to be considered in relation to sustainability are set out in Policy ENV1 of the RLP, Policies 1 and 10 of the ACSSD and Section 10 of the NPPF.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it incorporates best practice in the protection and management of water resources.

Policy 1 of the ACSSD requires all development proposals to deliver high levels of sustainability in order to mitigate against and adapt to climate change and to contribute to national and local targets on reducing carbon emissions and energy use and sets out how this should be achieved.

Policy 1 goes on to state, with regard to Sustainable Drainage, that all new development should incorporate measures to reduce surface water run-off, and the implementation of Sustainable Urban Drainage Systems into all new development will be sought, unless it can be demonstrated that such measures are not viable or technically feasible.

Policy 10 of the ACSSD requires all new development to be designed to be adaptable to meet evolving demands and the effects of climate change and reflect the need to reduce the dominance of motor vehicles and to perform highly when assessed against best practice guidance and standards for sustainability.

Section 10 of the NPPF states, amongst other things, that local planning authorities should plan for new development in locations which reduce greenhouse gas emissions, take account of water supply considerations and ensure that flood risk is not increased elsewhere.

In this respect, I note that the proposed building would have a green sedum roof and include linear ponds and swales to provide surface water attenuation.

The Flood Risk and Run-Off Assessment (FRA), which has been carried out in accordance with the requirements of the NPPF, has demonstrated that the layout may be developed to incorporate a Sustainable Urban Drainage System (SuDS) that would not only provide adequate run-off protection, but would also provide an improvement in the run-off quality.

I am also mindful that the proposed development would result in a reduction in travel miles across the city and a reduction in traffic on the city centre roads and the ring road, with a consequential reduction in greenhouse gas emissions and the carbon footprint of existing crematoria.

However, in comparison to Westerleigh application, the location of the site an additional 485 metres from Mapperley Plains and the nearest bus stop would make it more difficult to access the site by alternative modes of transport. I also note that no footway along Catfoot Lane is required by the Highway Authority for pedestrian access.

It is considered, therefore, that whilst the proposed development would possess sustainable features, which would accord with the relevant aims of Policy ENV1 of the RLP, Policies 1 and 10 of the ACSSD and Section 10 of the NPPF, it would be less sustainable than the Westerleigh application, due its greater distance from Mapperley Plains.

Pollution Considerations

The relevant planning policies which need to be considered in relation to pollution are set out in Policy ENV11 of the RLP and Section 11 of the NPPF.

Policy ENV11 of the RLP states, amongst other things, that planning permission will not be granted for pollution generating development which would result in unacceptable risk to the health and safety of residents or users of nearby properties; unacceptable nuisance to users or residents of nearby properties or the surroundings in general by reason of smoke, fumes, gases; or harm to the natural environment or the landscape.

Paragraph 109 of the NPPF states, amongst other things, that the planning system should contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution.

Whilst I appreciate the concerns which have been raised in respect of emissions from the proposed development and air quality, I note from the Design and Access Statement that the proposed building will include 'clean to air' filtration equipment to ensure that the discharge from the crematorium would have no adverse effects on environmental air quality.

I also note that paragraph 122 of the NPPF advises that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities are advised to assume that these regimes will operate effectively. In this instance, a separate application would need to be made to the Borough Council for an Environmental Permit in order for the facility to operate, and all pollution issues would be dealt with via this route.

With regard to surface and foul water disposal, I note that the Environment Agency has no objections in principle, subject to the imposition of an appropriate condition requiring details of a foul water drainage scheme for the site, as it is not currently clear what drainage system is being proposed and any discharge from the foul drainage system to the environment may require a permit. I also note that Severn Trent Water has no objection.

With regard to light pollution, I would comment that this application site is located further down Catfoot Lane than the Westerleigh application from the area which is already affected by the existing street lights along Mapperley Plains and Catfoot Lane, night time traffic along Mapperley Plains, lights at the Travellers Rest Public House and the floodlights at the Mellish Rugby Football Club (when in use).

Although the proposed development would therefore have a noticeable, and greater impact in terms of light pollution than the Westerleigh application, given the nature of the proposed use I am satisfied that the additional lighting which would be introduced into the area by the proposed development would not unduly exacerbate light pollution as to justify a reason for refusal and the overall effect could be limited by the imposition of an appropriate condition to control the extent and type of lighting to be provided. This accords broadly with the aims of paragraph 125 of the NPPF, which advises that planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

I am satisfied, therefore, that the proposed development would accord with Policy ENV11 of the RLP and Section 11 of the NPPF.

Water Environment Considerations

The relevant planning policies that need to be considered in relation to the water environment are set out in Policy ENV40 of the RLP, Section 10 of the NPPF and Policy 1 of the ACSSD.

Policy ENV40 of the RLP states, amongst other things, that planning permission will not be granted for development that would have an adverse effect on water quality and associated wildlife habitats of Lambley Dumble.

The FRA concludes that the proposed site is within Flood Zone 1, an area with low fluvial flood risk. The management of storm water generated by the development itself would be the principle flood risk to the proposed development, as infiltration based drainage systems are anticipated to be unsuitable in this location due to the impermeability of the underlying strata. As such, surface water attenuation measures are proposed in the form of linear ponds and swales. The outfall from the system would be to the Dumble watercourse to the north of the site, using a stepped outfall swale which would provide the second of two treatment trains ensuring the run-off from the site, which would be restricted to mimic the greenfield rates, would have a positive impact upon the water quality of the receiving watercourse.

I note that the Environment Agency has no objections in principle to the proposed development, but recommends the imposition of a condition requiring details of a foul water drainage scheme for the site, as it is not currently clear what drainage system is being proposed, and any discharge from the foul drainage system to the environment may require a permit.

As such, I am satisfied that the proposed development would not have any undue impact on the water quality and associated wildlife habitats of Lambley Dumble, avoids areas of current and future flood risk and would not increase the risk of flooding elsewhere, in accordance with Policy ENV40 of the RLP, Policy 1 of the ACSSD and paragraphs 100-104 of the NPPF.

Amenity Considerations

The relevant planning policies that need to be considered in relation to residential amenity are set out in Policy ENV1 of the RLP, Policy 10 of the ACSSD and Section 11 of the NPPF.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it would not have a significant adverse effect on

the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated. This is reflected more broadly in Policy 10 of the ACSSD.

Paragraph 123 of the NPPF states, amongst other things, that planning decisions should aim to avoid any adverse noise impacts as a result of new development

Whilst there would be an increased amount of traffic activity generated in the area, the nature of the proposed use would mean that this would mainly be limited to daytime hours during the week. I am satisfied, therefore, that the proposed use would not have any significant adverse impact on nearby properties due to the level of activities on the site or the level of traffic generated. For the same reason, I do not consider that the proposed development would give rise to any adverse noise impacts.

I do not consider that there would be any adverse loss of amenity to the nearest residential properties or businesses, in terms of overlooking, overshadowing or overbearing issues, given the distance of the proposed crematorium from these.

The change or loss of existing views to nearby residential properties or businesses is not a material planning consideration.

In my opinion, the proposed development would not have an unduly detrimental impact on the amenity of nearby residents or businesses in accordance with the aims of Policy ENV1 of the RLP, Policy 10 of the ACSSD and Section 11 of the NPPF.

Whilst the distance between crematoria and residential properties is controlled by other legislation (the Cremation Act 1902, which states, amongst other things, that no crematorium shall be constructed nearer to any dwelling-house than 200 yards), I can confirm that the nearest residential properties (224 Catfoot Lane and Foxhill Farm) to the proposed crematorium, measured building to building, are approximately 200 yards.

Ecological Considerations

The relevant planning policies that need to be considered in relation to ecological matters are set out in Policy ENV36 of the RLP, Policy 17 of the ACSSD and Section 11 of the NPPF.

Policy ENV36 states, amongst other things, that in evaluating proposals which may have an adverse effect upon a SINC, consideration will be given to the impact on the long-term ecological viability of the habitat; measures taken to minimise damage and disturbance to the habitat and wildlife; and the nature, layout and density of the development proposed. SINC's will be conserved wherever possible and, where development is permitted, a balance will be struck between the needs of the development and the ecological interest of the site. Any damage to the ecological interest of the site will, as far as possible, be kept to a minimum.

Policy 17 of the ACSSD seeks to ensure that new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate.

Paragraph 118 of the NPPF advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments.

The presence of a protected species is a material planning consideration and I note that an Ecological Walk-Over and Bat Survey has been undertaken and forms part of this application. The Survey found that no nationally designated nature conservation sites would be affected by the proposals, but noted that the Fox Covert Grasslands SINC adjoins the north-east boundary of the site. There is no evidence of protected or notable species on the site, although parts of the site appear to be used for foraging and it does provide potential habitat for nesting birds.

The proposed habitat creation, in the form of native tree planting, species rich grassland, ponds and wetland areas, are expected to have a significant overall positive impact by creating an increased variation in the structure and diversity of habitats and by enhancing the site for both floral and faunal species.

I note that the County Council's Conservation Team and the Nottinghamshire Wildlife Trust welcome the proposed habitat creation measures and the proposed sedum roof, which have the potential to create valuable areas of new habitat and consider that this would conserve and enhance biodiversity in accordance with the aims of Policy 17 of the ACSSD and paragraph 118 of the NPPF.

Design Considerations

The relevant planning policies that need to be considered in relation to design are set out in Policy ENV1 of the RLP, Policy 10 of the ACSSD and Section 7 of the NPPF.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it is of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials.

Policy 10 of the ACSSD requires all new development to be designed to a high standard and sets out in detail how this should be assessed. The most relevant design elements in this instance include the site layout; massing, scale and proportion; materials, architectural style and detailing.

Paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, over the lifetime of the development, and are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 63 of the NPPF states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Whilst I appreciate the concerns which have been expressed in respect of design, I note that the Borough Council's Urban Design Consultant is supportive of the contemporary linear design in this location, with distinct shapes and exaggerated elevations, and of the proposed material mix. In addition, the layout has been revised and simplified, so as to be more consistent with the landscape in the immediate locality.

I am also mindful that the scheme has been independently considered by the OPUN Design Review Panel, which praised the strong design and sustainable concept for the proposed development, which was considered to be a logical and thoughtful response.

The impact of the proposed development on the local landscape has been considered earlier in this report.

I consider, therefore, that the proposed development would be designed in accordance with the aims of Policy ENV1 of the RLP, Policy 10 of the ACSSD and the relevant design aims of the NPPF.

However, whilst the innovative design of the proposed development compares favourably with the Westerleigh application, I consider that less weight should be attached to this particular consideration than that given to the key Green Belt and main Landscape, Highway Safety and Sustainability considerations.

Other Issues

With regard to other issues raised, I would comment as follows:

Representations have been made that the proper way to identify the optimum site for a crematorium is to use the Local Plan process. This is not considered to be the purpose of a Local Plan within the current Planning system. There will always be a number of types of development where all the plan led system can do is to ensure that there is an appropriate policy basis for determining any planning applications, as opposed to allocating specific sites. It is considered that this is such an instance. A developer led solution tested against planning criteria is a more efficient way for proposals that are eventually delivered to come forward.

Consultation on these applications has been carried out in accordance with the adopted Statement of Community Involvement. All residents have been able to make comments on the planning applications, if they so wished. As part of the application process the applicants have presented information about a range of alternative sites which have been considered.

The ACSSD makes provision for 7250 new dwellings within Gedling Borough for the period up to 2028. This would clearly result in an increase in the population and therefore also in the number of deaths and need for crematoria.

It is agreed that, as per section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is made up of:

- The Replacement Local Plan (Certain Policies Saved 2008); and
- The East Midlands Regional Plan (2009).²

Some weight will also be given to relevant policies contained in the emerging Aligned Core Strategy.

Consultation arrangements prior to the submission of an application are a matter for the prospective developer.

The application is accompanied by the necessary supporting documents, which have been assessed by the Borough Council's consultees.

² Due to be abolished

Each application is dealt with on its own merits and granting permission would not set a precedent for other development in the area or to expand the proposed development in future.

The potential psychological effect of the proposed development on local residents, young or old, is not a material planning consideration.

The proposed development would not involve the loss of Grade 1 or Grade 2 agricultural land.

The potential impact of the proposed development on the value or structural stability of existing properties is not a material planning consideration.

Bearing in mind that a relatively small proportion of cremations take place outside of the core hours, I do not consider the imposition of a condition restricting the operation of the proposed development to these hours would be effective.

In order to operate, an Environmental Permit has to be issued by the Borough Council. Once approved, the operator would either have a continuous emissions monitor fitted, or would have annual emissions monitoring conducted to comply with the limits in the permit. Any changes in operation which could affect emissions would require a variation to the permit to again prevent or minimise impacts.

It is normal practice for prospective developers to undertake improvements on the public highway, at their own expense, as part of a proposed development.

The management and security of commercial premises are the responsibility of the operator.

Conclusion

As stated above, the need for the proposed development and alternative sites has been tested in the Introduction Report. This concluded, on balance, that it is in the public interest that a single crematorium site is provided in the Borough to serve the Arnold and Carlton areas and this is sufficient to be regarded as very special circumstances in this instance. It was also concluded that there are no reasonable alternatives or sites which have been identified which perform better in terms of planning policy and meet the identified needs of the community.

If Members are minded to accept the recommendation in the preceding report on the Westerleigh application, it follows that there is no longer any need for this particular application, so the very special circumstances necessary to justify inappropriate development do not exist.

It is considered that the scale and appearance of the proposed development, together with the associated hard surfaced areas, would be detrimental to the openness of the Green Belt in this location and would constitute unacceptable encroachment into the countryside.

It is also considered, that the proposed development would have a moderate adverse impact on the local landscape and would therefore have an unduly detrimental impact on the Landscape Character and Visual Amenity of the area.

However, I am satisfied that the proposed development would not give rise to any undue impacts on highway safety and would meet the main principles of sustainable development, albeit to a lesser extent than the Westerleigh application.

It is considered that the proposed development would not give rise to any undue impacts with regard to pollution, the water environment, the amenity of nearby residential properties and businesses; ecology; or the design of the proposed development.

As such, the planning considerations set out and discussed above indicate that the proposed development would not accord with all the relevant national and local planning policies.

As a consequence, the proposal fails to comply with Policies ENV2, ENV26 and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), emerging Policies 10 and 16 of the Gedling Borough Aligned Core Strategy Submission Documents, or the aims of Sections 9 and 11 of the National Planning Policy Framework.

Recommendation: REFUSE PLANNING PERMISSION

1. In the opinion of the Borough Council, the proposed development would not fall within the categories of appropriate development within the Green Belt as set out in Policy ENV26 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and paragraphs 87, 88, 89 and 90 of the National Planning Policy Framework. Paragraph 87 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the National Planning Policy Framework advises that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The Borough Council does not consider that the very special circumstances by reason of need put forward by the applicant to justify the proposal would, in this instance, outweigh the harm to the Green Belt at the application site due to the impact on openness and the harm caused to the purpose of safeguarding the countryside from encroachment.
2. In the opinion of the Borough Council, the proposed development would not maintain the openness of the Green Belt at the application site by reason of its scale, appearance and associated hard surfaced areas, and would conflict with the purpose of assisting in safeguarding the countryside from encroachment, as stated in paragraph 80 of the National Planning Policy Framework.
3. In the opinion of the Borough Council and the Nottinghamshire County Council, the proposed development would have a moderate adverse visual impact and a moderate adverse effect on Policy Zone MN045 (The Dumbles Rolling Farmland) of the Mid-Nottinghamshire Farmlands Landscape Character Area and the Mature Landscape Area by introducing buildings and a fundamentally diverse landscape into an area of high landscape sensitivity, derived from its simplicity and openness. As such, it would be contrary to the Greater Nottingham Landscape Character Assessment 2009, Policies ENV2 and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), Policies 10 and 16 of the Aligned Core Strategy Submission Documents and paragraph 109 of the National Planning Policy Framework.

Notes to Applicant

Planning Statement - The Borough Council has determined this application in accordance with paragraphs 185 and 186 of the National Planning Policy Framework.