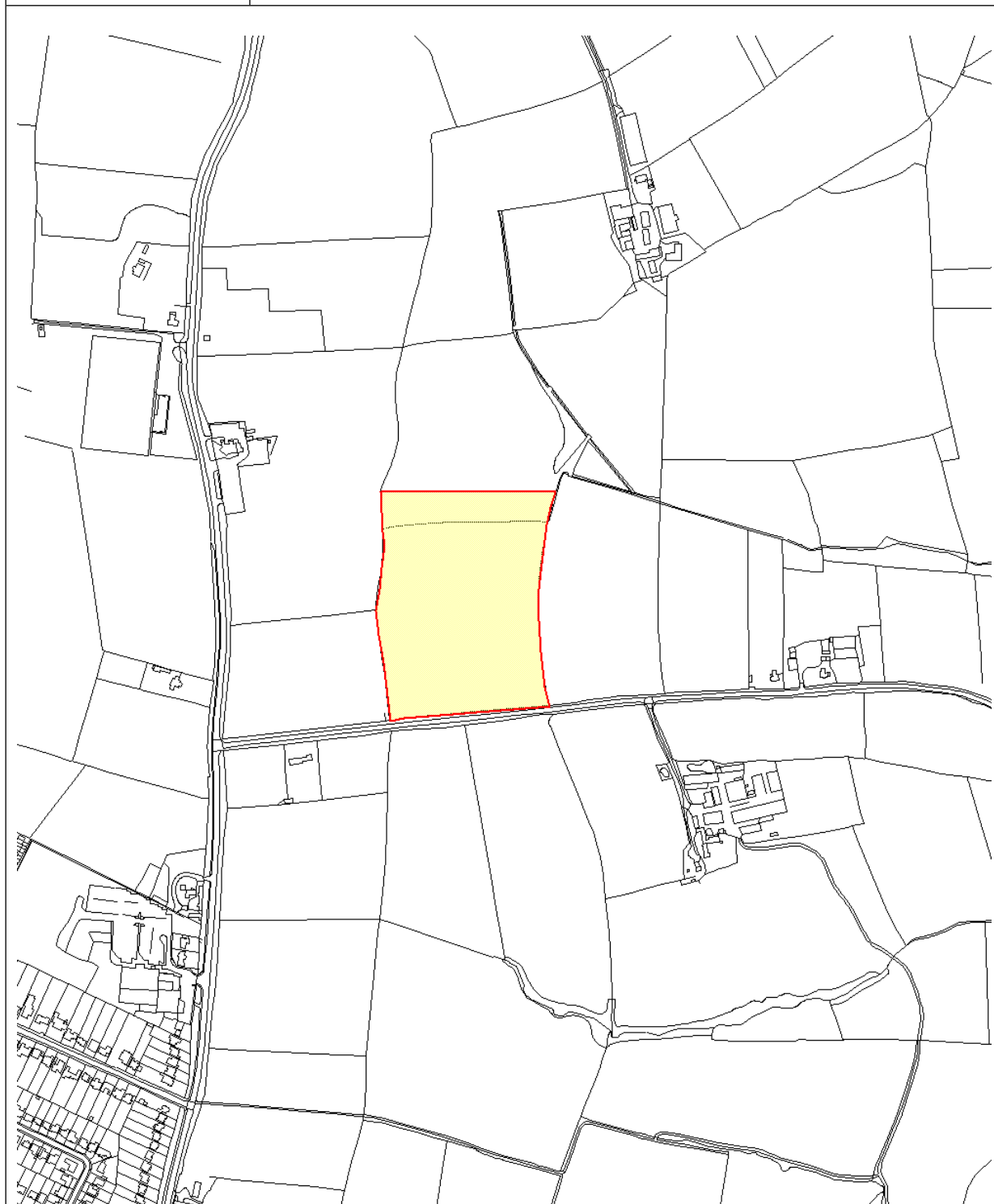


# Planning Report for 2012/0616

Location : Land North Of The Lighthouse 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:** 2012/0616

**LOCATION:** Land North Of The Lighthouse Catfoot Lane Lambley  
Nottinghamshire

**PROPOSAL:** Proposed Crematorium and Cemetery for Gedling

**APPLICANT:** Mr Richard Evans

**AGENT:** Mr Matt Hubbard

### **Site Description**

The application site consists of approximately 5.3 hectares (13 acres) of agricultural land, within the Green Belt for Nottingham, a Mature Landscape Area and the Greenwood Community Forest. It contains no buildings or structures.

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 200 metres from the junction of Catfoot Lane with Mapperley Plains and some 1.3 miles 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 The Lighthouse and Brookfields Garden Centre to the south-west; The Travellers Rest public house and Mellish Rugby Football Club to the north-west; Barn Farm to the north-east; 224 Catfoot Lane, Orchard Farm and Foxhill Farm to the east; and Cottage Farm and Floralands Garden Centre to the south-east.

The site is bounded by mature hedgerows and trees, with the hedgerows along the eastern and western boundaries classed as 'important' under The Hedgerows Regulations 1997.

The site falls in level from its southern boundary with Catfoot Lane to its northern boundary with the Dumble by between 4 to 15 metres, with a fall of approximately 19 metres measured diagonally from its south-western corner to its north-eastern corner. There is also a fall of between 4 to 15 metres across the site from west to east, with the lower figure being at the top of the site adjacent to Catfoot Lane.

Lambley Footpath No.33 passes through the site, running parallel to the eastern boundary, from where it runs back up the Dumble in a north-easterly direction towards Lambley House Farm, where it meets Lambley Bridleway No.24.

### **Proposed Development**

The proposed development is for a crematorium and cemetery, comprising a main chapel and crematorium building containing the main public areas of the chapel, entrance lobby, vestry and a waiting area. To the rear of the chapel would be the cremator room, offices, a meeting room, staff area, storage rooms and a garden store. It is also proposed to construct a separate covered floral tribute area adjacent to the main crematorium building.

Associated works proposed include gardens of remembrance, footpaths, landscaping and tree planting, vehicular access and car parking areas and land for the proposed cemetery.

The proposed crematorium building would be located on gently sloping land, approximately halfway down the site and on its western side. The finished floor level of the proposed crematorium building would be approximately 4 metres lower than the highest part of the site, adjacent to Catfoot Lane. It would measure a maximum of 39.3 metres in length by a maximum of 18.7 metres wide (including entrance canopies, porches and stack), with a ridge height of 6.8 metres, an eaves height ranging between 2.5 metres to 3.7 metres and a stack height of 9 metres.

The proposed floral tribute area would be sited 10 metres to the north-east side of the main crematorium building and would provide some 129 square metres of protected space, underneath an angled canopy with a maximum height of 3.3 metres.

Whilst the site has a total area of just over 5 hectares, the proposed crematorium building would have a gross floor area of 447 square metres (522 square metres including covered areas) and the various car parking areas and driveways would cover an area of approximately 4140 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 and, including the overflow car parking, would provide a total of 83 visitor car parking spaces. Staff car parking spaces and space for the main funeral cortege cars would be in addition to the visitor car parking areas.

Access into the site would be gained directly from Catfoot Lane via a new access through the existing hedgerow, approximately 300 metres from the junction with Mapperley Plains and mid-way along the site boundary with Catfoot Lane. The proposed access would consist of a 6 metres wide carriageway for the first 18 metres into the site, with gates set back 10 metres from Catfoot Lane.

Revised access plans have been submitted to minimise the impact of the visibility splays on the existing hedgerow along this part of Catfoot Lane. These now show visibility splays of 2.4 metres by 160 metres in both directions, compared to splays of 2.4 metres by 215 metres, as originally proposed.

Once within the site, vehicles would be fed into a one-way, circulatory access system, intended to allow vehicles to move freely within the site on the narrower internal roads and for the car parking areas to fill and empty at different ends.

Pedestrian access into the site would be gained via the proposed main site entrance. A footway would extend from the proposed crematorium building, along the western side of the internal site access road to the site access, from where it would cross Catfoot Lane and join a new footway, running along the southern side of Catfoot Lane, between the site access and Mapperley Plains. The footway would continue on the eastern side of Mapperley Plains for a distance of approximately 30 metres to the south of the junction. The proposal would also include a pedestrian refuge to assist with the crossing of Mapperley Plains, in order to reach the existing footway along the western side of Mapperley Plains, and associated works to the junction radii.

It is stated that the proposed crematorium building has been designed so as to fit into this sloping site, whilst being low in scale and simple in its overall form. The overall design of the proposed building is modern and functional and will be constructed with sustainability in mind, using local materials where possible and using a rainwater harvesting system to conserve water and re-use for irrigation of the grounds.

Although the siting of the proposed main building has not changed, a revised layout plan has been submitted showing the overall crematorium scheme condensed towards the south-western corner of the site, with the proposed cemetery relocated from the northern, lower end of the site to the south and south-east sides, adjacent to the proposed crematorium land and Catfoot Lane. There are no buildings or structures proposed within the cemetery area.

As a consequence of the above revisions, the proposed crematorium and associated works, including car parking provision for the proposed cemetery, would now occupy approximately 1.9 hectares of the overall site, instead of the previous 3.8 hectares; whilst the proposed cemetery would occupy approximately 1.2 hectares, instead of the previous 1.5 hectares.

The proposed crematorium would be separated from the remaining, undeveloped, land on the northern part of the site and the proposed cemetery by new hedges, comprising native species shrubs and trees. The undeveloped land and cemetery would be semi-managed and maintained as rough grass and meadow with access to this from the proposed car parks via informal pathways.

As part of the revised layout, an additional length of hedge is also proposed on the west side of the existing footpath to maintain security, privacy and to improve the condition of the footpath whilst minimising the visual impact of the proposed development.

The proposed main car park and overspill parking to serve the proposed crematorium has also been re-aligned as part of the revised plans so as to follow the site contours. A smaller car park, dedicated to serve the proposed cemetery, would be located in the north-eastern corner of the proposed crematorium site and would utilise the same access and driveways as the proposed crematorium.

The application is accompanied by a Design and Access Statement, Town Planning Statement, Statement of Community Engagement, Ecology Phase 1 Habitat Survey, Flood Risk Assessment, Landscape and Visual Impact Assessment (LVIA), Need Report, Site Search Document, Transport Statement and Travel Management Plan.

In addition to the revised access, layout, parking and landscaping drawings referred to above, the LVIA has been updated and more information has been submitted in relation to travel impact and management, cortege routes, stack height calculations and illustrative lighting details.

Following representations from the Catfoot crematorium opposition Group (CCOG) in which differing evidence of existing crematoria capacity was submitted, Westerleigh was given the opportunity to respond, which they did in January 2013. In that response the differing evidence was challenged and a number of the points made in the earlier submission was reiterated but using the CCOG figures to support the case.

In subsequent correspondence Westerleigh produced new evidence of a significant increase in the time between death and cremation at Mansfield, Bramcote and Wilford Hill between 2011 and 2012 after what was said to be a change in working practices during the period at Wilford Hill.

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 28<sup>th</sup> 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.

A number of representations were received prior to the submission of the planning application, or any consultation by the Borough Council, following the applicant's public exhibition and Environmental Impact Assessment screening request. The comments made are included with those raised following formal public notification of the planning application, and are outlined below.

I have received 846 emails and letters of representation<sup>1</sup> 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 a planning consultant on behalf of the occupants of 5 properties in the vicinity of the site, 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 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

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

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 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 Green Belt has been protected from development such as crematoriums for many years and should remain so. Lambley was made a Green Belt wash village by Gedling Borough to prevent such development taking place and the Lambley Parish Plan supported this.
- 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 applicant promotes the site's suitability for the proposed development as a further very special circumstance, in particular that the site is generally flat, well screened and reasonably well served by public transport, which is not the case.
- The Borough Council resists many proposed developments in the Green Belt or imposes conditions in the interests of visual amenity and should be consistent when determining this application.

#### Need

- A 'need' for the proposed crematorium or cemetery has not been proven.
- Crematorium figures available in the public domain suggest that cremations from 2009 to 2012 have actually decreased and evidence provided by the applicant confirms that the annual death rate and cremation numbers have remained fairly constant, which does not justify another crematorium.

- 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, including one burial per week. This will not significantly reduce pressure on the existing four crematoria, nor will it have much impact on the shortage of cemetery space within the Borough, giving doubts about the viability of such a project. As a consequence, the number of cremations and burials would gradually increase. Extra capacity could be found if existing crematoria were to open longer hours or operate on Saturdays.
- It is disingenuous to use 100% of the population as the statistic for calculating the catchment area. As the applicant identifies, the national cremation rate is 72%. The fact that many funerals have the majority of attendees coming from outside the Borough, combined with the percentage of people who are likely to be single when they die, indicates the statistics need re-working, as the benefit to the population of the Borough and surrounding area would be reduced.
- The applicant suggests that this will increase the choice of a crematorium. This is an aspiration, rather than a pressing or overriding need. There are already two crematoria serving this area, Mansfield and Sherwood Forest (the existence of which are omitted in the application), with a total of four crematoria in the overall City and County area. Five crematoria are definitely not needed, especially to the detriment of this historic landscape. Increased choice does not necessarily translate to an 'overriding' need for the proposed facilities.
- 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.
- 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, with funerals more often being held close to the deceased's residence rather than a central point for mourners. Many funerals also start at church and then go to the crematorium.
- The applicant's case takes the view that Mansfield is too far away, due to speed taken by a funeral cortege, so only deals with Wilford Hill and Bramcote, both of which are much more difficult to reach from this area by private car or public transport. A large proportion of mourners will travel by private car and not in procession, so will travel at normal speed, meaning that Mansfield actually takes less time to reach from this side of Nottingham than Wilford Hill or Bramcote, because of the risk of traffic jams.
- 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 requirement for a further 3 acres of burial land is not at all robust. The applicant states that it is anticipated that there would be a single burial a week on average in the proposed cemetery, which does not seem to be a viable business or hardly constitutes an 'overriding' need.
- Whilst local and national planning guidance confirm that the principle of a cemetery is an appropriate form of development within the Green Belt, the application site is evidently not large enough to accommodate both the crematorium and the cemetery, instead requiring the destruction of a presently intact hedgerow and replanting of a new northern boundary along a completely arbitrary line, which is promoted as a landscape and biodiversity benefit, rather than something wholly unnecessary.
- Locally, Lambley Parish Council has just made further plots available in the village cemetery and there are also plenty of other burial grounds within Gedling Borough, such as Carlton, Redhill, Tithe Green, Woodborough and Gedling, so people have a choice when it comes to burial location.
- The capacity of Redhill Cemetery could be extended by the acquisition of adjacent land from the City Council.
- 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.
- Land designated as a Mature Landscape Area should have been automatically excluded from the site search, as has safeguarded land, conservation areas or land subject to flooding. The site search has been unnecessarily limited by existing land use constraints.
- 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.
- The 200 yard rule is cited as one of the reasons why the proposed crematorium is located in an 'urban fringe' rather than 'edge of settlement' location. However,



this surely relates to the crematorium building itself, not the memorial gardens, which could be used creatively to provide a natural buffer between neighbouring housing and the crematorium building, allowing a more sustainable location to be considered.

- 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. This is a considerable area of land, which will be available for a wide range of uses, as demonstrated by the proposed 'Sunshine Farm'.
- 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. The proposed 'Sunshine Farm' on the former Gedling Colliery demonstrates that the Borough Council is considering a wide range of uses.
- This may be a more locally acceptable after-use for the Mapperley Golf Course, following the end of the lease, rather than the recently proposed housing development.
- There are other brownfield sites at the former Calverton Colliery, again with no dwellings affected by the 200 yard rule; at the vacated tip on the A614; or at the former petrol storage area off the Colwick Loop Road.
- The site at B6386 Calverton is approximately 3 miles away from the selected site, which is no great additional distance. As for this site being dismissed because of overhead cables, the application site has over head cables, which would be very close to the proposed crematorium building.
- A site near the top of Bank Hill, such as the car breakers yard, which is a brownfield site, would be preferable, as the fields are level and there is better and safer road access.
- Other sites could be found along the A60, A614 or A6097 with better access, more suitable for a development such as this. 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 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. At what stage were these sites considered and has there been any updated search in the interim?
- Building a crematorium in the Green Belt lowers the landscaping cost, as opposed to building on a brownfield site. It is suggested that there are a number of brownfield sites suitable for this project, if it can be proved that there is an overriding need for a crematorium, which seems improbable.
- There is no difference now to the reasons for a previous application for a crematorium on land off Oxtun Road being refused in November 2007.

## Landscape Issues

- Lambley Dumbles and the proposed site is designated a Mature Landscape Area and is of unique visual and historic significance, having remained unaltered to date, despite development pressure. 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 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 have a significant adverse affect on the appearance of the area by reason of its scale, bulk, form, layout and materials, contrary to Local Plan Policy ENV1 and the NPPF.
- 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 Landscape and Visual Impact Assessment (LVIA) confirms that one of the objectives set out in the relevant Landscape Character Assessment is that 'open views along the dumble valleys and areas of unimproved pasture should be conserved'.
- 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 main field is not large enough for both the crematorium and cemetery uses, instead it is proposed to obliterate the historic northern field boundary and plant a new one along a completely illogical and arbitrary line.
- The landscape will be detrimentally and irreversibly altered by this substantial development, as due to the contours of the land it will break the horizon line and 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.
- A public footpath runs inside and along the length of the entire eastern boundary of the site. Despite the applicant's claim that the proposed development would be 'barely visible', there is no existing screening whatsoever from this immediate public vantage point, which would detract from its enjoyment for many people. The LVIA concludes that from some viewpoints the site remains 'fairly prominent' from the public footpath and 'relatively clear and unobstructed' from another. There are also easily attainable views from elsewhere along the footpath as it crosses the valley and clear and expansive views from the north and north-west, without any municipal intrusion at present.

- If some form of enclosure or dense planting is proposed to the west side of the public footpath, this would create a serious community safety issue for users of the path, who would be trapped and feel unsafe when walking along such a long section of enclosed path. It is essential that this path is kept open and well integrated with the rest of the site, otherwise the proposed development would have an adverse impact on the path and its users.
- The proposed planting of the site conjures up images of neo-municipal planting, which would be out of place in a landscape of open views over fields and hedges.
- The removal of a large, unclarified part of the hedge along Catfoot Lane, which may be outside the applicant's control, to make way for the access and visibility splays, will result in further views of the proposed development from this direction. Even if only very short sections of hedge have to be removed, it is essential that replacement native hedges are planted and grown to a height of at least 3 metres to screen the buildings and car parks from Catfoot Lane.
- Substantial screen planting would be required to the north of the building, to reduce the detrimental impact on the surrounding landscape, including distant viewpoints. Gaps in the existing hedges would need to be filled in to ensure that the rural character of Catfoot Lane would not be adversely affected and views into the site opened up. It is essential that these are in the control of the applicant, otherwise other landowners may reduce or remove these hedges.
- A car park with 96 spaces means that tarmac will be laid over a substantial area of the site. The number of designated spaces contradicts the number of cars that the applicant has determined will be generated by mourners. It is understood that special funerals are attended by very large numbers of mourners and this may be one reason why so many car parking spaces have been allocated, although this is not reflected in the applicant's figures. Another reason, not mentioned by the applicant, is that sometimes there is an overlap with services and outgoing mourners could clash with incoming mourners.
- The proposed development will adversely affect the character and appearance of the Mature Landscape Area and landscape setting generally. Consideration of any non-agricultural or forestry development is premature without a full visual impact assessment.
- The proposed crematorium building is substantial in size. The design and use of materials are not appropriate to this rural setting, as suggested by the applicant.
- What is presently a traditional open agricultural field will become a substantial commercial development, operational 7 days a week and 52 weeks of the year. Associated lighting (which is not mentioned in the application), 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, such as to provide an additional chapel. 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 would become yet another blot on the landscape, violating one of the most scenic routes for walking locally and removing more of our children's heritage.

### Highway Issues

- Catfoot Lane is a narrow country lane of restricted width (ranging between 4.15 metres to 5.85 metres, contrary to the information provided by the applicant), 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 [photographs showing farm vehicles have been submitted in respect of this point]. 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.
- 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. There have been a number of incidents, accidents and near-misses along its length [photographs showing a recent accident have been submitted in respect of this point], which show the road difficulties, 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.
- 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.

- 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, where there is no provision for pedestrian traffic, 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.
- Additional traffic in the vicinity may cause danger and problems to members of the nearby Mellish RFC, including members of the junior section. A slow moving cortege on Mapperley Plains during the rush-hour would also be a source of frustration, lack of respect and possibly accidents. Corteges may also get separated at the traffic lights at the Arnold Lane/Gedling Road junction or the mini-roundabout at the Coppice Road junction, causing delays.
- 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 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 will create a rat-run with more heavy traffic and danger to farm vehicles. 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. Many of the drivers will be unfamiliar with the lane's dangers.
- The applicant states that any increase in traffic will only be at the top of Catfoot Lane and so will have no impact elsewhere. 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.
- The applicant states that traffic will be at a minimum, as there will only be a few funerals held each day, at off-peak times. This figure does not allow for the growth and expansion of the development, or the increasing amount of day visitors at evenings and weekends, as more and more people are buried or cremated on the site. 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, so this off-peak suggestion does not ring true.
- 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. Such works would only encourage drivers to go faster. Local residents do not wish to see Catfoot Lane altered.
- 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 footpaths at any point along Catfoot Lane.
- There does not appear to be sufficient space for the proposed footpath, particularly at the Mapperley Plains junction, and walkers are likely to park their cars on this or the north side of Catfoot Lane, narrowing the carriageway further.
- Pedestrians standing on the proposed pedestrian refuge within Mapperley Plains, or on the proposed footpaths, as vehicles go past at 50 mph or leaving the junction, will also be in danger.
- The proposed development would fail to provide a safe and suitable access to the site, contrary to Local Plan Policy ENV1 and the NPPF.
- 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, so how is this development served by public transport? Most mourners, especially the elderly and infirm, will have to get there by car or taxi, which will lead to a substantial increase in the volume of traffic on Catfoot Lane and into the Green Belt, 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.
- 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

cortesges and other visitors to the proposed crematorium from the east side of Nottingham would also approach via Lambley, increasing traffic problems and congestion further.

- The B684 Mapperley Plains is already congested and if this and other proposed new residential developments and the Gedling Country Park 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.
- Middlebeck Drive, which is already a busy, congested, cut-through for all types and sizes of vehicles wishing to avoid Coppice Road, will be used as an access.
- The increased traffic will pose a danger to horse riders and disrupt livery yards businesses on Catfoot Lane.
- Parking facilities will be inadequate if three funerals (two cremations and a burial) are taking place at the same time.
- 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.
- Even if the Highway Authority raises no objections, the Borough Council should seriously consider the potential highway safety issues.
- 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 to allow access for people travelling from the east. The junction with Mapperley Plains must also be widened and traffic lights installed to make it safe, even though this would slow down the flow of traffic travelling along Mapperley Plains and detrimentally alter the local environment and Green Belt.
- 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

- 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. These will require special treatment to ensure they pose no threat to human health, do not settle on the land or enter the food chain.

- The prevailing wind is westerly and both Lambley and Woodborough are to the east of the proposed site, meaning that toxic residue from the incinerator will fall over these villages and have a detrimental environmental effect. Local properties and walkers will be at risk as a consequence.
- There will be greenhouse gas emissions and traffic fumes. Emissions from the proposed crematorium will have an adverse impact on local residents and businesses.
- There is potential for future leakage of foul water from the site into the stream.
- There may be microbiological pollution of the water table and subsequent pollution of land and streams leading into the Dumbles and Cocker Beck, due to the de-composition of human bodies and the resultant nitrates, sulphates and other elements and organisms seeping into the ground. This effect would be exacerbated by the steep fall of the land and subsequent water flow, towards the lower end of the site where the cemetery is proposed.
- Impervious ground conditions make this an unsuitable location for a cemetery, as a grave cannot be used if it has standing water.
- 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

- The site falls some 18 metres, with the cemetery proposed at the lowest point, where there is a watercourse which forms the start of 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.
- Surface water run-off during heavy rainfall will pass via Cocker Beck into the village and exacerbate existing flooding problems and costs. The same route would be taken by the effluent water discharged from the proposed water treatment system.

#### Amenity Issues

- There will be a detrimental impact on the amenities of adjoining properties and Lambley village, due to the higher level of activity, traffic, noise and nuisance.
- 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, businesses and roads, which are located within a picturesque landscape, which should be protected.



- Barn Farm will look directly onto both of the proposed developments, as the topography does nothing to assist screening from this direction and Nottingham Road, nor would additional screening assist. At present, the occupants of this property have an uninterrupted view of much of Catfoot Lane and of the Dumbles.
- The proposed crematorium building, floral tribute canopy, access roads, hard surfaced car parking and inevitable illumination will all be set against the slope of the site which presents its face towards Barn Farm, other nearby residential properties and other views from the north and north-west, which will fundamentally alter this outlook.
- The main break-out area for delegates attending Challenge Consulting at Barn Farm looks directly onto the proposed site due to the fall of the land, which will have a detrimental impact on the business and may potentially put it in jeopardy.
- Directional signage will be required at the bottom of Catfoot Lane, adjacent to a Listed Building.

### 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.
- Wildlife would be adversely affected by the proposed development and it is understood that wildlife habitats and established hedgerows are protected.
- More high quality agricultural land will be lost along Catfoot Lane, in addition to that which has been approved for paddocks.
- This land has been used by the local farmer to encourage ground nesting birds.
- The Dumbles represent ancient woodland and the countryside around is widely accepted as an area of outstanding attractiveness. This proposal is completely at odds with the areas present and past uses and alternative sites should be considered as part of the Local Plan review.

### Design Issues

- In comparison to the spacious and architecturally elegant crematorium at Bramcote, the plan appears to be mean and cramped. The site is perhaps one third the size of Bramcote.
- In profile the proposed building has the appearance of a wartime barrack block, which gives the chimney an unfortunate connotation.
- The site is not particularly suited for the proposed development, as it is steeply sloping and falls over 18 metres from one corner to another; nor is it reasonably well served by public transport. It is therefore unsuitable for the disabled, infirm, elderly or the very young and discriminates against them.

### 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 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 and cemetery, if it is concluded that there is an operational need for an extra facility over the forthcoming period, rather than in response to ad hoc planning applications in the interim, where only those notified of the proposal get chance to have their say.
- Given that cremation numbers have not increased over the last few years, it is unlikely that the situation will become much worse during the Local Plan review 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.
- Whilst the applicant's agent asserts that the proposal should be considered in the first instance against the policies of the NPPF, this is erroneous. The NPPF is a material consideration in planning decisions, but the starting point remains the Development Plan, which comprises the East Midland Regional Plan and adopted Local Plan 2005.
- 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 presentation by the applicant prior to the application did not indicate that a cemetery would also be proposed.
- No published risk assessments for flood risk, ecology surveys, environmental risk (especially for effects on Lambley Dumbles water supply and flooding down from the site to Lambley).
- 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.
- 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.
- Cemeteries become full and then require further expansion, meaning that approval is being sought for an ever-expanding facility.
- 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 many parents are worried that daily exposure to funeral corteges will have a detrimental effect on young minds and the children may ruminate about death and associated subjects. Children need to be protected from witnessing this daily occurrence, possibly resulting in some children being severely traumatised by this sombre sight.

- The constant reminder of death by the view of the proposed crematorium from nearby properties or of passing funerals is not a sight local residents wish to see.
- Additional traffic flow through Lambley, especially heavy construction traffic, may compromise the structure of older properties.
- Loss of high quality farmland.
- Local properties will be de-valued.
- Residents of Lambley will feel they are living in the shadow of something morbid and insensitive.
- The isolated situation and the absence of overnight security would make the proposed development a target for vandals.
- The proposed development should be rejected and a period of at least 10 years should elapse before it is eligible for consideration again, which should be raised at parliamentary level.
- 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, a less imposing building would be preferable, so as not to spoil the local landscape and with 'green' credentials.
- 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.

### Conclusions

- 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.

- The proposed development is contrary to both the Development Plan and NPPF and should, in the absence of very special circumstances, be refused on the grounds of inappropriate development in the Green Belt.
- The proposal is premature in advance of the Local Development Framework process, where all of the Borough's future development needs will be adequately and more appropriately catered for.

### 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

- All the existing crematoria appear to concur with the views of residents that there is ample capacity at all four local facilities and it is understood that none have confirmed that there is an urgent or overriding need for an additional crematorium.

#### Alternative Sites

- The site search only concentrated on sites of more than 10 acres when, as the revised plans clearly show, this was not essential for the proposed development, which would fit into a much smaller site. It may well be that there are other smaller sites within the area of search which may have been unnecessarily discounted, or which might not have previously been considered on the basis they were deemed to be too small. It is not accepted that there are no other suitable sites, such as the former Gedling Colliery, these should be considered as part of the Local Plan review.
- A preferable location would be off the A614, roughly opposite the new Arnold Town Football Club and former tip. This is on a safe piece of wide road, accessible, with no problem in bad weather or for turning traffic, which could use the nearby roundabout.

### Landscape Issues

- Notwithstanding the amendments to the proposed landscaping, the views of the proposed development, particularly from the north, the north-west and the east, will remain clearly in view and will continue to have a detrimental impact on the character of the landscape in the immediate vicinity, which local and regional planning policies seek to protect, as does the NPPF. Both the original and revised Landscape and Visual Impact Assessment (LVIA) acknowledge this.
- The proposed crematorium remains entirely out of scale with its surroundings. It represents a design and materials more commensurate with a suburban setting and alien to this part of the countryside, Green Belt and Mature Landscape Area, and will still break and dominate the ridgeline along Catfoot Lane, particularly from views from the north-west and the footpath to the north.

- In doing so, the proposed development is clearly at odds with the local landscape strategy to 'conserve' the distinctive rural landscape, which seeks to protect the rural character by concentrating new development in existing villages; conserve the character of the settlements by restricting sprawled ribbon developments along roads approaching the village; conserve the rural landscape from expansion of urbanising features; and ensure built development does not extend above the ridgelines.
- The size, mass, scale, siting and orientation of the proposed crematorium building remain exactly the same as the details originally submitted. The concentration of the development into a much smaller area, on the steepest part of the slope and adjacent to Catfoot Lane, compounds the detrimental visual effect on the landscape, particularly from the adjoining footpath, Catfoot Lane, Nottingham Road and Plains Road. This will be more acute in winter months.
- There are a number of inaccuracies contained within the LVIA including references to national policies since replaced by the NPPF and the statement that there are no local landscape designations covering the site, when it is in a Mature Landscape Area, which are considered to be the amongst the most precious landscapes within Nottinghamshire.
- The proposed landscape mitigation will not prevent harm to, or significantly assimilate the proposed development into, the rural landscape. The revised landscape proposals promote less planting, so the proposed development will remain even more prominent.
- The LVIA concludes that "common sense would suggest that locating the building on the lowest point of the site would minimise any visual impact". It is unfortunate that this approach cannot be adopted, owing to the lower part of the site forming an integral part of the distinctive Nottinghamshire Dumbles. Instead, the LVIA seeks to legitimise the non-common sense approach, which is to locate the crematorium building at the top of the site, which the LVIA identifies is contrary to one of the objectives of the local landscape strategy.
- It seems that neither approach is satisfactory in terms of adhering to the objectives of the local landscape strategy and minimising the harm caused to the landscape. This is the wrong site in the wrong location for the type and scale of development proposed, the need for which is not considered to sufficiently overriding in any event.
- Concern is expressed about the amount of existing hedge and trees that will have to be removed or cut back as a consequence of the revised visibility splays.
- The amended site layout plan appears to show the area beyond the main area for development left purposefully clear, to retain the impression of an open unspoilt field rather than containing additional screening which in itself would be detrimental to the local landscape character. However, the proposed hedgerow around the south-western corner, depicts gaps to afford public access into this area – but its purpose should be clarified, since its proposed function has implications on the type and level of landscape mitigation required.
- The proposed new hedging around the development and along the footpath within the site will take many years to establish and grow to a size which will have

any real impact as a screen. It will never be of a height to screen out the chimney.

- The additional hedge along the footpath will be a completely inappropriate landscape treatment, resulting in an incongruous feature within the wider landscape setting and restricting in terms of the outlook and enjoyment of this beautiful area of countryside.
- The creation of an extremely long, 2 metres wide hedgerow corridor, has the potential to impact detrimentally on the amenities of users of the existing footpath. Without appropriate management and maintenance, the hedgerow boundary will, in time, encroach into the route of the footpath, causing obstruction. If left to grow to a height in an attempt to screen the proposed development, this will result in a potentially oppressive and potentially unsafe environment for users of this footpath.
- The effectiveness of any screening by the proposed hedgerow would take between 10 to 15 years to attain any meaningful effect and, even then, would be necessarily limited.

### Highway Issues

- 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 and is further testament to the continuing concerns of local residents about highway safety at this junction. Given the slow moving nature of funeral vehicles, any shortcomings in the junction design could have disastrous consequences. It is requested that the views of the Highway Authority should be revisited to ensure that all such concerns have been taken into account.
- There does not appear to be sufficient space within the highway for the proposed footpath at the junction of Mapperley Plains with Catfoot Lane without the removal of part of the adjacent landowners hedge, which is outside the control of either the applicant or the Highway Authority. As such, the Highway Authority will need to be content that either a new footpath is not essential (in which case why was one required in the first place), or that alternative provision can be made.
- Information from other crematoriums in Nottinghamshire indicates that the proposed parking facilities will be inadequate on certain anniversaries or when large funerals are being held. It is assumed that the Highway Authority would not be agreeable to parking along Catfoot Lane.
- Concern about the volume of funeral traffic using Middlebeck Drive, to avoid the Coppice Road and Mapperley Plains junction, will be exacerbated by the congestion being caused over the last 12 months by some residents living at the point in the road where the steep hill levels out have been parking their cars and vans in a continuous line, rendering the road into a virtual single lane for about 75 yards.
- If permission is granted, traffic lights or bollards should be installed at the junction of Middlebeck Drive with Mapperley Plains, where it is difficult to enter or exit Middlebeck Drive, and where there have been a number of accidents.

- The Travel Management Plan claims that most cortege traffic will use Mapperley Plains, “where a steady procession can be achieved”, and states that traffic from Burton Joyce will travel along the Colwick Loop Road and join Mapperley Plains, but avoids stating how. Specifically, it will pass through Gedling village and then up to Mapperley Plains via Arnold Lane – a road that was deemed unacceptable to service the 550 new houses earmarked along that stretch of highway.
- The Borough Council should seriously consider what impact roughly five funeral corteges per day will have on Gedling village, with its mini-roundabout and then Mapperley Plain with its mini-roundabouts at Spring Lane and Coppice Road. How will these junctions cope with wide funeral cars and the trail of cars following them? All stretches of these highways are single lane traffic with no safe opportunities to overtake such processions, which will cause delays.
- The Travel Management Plan document is contradictory in that it claims 95% of funerals will avoid peak traffic, then proceeds to state that the last funeral of the day is at 3 p.m, so that participants would leave at 4 p.m, which is classed as peak traffic and clashes with school traffic times, where there are already 25% more cars on the road.
- The Management Plan document refers to research that indicates the average number of cars that attend a funeral is 18. What is this research and, if so, why tarmac and maintain a car park with 83 spaces, when only 4 will be required by staff?
- If an extra bus stop were to be added to the numbers 56 and 59 bus routes, how would these turn on Mapperley Plains to re-join their normal route?

#### Pollution Issues

- Whilst additional information has been submitted regarding the types of external lights envisaged, the amended site layout plan makes no reference to these and it is impossible to ascertain how many lights, and in what positions, will be required. Without such details, the impact of the proposed development on the local landscape at night cannot truly be assessed. The LVIA 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, it is expected that there would be a need for a significant number of the various lights suggested, 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.
- Residents had been assured initially that no external lights were proposed or required.

#### Design Issues

- The emission chimney will have a height of 9 metres, which will only serve to act as a local ‘urban’ landmark that no amount of landscape mitigation and time can heal.
- There is no indication on the revised layout plan to show the position and extent of the proposed cemetery, whether the remaining areas of field will be useable for

agricultural purposes or where the memorial garden of remembrance and informal pathways will be.

- There is no indication on the revised layout plan as to how the proposed cemetery might be physically and visually contained, as its north and north-west boundaries are completely arbitrary. It should be confirmed how this area is proposed to be defined, enclosed and screened.
- There are no details of any additional landscaping which would be planted to form the memorial garden and it is most unlikely that it is intended to comprise 'rough grass and meadow', as described in the notes on the revised plan, which is hardly the environment one would expect the bereaved to sit in quiet contemplation, particularly if the underfoot conditions are semi long wet grass.
- Additional landscaping can only seek to lessen the harm caused to the countryside and landscape setting, but cannot offset the harm caused to the Green Belt by reason of the development's 'inappropriateness'.
- Concern is expressed that the cemetery has been relocated to enable its future expansion from 3 to 8 acres on other land within the approximately 12 acres site. If this is the case, it should be included openly within the application or the red line boundary should be amended to omit the surplus area to the north of the existing hedgerow for the avoidance of any doubt.
- The relocated cemetery touches two of the boundaries, which will give far more impact to people not associated with the activities of the Crematorium and Cemetery.
- The fence and hedge along the line of the public footpath will confine users and affect their enjoyment of this beautiful Green Belt location.

#### Other Issues

- Lambley residents not only pay Council rates but also a Parish rate and should therefore should be considered.
- 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.
- It is inappropriate for the County Council as Highway Authority to be associated with the developer for the provision of the footpath on highway land, when the Highway Authority is also responsible for providing highway observations on the application.

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. The points made in this letter were also included within some individual letters submitted in response to the revised plans, but have not been included above to avoid repetition.

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 delay data does not advance the cause of either applicant in any significant way because:
  1. The Lymn data is not validated as an independent source and not even any quantities are provided.
  2. The Westerleigh data is taken from the Nottingham Post and the accuracy cannot be guaranteed in either reporting or collating the facts.
  3. Neither set of data gives any indication of the reasons for the delays which can be various, excluding the lack of cremation slots.

4. As the numbers are relatively small, a few exceptional circumstances will distort the data, making it unrepresentative of a normal year.
  5. There is no analysis of the causes of the delays.
- The tables show that the crematoria handled more than double the number of cremations in January 2013 than July 2012, with only about a 10% increase in the 'average' delay. This suggests we need to understand what causes the wide distribution of delays between births and deaths, which is not necessarily due to capacity.
  - Using averages in statistics can be misleading and comparing only a couple of months figures compounds the problem. The averages can be affected by skews in the distribution, as demonstrated by the July 2012 and January 2013 figures, with no apparent capacity problems for this period in either month.
  - 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 for 2012/0799 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.
  - 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.

- Nothing new has been submitted.

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, that:

- The tabulated submission by the applicant lacks credibility, in that the source is quoted as the 'Nottingham Post' website. Actual analysis requires a meaningful examination of the facts, including the reasons for the delays, which 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.
  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.

- 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. Reference is made to Inspector Novitsky's comments in relation to time [see Introduction Report].
- 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 59 letters of representation in support of the proposed development on various grounds, made before or 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 majority of people in the Gedling area, who have complained about the lack of a crematorium for many years and would appreciate a quiet and peaceful garden of remembrance in which to remember their loved ones.
- The arguments in favour of this proposed development are convincing. Good local facilities are needed for the community and this development is long overdue. 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. When deciding these applications, the fact that more crematorium capacity is needed in Nottingham, and Gedling in particular, should be taken into account.
- The existing crematoria are overstretched at times and this leads to delays for available service slots, often well over a week. Such delays can be very upsetting for families at an already difficult time. They are also busy and create a feeling of being rushed and pressured, which can be upsetting for mourners attending a loved one's funeral.

- The journeys to the existing crematoria are long and difficult and it is unfair for mourners to have to travel such large distances on busy main roads, 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, particularly in bad weather, and they may have to depend on other family members to drive them.
- 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.
- Mapperley Plains would be a great location, as there are regular buses passing by and the area is mainly fields, with not much housing. Having looked at other developments by the applicant, the crematorium building would be an attribute to the area.
- The proposed building looks attractive and of high quality and the traditional design of the building should also fit into the landscape.
- Funerals set in a calm and peaceful environment have a calming influence on family's and will make mourners feel more at ease than if surrounded in an overly busy and unattractive setting.
- Increased traffic is unlikely to be a problem, with only five or six funerals a day. Traffic will be less at weekends when funerals are not taking place, which will avoid any conflict with people visiting Floraland.
- The proposed development by Westerleigh has a sympathetic, traditional, rural style, which would sit more comfortably in the landscape and be more in keeping with the area than the ultra-modern design proposed by A W Lymn.
- The site will be of limited and fixed size and, apart from the building, will consist of trees and gardens. This is preferable to the rash of unattractive horse establishments and overgrazed fields which are currently prominent along this far from pristine lane.
- The population needs to be educated in support of cremation, as the pressure on land for traditional burial is no longer realistic and makes its undesirable.
- The installation of two cremators, as proposed by Westerleigh, rather than the one proposed by A W Lymn, would appear more sensible in case of breakdown or increased demand at particular times.
- The proposed development by Westerleigh is preferable as it would not have a detrimental effect on the Site of Importance for Nature Conservation, a wildlife haven which has been enhanced in recent years.

- The provision of a crematorium and a burial ground is better than just a crematorium alone. Having a cemetery for the burial and scattering of ashes on the same grounds as the crematorium means the bereaved can go back to somewhere peaceful to be close to their loved one, which would be appreciated.
- Local residents and funeral directors would rather see this service run by an independent, experienced crematorium company than by a competing funeral director. A funeral operator with a proven track record should be supported.
- The Council should encourage local companies in this project and not an international organisation.
- 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.
- The proposed development will bring much needed employment to the area, during construction and when operative.
- Due to the shorter travel times involved, the proposed development may help reduce funeral costs.
- The Borough Council should consider what best serves the majority of Gedling residents and approve the application, which would improve the overall welfare of the bereaved in this area.
- It is hoped that the site is away from the busy main road, so it is not affected by traffic noise and has the advantage of views down the valley.
- It is considered that this would be a superb, high quality facility.

Lambley Parish Council – makes the following observations:

### 1. Community Involvement in the Pre-planning Process

The Parish Council regrets that there has only been superficial engagement with the local community by the applicant. Despite the assertion in the Statement of Community Engagement, there has been no effective consultation with the Parish Council, apart from a public consultation session for which publicity was minimal, so many residents were unaware of the meeting. To rectify these omissions, the applicant was invited to attend a public meeting in the village, convened specifically the development, but declined.

### 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. 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 applicant 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 applicant. 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 stated that these do not in any way alter the above views.

Woodborough Parish Council – makes the following observations:

- 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 response to re-consultation on the revised plans and additional information, the Parish Council is disappointed that the revisions do not improve the safety of the junction with Mapperley Plains as it regards this as a key risk to the safety of funeral and other traffic.

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 27<sup>th</sup> 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.

Bramcote Crematorium – no objections, but Appendix J shows an excessively out of date aerial photograph of Bramcote Crematorium. Since that was taken, car parking has been significantly improved and the New Chapel built and a number of major improvements have been made, which are not referred to in the Need document for the proposal. In particular, a new flower viewing area has been built for the Main Chapel, which means that mourners using the two chapels have separate flower viewing areas. The following specific comments have been made on errors within the Need document for the proposal, in relation to the assessment of Bramcote Crematorium:

- The Main Chapel seats 115 (not 109), with dedicated standing room for a further 70. The New Chapel seats 46 (not 30). Both also have "overflow" facility with screens in waiting rooms.
- Bramcote Crematorium also offers Saturday and Sunday services and cremations.
- The 8:45 am (8:30 am often requested also) time slot is principally used by the Anatomical Department of the QMC for their cremation services. It is also a popular time for Funeral Directors who have a cremation, where there are no family or minister attending, as they can deliver the coffin without causing significant inconvenience or delays to other services that day.
- Cremators that are regularly maintained and serviced and which are used longer each day are more efficient, produce less emissions, reduce the carbon footprint etc and breakdown less.
- The quarterly servicing is undertaken at the weekends and causes no significant weekday cremator "down time"



- Since the report was written, car parking has been increased and a new waiting room, remembrance room and improved flower viewing facilities have all been provided.
- Mourners assemble and leave from separate areas of the crematorium and seldom "mix" - especially now there is a dedicated Main Chapel flower viewing area.
- There are service lists around the grounds, not just at the Chapel entrance. The service Chapel required can be identified from several points within the grounds and also the office, without "jostling past" other mourners.
- Is there any substantiation or source for the comment that Bramcote is "excessively busy and struggles to provide a dignified setting because of the weight of numbers"?

In response to a rebuttal to the above, a report has been provided to demonstrate that Bramcote Crematorium does not 'claim' to have made improvements, but has spent around £0.75 million since 2009 making actual improvements. Most of these have been completely ignored in the needs document supplied by the applicant.

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 and certainly for Derbyshire a lot of the area is farm land outside of Chesterfield and Derby and so it would not make sense for crematoria to be located there.

#### 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 relating to 'holding over' (Mansfield cremate on the same day as the funeral as it is felt that this best meets the needs of the bereaved and so do not require 'chill rooms', However, depending on what the proposed crematorium's protocol relating to 'holding over' is, it is noted that there does not appear to be any provision for coffin storage). Likewise, there does not appear to be any provision for 'viewing of the coffin being charged into the cremator', which is often required by some religions to meet their funeral rites.

#### 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.

#### 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 have had funerals taking place this last week [June/July 2012] which started at 9.15 am, as that time suited the family (3 instances over 5 days) and not because they were the only times available.

#### 5. Delays in Funerals

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. The period 1 Jan 5<sup>th</sup> – 26<sup>th</sup> referred to related to deaths that had occurred before Christmas and then over the seasonal period. This is a time when people are on holiday (i.e. doctors, coroners, registrars) and when officiants are usually stretched due to Christmas services – all have a knock on effect on funerals together with the impact of being closed Christmas Day, Boxing Day and New Years Day. This would be the case where ever the funeral took place. Therefore, Period 2 is a more realistic marker for the whole year as it does not include any of the above external factors.

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

It is also noted, with some concern, that the Westerleigh Group have targeted their area of most impact on the south of the district and have implied that there will be little impact on Mansfield or Ollerton Crematoria. It is expected that some impact will be felt by both, 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.

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 officiant 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 application 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 proposal seeks planning permission for the erection of a crematorium building and associated floral tribute structure, along with the provision of a new access into the site, internal roadways, car parking areas, footpaths, landscaped grounds, gardens of remembrance, and the provision of 3 acres of cemetery land for burial purposes.

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.

The NPPF sets out in paragraph 89 that the construction of new buildings in the Green Belt is inappropriate, exceptions to this include cemeteries. As such, the County Council I would not wish to raise any strategic planning objections to the cemetery element of this proposal.

Turning to the built element of the proposal, namely the crematorium building, this is considered in NPPF terms to be inappropriate development within the Green Belt, accordingly the onus lies with the applicant to demonstrate that very special circumstances exist which would outweigh any harm to the Green Belt.

In conclusion, taking into account the above, the County Council does not wish to raise a strategic planning objection to the cemetery element of the proposed development. However, in relation to the built crematorium element of the proposal, the County Council wishes to raise a strategic planning objection unless the Borough Council is satisfied that there is a proven need for the proposed development, the applicant has demonstrated there are special circumstances and that the proposal would not have an adverse impact upon the openness of the Green Belt.

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 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 2009 (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, field pattern, agricultural use and sporadic clumps of woodlands. The ridge lines are particularly prominent in this landscape and the north-east facing slopes of the area can be seen from high points in surrounding landscape areas around Epperstone, Woodborough and Calverton.

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 900 metres from the site.

## 2. Methodology

The methodology refers to documentation which was superseded in 2010 by the GNLCA.

There is no outline of the methodology used, nor reference to the recognised LVIA methodology, although the analysis of the visual impact is comprehensive and includes material from many viewpoints near the site, it is not carried out to current accepted practice and does not include a systematic analysis of landscape character.

## 3. Landscape Character

The section on Landscape Character notes that 'villages such as Lambley, Woodborough, Burton Joyce, Lowdham and Calverton have grown significantly to accommodate commuter development ... suburban residential development has engulfed the old village centres and weakened the overall integrity and character of individual settlements'. Presumably, this point is made to argue the case for the proposal to locate this development within a predominantly agricultural area.

However, village settlements in the Dumbles are generally located in the valley bottoms; one of the key characteristics of this landscape is the lack of sprawl onto the valley sides and ridgelines. This is especially true of Lambley and Woodborough, and land included within this policy zone. As demonstrated by one of the photographs in the LVIA, it is the lack of development or settlement within the expanse of open fields that makes the view distinctive.

The study does not carry out a landscape character analysis and this should be provided as part of the planning application.

## 4. Visual Impact Assessment

The selected viewpoints all fall within a very limited area, well within 1000 metres of the centre of the site, and 9 of the 14 are within 500 metres. It is accepted procedure to define the study area as the extent of the Zone of Visual Influence (ZVI) by mapping this on site. In this case, the area is likely to be greater than

the 1 kilometre circle shown, as views into the site extend from the surrounding ridgelines. Viewpoints should then be selected from key receptors within the ZVI.

The text outlines the scoring schedules, which are standard. However, it is not accepted practice, as shown in this study, to change the potential sensitivity of receptors after development has taken place; this has reduced the significance of the long-term detrimental impact for most of the viewpoints included.

It is also disputed whether some of the magnitude of change is as stated. For recreational users of the footpath to the east of the site, and vehicles on Catfoot Lane at the Mapperley Plains junction, the site forms an important part of the fore and middle ground; the lack of vertical elements and screening enables views across and through the site to the unobstructed views and ridgelines beyond.

It is suggested that for some viewpoints, the existing site is a key component of a broad rolling landscape and the lack of tree cover and development contributes to the strength of the landscape character. The County Council would score these viewpoints (also maintaining receptor sensitivity) to give visual impacts of 'moderate' (in four cases) and 'substantial' (in one case). However, another viewpoint would be scored lower than the study.

Key issues seemingly overlooked are the visibility of the building from the footpath on what is currently a 'rural' ridgeline, and the presence of extensive car parking in a rural landscape which would not be screened from views from the east, given the slope of the site. In addition, a landscape character assessment would probably show some substantial change to what is currently a strong uniformity of elements.

## 5. Site Design

The County Council has no objections to the design of the building and notes that the Design and Access Statement refers to 'local materials' without specifying what these might be. There is a presumption from the images that the building will have brick facing and a roofing tile sympathetic to the area.

However, the site layout maximises the impact of the proposal on the surrounding landscape; the building is positioned at an angle to the field boundary/hedgerow, and well within the site. Extensive access roads and parking take up approximately half the site area; the suburban /park/car park character is incongruous with the adjacent agricultural land. Whilst it is accepted that there are isolated buildings and associated development in the immediate locality, they tend to be discreet elements constrained by topography, site boundaries or woodland/hedgerow. This is a far more expansive proposal not contained by the corridor of the road and which leaks out across the field.

The justification for the placement of the building is that the "most visible portion of the site from publicly accessible land is that of the eastern side"; the text then cites views from key receptors at the Traveller's Rest and Mapperley Plains, both of which are to the west of the site. Following this logic, the building should be located on the boundary furthest from the key receptors, ie the eastern boundary of the site. Siting the building on the eastern boundary would also enable the site topography to aid screening from Mapperley Plains and the Traveller's Rest, and ensure the building would not be seen silhouetted against the natural ridgeline for

receptors from the east. In its current location, the building is on the highest point of the site and therefore has a wider visual envelope.

The use of species from the suggested list would not necessarily add to local biodiversity (see below).

## 6. Native Species

The species list seems to be a fairly random selection of nationwide native tree and shrub species. 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.

## 7. Summary

The following landscape conclusions were reached about the proposed development:

- The study is limited and does not follow standard procedure for landscape character and visual impact assessment (LVIA), and contains misleading and inaccurate information. There is no systemic landscape character assessment.
- Documents referred to are out of date.
- 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, and travellers along Catfoot Lane and Mapperley Plains.
- Tree and shrub species should be local to the area and of native provenance, if they are to contribute positively to biodiversity.
- Some of the justification for site design is contradictory, and appears to ignore opportunities for minimising landscape and visual impact by, for example, locating the building nearer the road/on a lower portion of the site, and designing a tighter configuration of hardstanding and parking. The design locates the building on the highest point of the site, therefore increasing its impact.

Whilst the County Council did not necessarily object to the proposal in principle, it was felt that the design would introduce 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. The County Council would also disagree to some degree with the contention in the Statement of Reasons that 'the visual impact will be limited to a few receptor sites in the immediate vicinity of the site'; the impact on landscape character seems to have been overlooked and this should be considered at a local level.

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

Following the submission of a revised LVIA, the County Council was still unable to support the application as it would have an adverse effect on the existing landscape character; the site is both within a Mature Landscape Area and identified in the GNLCAs as a landscape to conserve.

## 1. Landscape Character

The key features of the existing landscape are the open field pattern and long views over a distant landform. Woodland tends to be limited to hedgerows or distinct blocks on steeper slopes. 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.
- Ensure built development does not extend above the ridgelines to retain the sharp and distinctive separation between conurbations.
- Conserve the strong pattern of field boundary hedges by minimising the fragmentation.
- Conserve the rural farming character of the landscape.

The proposals are contrary to each of these actions; the building is sited on the ridgeline, the parkland/car park ambience with extensive scattered tree planting, ornamental planting and paving is wholly incongruous within an agricultural landscape made distinctive by its uniformity and repeated pattern of simple elements – i.e open rectangular fields and hedgerows. In addition, the hedgeline along the northern boundary will be fragmented. Views into and through the site to the rolling fields beyond will be obscured by the extensive parkland tree planting.

Appendix 2 [of the LVIA] analyses impacts on landscape character according to the relevant policies. The effect for Receptor Policy Zone MN045 should read 'Moderate Adverse' rather than 'Moderate'.

A development with a 'tighter' layout and increased area of open grassland, say towards the north of the site would retain some of the openness which is so important in this landscape; as they stand, the proposals would not be out of place in a suburban setting and the introduction of a new palette of landscape components will dilute what is already in place.

In a predominantly agricultural setting, which forms a sharp contrast to the northern edge of the conurbation, 1.5 km away; the proposals are considered inappropriate and will significantly detract from the distinctive character of the larger landscape.

## 2. Visual Impact

Appendix 2 [of the LVIA] analyses visual impact; generally the County Council agrees with the content, but again the suffix 'Adverse' has been omitted from the tables.

The main adverse impact will be on users of the nearby footpath, for which previous comments are still applicable.

Following the submission of the first revised layout showing the overall crematorium scheme condensed and additional landscaping works, the County Council considered that:

- The revised layout takes account of its previous comments regarding the extent of the proposed development across the application area.
- With regard to the GNLCA, Policy Zone MN045, this layout minimises fragmentation of the strong field pattern, and the site infrastructure is simplified. The County Council holds the opinion that the proposed development will have an adverse impact on the existing landscape character, as elements of the open field will be lost. However, given the nature of the existing scattered settlement along Catfoot Lane, the overall impact of the revised proposal is seen as 'slight adverse'.
- It is recommended that the car parking areas are aligned along the contours rather than across; which would reduce the visual impact of the hard-standing for receptors viewing the site from the north-east.

Following the submission of the second and third revised layouts, showing the proposed car parking areas aligned with the existing contours, adjusted pedestrian routes and additional landscaping works, the County Council referred to its previous comments in respect of the existing landscape character and current designations, as outlined above, and commented as follows:

#### 1. Landscape Character

The 'tighter' layout creates a development contained within a smaller rectangular field; views across the site and beyond will be retained to a greater extent than in the original proposals. The simple rectangular field boundary of the core site area is consistent with the immediate locality and the proposed hedgerow with tree planting will strengthen and contribute to the landscape character, thus providing some mitigation for the non-agricultural development proposed.

Comments previously made regarding the siting of the building on the ridgeline still apply. However, overall it is considered that there will be a 'slight adverse' impact on landscape character.

#### 2. Visual Impact

The tighter layout reduces the impact of the development on receptors from all viewpoints; the extent of the development is more consistent with pockets of housing and/or farm buildings on the periphery of the conurbation or within the locality. The impact on receptors at five viewpoints is now considered to be either 'neutral to slight adverse' (two viewpoints) or 'slight adverse' (three viewpoints). Originally, these impacts were considered to be 'moderate' (four viewpoints) and 'substantial' (one viewpoint).

Although it is appreciated that the tree cover is now concentrated around the site boundaries to comply with the recommendations of the GNLCA, it is considered that given the pockets of tree planting and woodland in the immediate area, some additional tree planting within the site would provide additional mitigation.

Following the submission of the most recent revised layout, showing the proposed cemetery relocated, the County Council again referred to its previous comments, but made the following additional observations in respect of the proposed cemetery, as relocated:



## 1. Landscape Character

It has been assumed that given the nature of the proposed development, the cemetery area will be used for the scattering of ashes and perhaps ground level memorial stones. However, if the cemetery area is to be used for headstones or statuary, or to have a different level of grassland management from the remaining field area, there would be a detrimental impact on landscape character, as effectively the area of open farmland would be diminished.

Comments previously made regarding the siting of the building on the ridgeline still apply, however, overall it is considered that there will be a 'slight adverse' impact on landscape character.

## 2. Visual Impact

Previous comments again apply; however, views from the footpaths may be affected by the siting of the cemetery on the north-east facing slope, depending on what is meant by cemetery. Ground level tiles will have no impact on views into the site from the footpaths, but a regimented layout of paths and headstones would have a greater impact. It is presumed that the former is the case and, therefore, the impact on receptors is unaffected; although this has not been clarified.

As noted previously, although it is appreciated that the tree cover is now concentrated around the site boundaries to comply with the recommendations of the GNLCA, it is considered that given the pockets of tree planting and woodland in the immediate area, some additional tree planting within the site would provide additional mitigation and screen views of the car park. The County Council also notes that it is rather a long walk (and over grass) from the parking area to the cemetery.

Nottinghamshire County Council (Arboricultural Advice) – is satisfied that the scheme does not appear to threaten the visually important boundary hedges and trees present on site to any significant degrees. The hedge lines should be adequately fenced off during development, including site preparation.

Concern was initially expressed that the access to the site as originally submitted would cause substantial damage to the highway boundary hedge, which may be compromised further by highways requirements for visibility splays and their maintenance.

Following the submission of revised plans showing the proposed visibility splays at the site access reduced to 2.4 metres by 86 metres westbound and 2.4 metres by 77 metres eastbound, the Council was content that the above concerns had been overcome and that usual routine maintenance would ensure the splays are kept clear and should ensure the long term retention of the hedge in question.

Following the submission of the further revisions showing visibility splays of 2.4 metres by 160 metres in both directions, the County Council is satisfied that the highway boundary hedge would not be adversely affected in any significant manner by the visibility splays as now proposed.

The County Council is also satisfied with the proposed landscaping, in terms of species type and the density of planting offered by the montages, although additional and specific detail would be required prior to passing further comment.

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 85<sup>th</sup> 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, subject to a number of conditions regarding:

1. Provision of the proposed vehicular access works.
2. Construction of the proposed off-site highway works (pedestrian island and footway link along Catfoot Lane between Mapperley Plains Road and the application site access).
3. Construction of the area shown for vehicular parking and access.

Following the submission of revised plans showing the proposed visibility splays at the site access reduced to 2.4 metres by 86 metres westbound and 2.4 metres by 77 metres eastbound, in order to minimise impact on the hedgerow, the Highway Authority recommended that the application be refused as inadequate visibility at the access point would be detrimental to highway safety.

However, following the submission of further revisions showing visibility splays of 2.4 metres by 160 metres in both directions, the Highway Authority has confirmed that these details are acceptable from a highway point of view, and has no highway objections, subject to a number of conditions regarding:

1. Provision of the visibility splays, as shown on the revised plans, which should thereafter be kept free of all obstructions, structures or erections exceeding 0.9 metres in height.
2. Provision of the proposed vehicular access, footway and pedestrian island.
3. Provision of the proposed access road, parking, turning and servicing areas, which should not be used for any other purpose.
4. Any gates at the access point shall open inwards only and be set back 5 metres from the highway boundary.
5. The submission of a Travel Plan, which shall set out, proposals (including targets, a timetable and enforcement mechanism) to reduce the traffic and environmental impacts of the development, and which shall include arrangements for monitoring the progress of the proposals.

Information is provided regarding off-site works on the public highway and that the Travel Plan should be secured by a section 106 Agreement.

The Highway Authority has no objections to the subsequent revised plans, showing the proposed cemetery relocated and the re-orientation of the internal car park, so that the layout follows the site contours.

[It should be noted that in making observations on the subsequent A W Lymn application no: 2012/0799, the Highway Authority has advised that if both applications were 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].

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, satisfactory additional information has been provided in respect of the chimney stack height.

Environment Agency – comments that the submitted Flood Risk Assessment contains preliminary design calculations for required surface water run-off storage volumes, subject to infiltration tests. The proposed development will only be acceptable if a planning condition is imposed requiring details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.

The scheme to be submitted shall demonstrate:

- The utilisation of holding sustainable drainage techniques;
- The limitation of surface water run-off to equivalent greenfield rates;

- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and
- Responsibility for the future maintenance of drainage features.

The reason for this condition is to prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

Advice and information is also provided by the Environment Agency regarding any proposed alterations to the above condition; sustainable drainage methods and surface water run-off control and the siting of the package sewage treatment plant.

Severn Trent Water - no objection and no comments regarding sewerage.

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.

However, the local planning authority should assess and consider the possible impacts resulting from this proposal on protected species or local wildlife sites and consider the opportunities for biodiversity enhancements when determining this application.

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

## 1. Surveys

The application is supported by a basic ecological survey of the site, involving a desk-top study, a hedgerow survey and a survey for badgers. The following should be noted:

- An assumption has been made that the survey carried out by Pennine Ecology in 2007 has set the scope for the further survey work provided in the current 2012 report.
- The desk-top study did not involve consultation with the Nottinghamshire Biological and Geological Records Centre (NBGRC). As a result, there is a chance that existing protected species records for the site and its surroundings have been missed.
- No assessment of impacts has been carried out.

Nevertheless, the survey report suggests that the site in question is of low ecological value, being an arable field, although the eastern and western hedgerows have been assessed as being 'important' under the Hedgerow Regulations. No evidence of badgers was found during the survey. In addition, checks by the County Council have confirmed that the proposals would not affect any designated sites: the nearest

SSSI, Colwick Cutting, lies approximately 6 km to the south, whilst the nearest SINIC, Fox Covert Grasslands, Lambley SINIC 2/375, lies approximately 520 metres to the east.

## 2. Mitigation & Enhancement

In order to reduce potential ecological impacts to a minimum, to provide mitigation, and to maximise the value of the site post-development, it is recommended that planning conditions are attached to any permission granted, covering the following:

- The control of vegetation clearance during the bird nesting season.
- The protection of hedgerows during construction.
  
- An updated badger survey in the event that development does not commence within one year of planning permission being granted.
  
- The submission of a detailed landscaping scheme to include details such as proportions, establishment methods and maintenance regime: it is recommended that the open field which will be 'semi-managed' and maintained as rough grass and meadow is seeded with a simple native wildflower seed mix, to create a valuable area of habitat, and that additional enhancements, such as the construction of a pond are also considered.
  
- The production of a landscape management plan, detailing how habitats created as part of the landscaping scheme will be managed and maintained, in order to maximise their value.

## 3. Summary

In summary, it appears unlikely that the the proposed development would give rise to significant ecological impacts. However, the imposition of a number of planning conditions is recommended to ensure that mitigation is put in place, and to ensure that the biodiversity value of the landscaping scheme is maximised.

Nottinghamshire Wildlife Trust – no objection, subject to the imposition of a condition to confirm which parts of the hedge, which crosses the lower part of the site from east to west, are to be retained in perpetuity as part of the development of the site.

All new planting should consist of plant stock of guaranteed native genetic origin and ideally of local provenance from the Mid-Nottinghamshire Farmlands area landscape guidelines.

In response to the revised access and site layout plans, showing the land for the proposed crematorium condensed and the proposed cemetery relocated, the Wildlife Trust has made the following additional comments:

It is pleased to see the proposed additional native hedgerow planting around the smaller area of the crematorium and cemetery along the eastern boundary of the site.

It supports the creation of rough grassland and meadow in the larger open field, although there are no details of the seed mix to be used. It is recommended that a wildflower meadow mix containing 80% grass and 20% wildflowers is used, with

seeds of guaranteed native genetic origin and, ideally, of local provenance to maximise the nature conservation value of the site.

Urban Design Consultant – the appearance is low key, modest in height & form, but with a fairly extensive footprint, as everything is on one level. No objection to the design proposed, as such, but considers that an eco-friendly building with a contemporary design, and perhaps more imaginative in appearance would relate better to this countryside setting.

Parks & Streets Care – make the following comments:

- Good assessment of visual impact, mature boundary vegetation will help screen the site.
- Addition of burial space & identification of need for a cemetery is noted and welcome.
- Good analysis of local capacity and provision of two cremators gives good future capacity.

The following additional comments have been made on the revised plans, which show the proposed cemetery relocated:

The development will fit into the contours of the land effectively, so as not to encroach unnecessarily on the skyline. Addition of burial space welcome.

Nottinghamshire County Council (Rights of Way) – this application impacts on Lambley public footpath No. 33, which runs through the eastern boundary of the application site. Whilst not an objection, the County Council would require that the availability of Lambley public footpath No.33 is not affected or obstructed in any way by the proposed development.

The County Council requests that it be re-consulted if there are any re-surfacing issues and that the developer should be aware of potential pedestrians in the area and walkers should not be impeded or endangered in any way.

In response to the revised access and site layout plans, showing the land for the proposed crematorium condensed and the proposed cemetery relocated, the County Council notes that it is proposed to corridor this footpath by installing an additional hedgerow, offset from the existing boundary by 1.5 – 2 metres. There should be a minimum 2 metres offset to accommodate the footpath, which has a default width of 1.5 metres clear, and to take into account future hedgerow growth and vegetation overhang.

Ramblers Association - this application does not identify a definitive right of way, Lambley public footpath No.33, as part of the development plan. This is an important path link forming a circular walk from Lambley to Mapperley Plains then returning via Lambley Dumbles. This right of way should be designed into the development.

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

## **Planning Considerations**

The key planning consideration in the determination of this application is 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; the design of the proposed development; and its impact on the public footpath.

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 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 13<sup>th</sup> 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 Council, 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), and is explored further in the Introduction Report.

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 27<sup>th</sup> 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.

With regard to the openness of the Green Belt, it is considered that the amount of built development and the level of parking provision is both proportionate and essential to the proposed use, given that any harm arising as a consequence is outweighed by the very special circumstances that have been demonstrated in the Introduction Report. The layout, scale, appearance and use of existing contours would minimise the overall impact of the proposed development in this respect and I am satisfied that the proposed levels would ensure that the proposed development would not be unduly prominent on the ridgeline.

The impact on openness would be further mitigated by existing hedgerows and hedgerow trees around the site and as the proposed landscaping matures. It is considered that the level of traffic activity which would be generated would not have any undue impact on the openness of this part of the Green Belt.

As such, it is considered that, given the very special circumstances that apply in this case, the proposed development would not unduly harm the openness of the Green Belt and consider that the proposal complies with Policy ENV26 of RLP and paragraphs 80, 87, 88 and 89 of the NPPF.

With regard to the proposed cemetery, the list of appropriate Green Belt uses within paragraph 89 of the NPPF and Policy ENV26 of the RLP includes cemeteries and, as such, this element of the proposal is acceptable in policy terms, if it were proposed on its own.

In my opinion, therefore, the proposed cemetery constitutes an appropriate form of development within the Green Belt and that, given the nature of the proposed use, its extent and the fact that it would be screened by existing and proposed hedgerows, it

would preserve the openness of the Green Belt in this location and would not conflict with any of the purposes of including land within the Green Belt, in accordance with Policy ENV26 of the RLP and paragraphs 89 of the NPPF.

### Landscape Considerations

The relevant planning policies which 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 GNLCA.

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, which show the overall crematorium scheme condensed towards the south-western corner of the site and the proposed cemetery relocated adjacent to this, the northern, lower end of the site would remain open in character, which would have less impact on the character of the Lambley Dumble, close to its starting point.

It is also considered that the location of the crematorium near to the western boundary would take advantage of the natural screening provided by the more significant and mature vegetation within the hedgerows along the southern and western boundaries of the site.

I appreciate the concerns which have been expressed by local residents in terms of the impact of the proposed development on the local Landscape Character and Mature Landscape Area, and note that these were initially supported by the County Council's Landscape Team, which considered that the impact on Landscape Character and Visual Impact would be 'moderate adverse'.

However, following the submission of the revised plans, I am mindful that the County Council's Landscape Team now considers, with regard to Landscape Character, that the 'tighter' layout would create a development that would be contained within a smaller rectangular field, which is consistent with the immediate locality, and that views across the site and beyond would be retained to a greater extent than in the original proposals. I also note that the County Council's Landscape Team considers that the proposed hedgerow with tree planting will strengthen and contribute to the landscape character, thus providing some mitigation for the non-agricultural development proposed.

Whilst the County Council maintains its previous comments regarding the siting of the building on the ridgeline, I note that overall it is considered that there will only be a 'slight adverse' impact on Landscape Character. In addition, the location of the proposed crematorium closer to the ridgeline along Catfoot Lane would mean that it would follow more closely 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. It is noted that this is similar to the Lymn application, where the proposed crematorium building would be sited closer to the bottom of the Dumble and thereby have a greater impact upon it, both in terms of distance and the nature of the Dumble in that location.

In terms of Visual Impact, the County Council considers that the tighter layout reduces the impact of the development on receptors from all viewpoints and that the extent of the development is more consistent with pockets of housing and/or farm buildings on the periphery of the conurbation or within the locality. It is also noted that the proposed tree cover is now concentrated around the site boundaries, so as to comply with the recommendations of the GNLCA, although the County Council considers that some additional tree planting within the site would provide additional mitigation. This could be achieved by the imposition of an appropriate condition, if planning permission is granted.

To ensure that the proposed cemetery does not have a detrimental impact on Landscape Character or Visual Impact, it is considered it would be appropriate to control the use of headstones, statuary and pathways by the imposition of relevant conditions, if planning permission is granted.

Whilst the existing hedgerows along the eastern and western boundaries of the site are both classed as 'important' under The Hedgerow Regulations 1997, neither would be adversely affected by the proposed development and any gaps would be reinforced using native planting.

The revised plans showing the proposed cemetery relocated adjacent to the proposed crematorium land and Catfoot Lane would ensure that the existing hedgerow crossing the lower, northern part of the site, would not be affected by the proposed development.

Whilst it would be necessary as part of the proposed development to remove, or cut back, part of the existing hedgerow along Catfoot Lane in order to create the site access and visibility splays, the potential impact of these on the existing hedgerow has been mitigated by the revised plans, which show the proposed visibility splays reduced. I note that these revised splays would be acceptable from both a highways and arboricultural viewpoint and that this particular hedgerow is not classed as 'important' under The Hedgerow Regulations.

Having regard to the conclusions of the LVIA, as revised, and the comments of the County Council's Landscape Team, it is considered that the proposed development would accord with Policy ENV2 of the RLP, in that the proposed landscaping would complement the facilities on the site and retain and enhance established features, apart from the removal of a relatively small part of the existing hedgerow along Catfoot Lane in order to facilitate the proposed access works; I am also satisfied that the proposed development would accord with Policy ENV37 of the RLP, paragraphs 109 and 113 of the NPPF and Policies 10 and 16 of the ACSSD in that the 'very special circumstances' for the proposal which outweigh the harm to the Green Belt must also be considered to outweigh the 'slight adverse' impact on the areas intrinsic value, and that the revised proposals would generally protect and conserve the Landscape Character of the area.

As recommended by the County Council, some additional tree planting within the site to provide additional mitigation could be achieved by the imposition of an appropriate condition. This, together with the landscaping already proposed, would meet the objectives of Policy ENV43 of the RLP.

### 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 visibility splays, vehicular access, footway and pedestrian island; the proposed access road, parking, turning and servicing areas; access gates and the submission of a Travel Plan.

The applicant's agent has checked the measurements for the proposed footway at the junction of Catfoot Lane with Mapperley Plains and has confirmed that there is sufficient space within the highway verge to undertake the required works to the highway in order to provide the proposed footpath.

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.

If permission is granted, I am satisfied that the Travel Plan can be secured by means of an appropriate condition, in accordance with usual practice, rather than a section 106 Agreement, as suggested by the Highway Authority.

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 be constructed using local materials where possible and using a rainwater harvesting system to conserve water and re-use it for irrigation of the grounds. Furthermore, if planning permission is granted, an appropriate condition would need to be imposed to secure a surface water drainage scheme, based on sustainable principles, as required by the Environment Agency.

The Flood Risk Assessment (FRA), which has been carried out in accordance with the requirements of the NPPF, notes that sufficient open space is available within the development site to accommodate surface water attenuation storage in open Sustainable Urban Drainage System (SuDS) features.

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.

Whilst I appreciate the comments that the distance of the site from Mapperley Plains and the nearest bus stop would make it difficult to access the site by alternative modes of transport, the scheme does incorporate improvements within the highway for pedestrian access and I am mindful that pedestrians access other local facilities in the Mapperley Plains area by foot. It is noted that this compares favourably with the Lymn application, where the site is located a further 485 metres from Mapperley Plains and no footway along Catfoot Lane is required by the Highway Authority.

It is considered, therefore, that 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.

### Pollution Considerations

The relevant planning policies that 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 abatement plant which minimises emissions to air.

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 surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. I also note that Severn Trent Water has no objection and no comments regarding sewerage.

With regard to light pollution, I would comment that this end of Catfoot Lane is already affected by the existing street lights along Mapperley Plains, 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). There are also three streetlights along Catfoot Lane between Mapperley Plains and the application site.

Given the nature of the proposed use, it is considered that the additional lighting which would be introduced into the area by the proposed development would not unduly exacerbate this existing situation and the overall effect would be limited by the revised layout and 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.

On this basis, therefore, it is considered 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, and is not considered to be at risk from any source. As the proposed development would increase the impermeable area of the site, any increase in surface water run-off would need to be carefully managed. If there is no potential for infiltration drainage, the proposed development should discharge to the Dumble watercourse at greenfield rates. As already noted above, sufficient open space is available within the development site to accommodate surface water attenuation storage in open SUDS features.

The FRA also concludes that the proposed development would not increase flood risk to the wider catchment area as a result of suitable management of surface water run-off discharging from the site.

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 surface water drainage scheme for the site, in order to prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

As such, it is considered 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.

I consider it would be appropriate, should planning permission be granted, that the additional information provided by the Environment Agency is drawn to the applicant's attention by means of an informative note.

### 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 property (The Lighthouse) to the proposed crematorium, measured building to building, is approximately 280 yards.

### Ecological Considerations

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

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 a Phase 1 Habitat Survey has been undertaken and forms part of this application. The Survey found that no nationally or locally designated nature conservation sites would be affected by the proposals and that there is no evidence of protected species on the site, although a number of bat species have been observed in the immediate area.

As part of the proposed development, existing hedgerow would be 'gapped up' and reinforced using native species and additional lengths of hedgerow would be planted around the condensed site for the proposed crematorium and along the western side of the existing footpath. The resulting larger, open field is to be semi managed and maintained as rough grass and meadow.

I note that the County Council's Conservation Team considers that there is potential to create a valuable area of habitat and that the Nottinghamshire Wildlife Trust is pleased to see the proposed additional native hedgerow planting and the creation of rough grassland and meadow in the larger, open field and consider that this, together with the reinforcing of the existing hedgerows, 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 considers that the appearance of the proposed development is low key, modest in height and form and has no objection in principle to the design as proposed. In addition, the layout has been revised so as to be consistent with the landscape in the immediate locality.

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.

### Footpath Considerations

Although there are no specific policies regarding public footpaths, the most relevant planning policies that need to be considered in relation to the public footpath are set out in Policy ENV1 of the RLP and Policy 10 of the ACSSD, as the impact of the proposed new hedgerows on the local landscape have already been considered above.

Policy ENV1 of the RLP states, amongst other things, that new development should have regard to the appearance of the area and does not adversely affect the area by reason of its layout and that development proposals include adequate provisions for the safe and convenient access and circulation of pedestrians.

Policy 10 of the ACSSD requires, amongst other things, that all new development should be designed to create an attractive, safe, inclusive and healthy environment.

Whilst I note the comments of local residents about the visual and physical impact of the proposed new hedgerow alongside the footpath, I am mindful that the County Council has raised no objections to this from either a landscape or rights of way point of view, subject to the proposed hedgerow being sufficiently offset to accommodate the footpath and to take into account future hedgerow growth and vegetation overhang.

In my opinion that the location of the proposed crematorium buildings near to the western boundary of the site, would reduce any potential impact on users of Lambley Footpath No.33, both during construction or when the proposed development is operational.

Given the nature of the proposed use, therefore, it is considered that there will be minimal impact upon users of the right of way, which has been designed into the development, as requested by the Ramblers Association.

As such, it is considered that the proposed development would have no undue impact on Lambley Footpath No.33 and would accord with the relevant aims of Policy ENV1 of the RLP and Policy 10 of the ACSSD.

### 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).<sup>2</sup>

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.

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

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<sup>2</sup> Due to be abolished

As detailed 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.

After careful consideration of the material planning considerations, and changes to the operation of Wilford Hill Crematorium since the application was submitted, I consider, on balance, that there is now a justifiable need for a new crematorium within Gedling Borough and that, taken as a whole, this constitutes the 'very special circumstances' necessary to support this proposal, which outweigh the harm to the Green Belt and the slight adverse impact on the local landscape.

In my opinion the proposed crematorium and cemetery would not unduly harm the openness of the Green Belt or have an unduly detrimental impact on Landscape Character or Visual Amenity.

In my opinion the proposed development would not give rise to any undue impacts on highway safety and would meet the main principles of sustainable development.

I also consider 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; the design of the proposed development; and its impact on the public footpath.

As such, the planning considerations set out and discussed above indicate that the proposed development would accord with the relevant national and local planning policies.

In my opinion, therefore, that the proposal complies with Policies ENV1, ENV2, ENV11, ENV26, ENV37, ENV40, ENV43, ENV48 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), emerging Policies 1, 3, 10, 16 and 17 of the Gedling Borough Aligned Core Strategy Submission Documents, and accords with the aims of Sections 7, 9, 10 and 11 of the National Planning Policy Framework.

**Recommendation: GRANT PLANNING PERMISSION subject to the following conditions:**

### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the approved Elevations (04 Rev 4), Floor Plan (05), Floral Tribute Plans and Elevations (06) and Sections (M052.D.LS02) drawings, deposited on 23rd May 2012; Proposed Footway drawings (SCP/11100/D01 APPENDIX 4 Rev B), received on 31st July 2012 and General Arrangement drawing (M052.D.PA01 Rev f), received on 1st November 2012.

3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the external elevations of the proposed building. Thereafter the development shall be carried out in accordance with approved materials unless otherwise prior agreed in writing by the Borough Council.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure of the site. Thereafter the development shall be carried out in accordance with approved means of enclosure unless otherwise prior agreed in writing by the Borough Council.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any proposed alterations to the existing ground levels of the site, other than those shown on Sections drawing (M052.D.LS02). Thereafter the development shall be carried out in accordance with approved details unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced there shall be submitted to and approved writing by the Borough Council details of the means of surfacing of the access road, driveways, car parking areas, turning and servicing areas and other unbuilt on portions of the site. The access road, driveways, car parking areas, turning and servicing areas and other unbuilt on portions of the site shall be provided and completed in accordance with the approved details before the development is first brought into use and the parking, turning and servicing areas shall not be used for any other purpose other than the parking, turning, loading and unloading of vehicles.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any gates at the access point, which shall open inwards only and be set back 5.00 metres from the highway boundary. The gates shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is brought into operation there shall be submitted to and approved in writing by the Borough Council details of the type, dimensions and layout of memorial stones to be used within the cemetery, together with details of any footways within the cemetery, grassland and meadow areas. The cemetery shall be provided and operate in accordance with the approved details for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council. The scheme to be submitted shall demonstrate the utilisation of holding sustainable drainage techniques; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and responsibility for the future maintenance of drainage features.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external plant, including extract units, air conditioning systems, flues, fans & vents. The external plant shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination, to be provided on the proposed building or elsewhere within the site. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of cycle stands for staff and visitors. The cycle stands shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a landscape plan of the site showing the position, type, planting size and seed mix of all trees, shrubs, grassland and meadow areas proposed to be planted and sown, including details of proportions, establishment methods and the maintenance regime and, where appropriate, details of any existing trees and hedges to be felled, removed or retained.
14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a landscape management plan, detailing how habitats created as part of the landscaping scheme will be managed and maintained, in order to maximise their value.

15. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme for the protection of the existing hedgerows and hedgerow trees which form the boundaries of the site. The scheme shall be implemented in accordance with the approved details and shall be retained until all construction works have been completed.
16. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no: SCP/11100/D01 APPENDIX 4 Rev B are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.90 metres in height.
17. No operation of the use hereby permitted shall commence on any part of the application site unless or until the vehicular access and footway on the south side of Catfoot Lane has been provided between the site access point and the B684 Mapperley Plains, together with the provision of a pedestrian island on the B684, as shown for indicative purposes only on drawing no: SCP/11100/D01 APPENDIX 4 Rev B to the satisfaction of the Borough Council.
18. No part of the development hereby permitted shall become operational until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to reduce the traffic and environmental impacts of the development and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan and shall subsist for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.
19. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.
20. Should the development hereby permitted not commence within one year of the date of this permission, an updated badger survey shall be undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council before development commences. If any badgers are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before development



commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.

## **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
4. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
5. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
6. To ensure the details of the development are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
7. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
9. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with the National Planning Policy Framework, Policies ENV1 and ENV40 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents.
10. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
11. In the interests of visual amenity and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
12. To ensure the details of the development are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).

13. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
15. To minimise any potential impacts on biodiversity and the landscape in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
16. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
17. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To ensure the traffic and environmental impacts of the development are mitigated and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
19. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
20. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

### **Reasons for Decision**

There is a justifiable need for a new crematorium within Gedling Borough which constitutes the very special circumstances necessary to outweigh the harm to the Green Belt and the slight adverse impact on the local landscape. The proposed crematorium and cemetery would not unduly harm the openness of the Green Belt or have an unduly detrimental impact on Landscape Character or Visual Amenity. The proposed development would not give rise to any undue impacts on highway safety and would meet the main principles of sustainable development. 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; the design of the proposed development; and its impact on the public footpath. As such, the proposed development would comply with Policies ENV1, ENV2, ENV11, ENV26, ENV37, ENV40, ENV43, ENV48 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), emerging Policies 1, 3, 10, 16 and 17 of the Gedling Borough Aligned Core Strategy Submission Documents, and accords with the aims of Sections 7, 9, 10 and 11 of the National Planning Policy Framework.

### **Notes to Applicant**

Your attention is drawn to the attached comments from Public Protection, the Environment Agency, Nottinghamshire Wildlife Trust and the Nottinghamshire County Council with regard to Highways, Landscape, Conservation and Rights of Way.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.