



**Application Number:** 2012/0799

**Location:** Land at Orchard Farm, 216 Catfoot Lane, Lambley.



**NOTE:**

This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 078026  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

## Report to Planning Committee

**Application Number:** 2012/0799

**Location:** Land at Orchard Farm, 216 Catfoot Lane, Lambley.

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

Planning permission for the above development was refused on 17<sup>th</sup> May 2013 on the grounds that:

1. The proposed development would not fall within the categories of appropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The Borough Council does not consider that the very special circumstances by reason of need put forward by the applicant to justify the proposal would, in this instance, outweigh the harm to the Green Belt at the application site due to the impact on openness and the harm caused to the purpose of safeguarding the countryside from encroachment.
2. The proposed development would not maintain the openness of the Green Belt at the application site by reason of its scale, appearance and associated hard surfaced areas, and would conflict with the purpose of assisting in safeguarding the countryside from encroachment.
3. The proposed development would have a moderate adverse visual impact and a moderate adverse effect on The Dumbles Rolling Farmland of the Mid-Nottinghamshire Farmlands Landscape Character Area and the Mature Landscape Area by introducing buildings and a fundamentally diverse landscape into an area of high landscape sensitivity, derived from its simplicity and openness.

An appeal against this decision was subsequently lodged with the Planning Inspectorate and a Public Inquiry was held at the Civic Centre on 17<sup>th</sup> - 20<sup>th</sup> June and 24<sup>th</sup> - 25<sup>th</sup> June. A site visit was made on 2<sup>nd</sup> July 2014.

The appeal has been dismissed. In reaching this decision, the Inspector concluded (in summary) that:

1. The proposed development would be inappropriate in terms of Green Belt policy,

and would cause a loss of the Green Belt's openness, and would represent an encroachment into the countryside. In all these respects, it would conflict with the Green Belt policies of the Replacement Local Plan (RLP) and the National Planning Policy Framework (NPPF). Substantial weight must be given to the resulting harm to the Green Belt.

2. Harm would also be caused to the character and appearance of the landscape, and the location would not allow for satisfactory accessibility for all users or maximise the use of sustainable transport modes. In these respects, the proposal again conflicts with relevant policies of the RLP and the NPPF, and also the emerging Aligned Core Strategy (ACS). The Inspector gave these matters considerable weight. In addition, the development would have potential adverse consequences for highway safety and for neighbouring occupiers. The Inspector gave some further weight to each of these.
3. In providing an additional crematorium facility within the Gedling area, the development would provide some benefits to the local community, and would reduce the mileage travelled in connection with cremations and funerals in the Borough. There would also be some potential benefits to the site's ecology and biodiversity. But these benefits would carry little weight in comparison to the harm identified above.
4. A need for the facility has not been demonstrated. Neither has it been shown that the appeal site is the best site available if such a need were to be established. Although the proposed scheme has been designed with great care, the quality of the design is not so outstanding or innovative as to count as more than a neutral factor in the overall balance.
5. In the light of all these considerations, the Inspector concluded that although the proposed development would have some benefits, on any objective analysis these would not clearly outweigh the harm that he found. Those benefits therefore cannot amount to the very special circumstances that are necessary under the NPPF to justify development in the Green Belt. Furthermore, given the various substantial planning objections that the Inspector identified, the proposal does not constitute sustainable development. And even if it did, the NPPF's presumption in favour of such development does not apply in Green Belt's.

**Recommendation:**

That the information be noted.