

Officers Report

Planning Application No: 136962

PROPOSAL: Planning application for single cremator and chapel crematorium building with memorial facility, to include car parking facilities and related hard-landscaped areas as well as formal and informal landscaped gardens.

LOCATION: Land off Gainsborough Road Lea
WARD: Lea
WARD MEMBER(S): Cllr Jessie Milne
APPLICANT NAME: Lea Lincs Properties and WLDC

TARGET DECISION DATE: 03/08/2018
DEVELOPMENT TYPE: Major - Other
CASE OFFICER: Rachel Woollass

RECOMMENDED DECISION: It is recommended to grant permission subject to conditions.

Executive Summary:

This is a full application for a single cremator and chapel crematorium building with memorial facility, to include car parking facilities and related hard-landscaped areas as well as formal and informal landscaped gardens.

The site is located east of the A156 north of village of Knaith and south of the village of Lea. The site is approximately 6.5ha. The site is within an Area of Great Landscape Value in the open countryside.

Access would be from a single point on Gainsborough Road.

The main objections relate to:

- highway safety
- need for a crematorium
- conflicts with policy LP55
- loss of agricultural land
- impact to the AGLV
- loss of a view

The principle of development would be acceptable. When looking at the criteria of Part E of policy LP55 (Development in the Countryside), the proposal would be justified in its location, would be suitable in terms of accessibility, would not result in conflict with neighbouring use and the size and scale is commensurate with the proposed use and rural character of the location.

The proposal provides a new community facility and would be in accordance with policy LP15 (Community Facilities) of the Central Lincolnshire Local Plan.

Objections have been received regarding the quantitative need of the crematorium and the impact on other comparable provision. Impact to the comparable provision is deemed competition of which is not a material planning consideration. Quantitative need is not material to the determination of the application. What is required is whether the proposal meets current policy and whether the location for the proposed use is acceptable. It is determined that the proposal would meet local and national policy.

Highway safety has been a main cause of concern for objectors. A Transport Statement has been included as part of the application. The statement concludes that the proposed crematorium development can be accommodated at the proposed site and there is not anticipated to be a significant adverse impact on the local highway network. Lincolnshire County Council highways team have been consulted and raise no objections to the proposal and require only minor improvements for pedestrian access in the form of a tactile crossing point.

Foul water drainage is to be treated and connected to Lea Marshes drain. Surface water flows will be restricted and will ultimately drain to Lea Marshes drain. The Lead Local Flood Authority have been consulted and raise no objections to the drainage. The drainage strategy ensures that the site is adequately drained in accordance with policy LP14 of the Central Lincolnshire Local Plan.

There will be some loss of Agricultural Land but the percentage is small given the level of built development.

The site is to be significantly landscaped in order to integrate the proposal with its surroundings and reduce any impact to the Area of Great Landscape Value.

The site has shown evidence of the presence of Great Crested Newts. The applicant has undertaken the necessary surveys and has provided an appropriate mitigation strategy in order to protect these species. The landscaping would improve the biodiversity of the site. Mitigation is also proposed for other species.

The site lies within a minerals safeguarding area. A minerals assessment has been provided as part of the application. Lincolnshire County Council Minerals and Waste Team have been consulted and raise no safeguarding objections.

Subject to conditions it is considered the proposal would be acceptable and would not have a detrimental impact on the character of the area, the Area of Great Landscape Value, highway safety/capacity, residential amenity, ecology and drainage in accordance with policies LP1, LP5, LP13, LP14, LP15, LP17, LP21, LP26, LP55 of the Central Lincolnshire Local Plan, Policy 4: Design and Character and Policy 11: Wastewater and Water Supply of the Lea Neighbourhood Plan, Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), including the advice

given in the National Planning Policy Framework and the National Planning Practice Guidance.

Description:

The site is located east of the A156, north of the village of Knaith and south of the village of Lea, close to Gainsborough. It lies adjacent to an area of deciduous woodland on the Norbury Hills comprising the majority of one irregular shaped agricultural field.

The site extends approximately 6.5ha. The site lies on a gently rising west facing slope beyond an area of floodplain meadow in the Trent Valley.

To the north of the site is an area of mixed woodland located on the Norbury Hills. To the south are further agricultural fields and block of woodland on Stephenson Hill.

The site is not currently publicly accessible and currently has no vehicular access save for farm access to maintain the field.

The wider landscape surrounding the site is characterised by significant blocks of deciduous woodland, hedgerows and hedgerow trees with main roads as significant features within the landscape.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017:

A formal screening opinion has been given, under reference 136955.

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

Relevant history:

None

Representations:

Chairman/Ward member(s): No representations received to date

Lea Parish Council: Are concerned with the management of traffic entering and exiting the planned development.

- No traffic solutions have been indicated on the website.
- Would like to know what arrangements to manage traffic during the building phase of the project and arrangements when the site becomes operational.

Knaith Parish Council: Believes that there will be a severe and adverse impact on the traffic flow on the A156, leading to potential highways safety and traffic issues in and around the village of Knaith.

- Contends that reference A of the traffic plan considerably underestimates the traffic volume that will be generated by the site. Specifically the reference states that as there is no cemetery attached to the site there will be no requirement to factor in repeat visits to the site. However, it does include a Memorial Garden with its own dedicated Chapel of Remembrance. There are also plots in which trees with associated plaques may be taken and a facility for the internment of urns or the appropriate disposal of ashes. There is no doubt that repeat visits to the site are being actively sought.

- The potential to add a second cremator at a later stage will only increase the number of visits.

- In reference A the plan assumes that the traffic density of those visiting for a service will be evenly split over the 30 minutes prior to a service and the 30 minutes after. Even given an overlap of services this creates a gentle (and negligible) increase in traffic density of a maximum 1-2 cars per minute.

Knaith PC consider this to be a most unlikely model.

- The traffic plan makes no mention of the impact of traffic, including corteges approaching from the south and turning right across the road to proceed north.

- The plans laid out in the application show that the western and south western edges of these woods are to be taken into the crematorium. This will severely impact upon the paths and trails used by the walkers with the concomitant impact on their ability to access the woodland spaces as they have been able to do so for the preceding 20 or more years.

Sir Edward Leigh: A letter was received from Sir Edward Leigh asking WLDC to address concerns received to him from Knaith Parish Council regarding figures for the need and a properly argued response from Highways Lincolnshire about traffic and traffic calming measures.

This letter was addressed directly by the Chief Operating Officer. Some of the matters raised were away from planning's remit.

Westerleigh Group: The need report accompanying the application mentions in passing that there is planning permission for a crematorium at Babworth, but then the analysis and mapping takes no account of this new crematorium. As a result the analysis is flawed and misleading.

- Westerleigh has commenced construction of the new crematorium at Babworth and it will be open in Summer 2018. Gainsborough Town Centre is only 13 miles or 40 minutes from our new crematorium.

- Our own analysis is that your site at Lea, if developed, would be the nearest crematorium for a population of just 43,507 people.

- If the Gainsborough catchment matched the England average, this would mean it would be economically unviable.

- The Inspector in successful planning appeal APP/G2245/A/13/2210128 concluded that a catchment population of 150,000 is needed to justify a new crematorium. The catchment for Lea is less than a third of that.

- The new crematorium under construction at Babworth would be much closer and more convenient for the residents of West Lindsey than either Scunthorpe

or Lincoln and would satisfy the need without it being necessary for council taxpayers to fund the construction of a new crematorium at Lea.

- Would urge you to carry out more analysis of the need for a crematorium.
- Such further analysis should take a much more robust approach to analysing the quantitative and qualitative need for a new crematorium and a much more detailed forecast of the potential usage.
- Map 1 within your Need Report serves to show the existing crematoria within the surrounding area but neglects to include Westerleigh's new crematorium at Babworth, which was approved in September (2017) and is under construction currently. We have amended this plan in order to show the location of the Babworth crematorium and its own catchment area.
- Then plan clearly shows that the new Westerleigh crematorium already addresses the defined need for a new crematorium within this area and when applying the applicants own method of analysis shows that there is not a need for the new crematorium as now proposed. The catchment area for the Babworth crematorium includes the town of Gainsborough and the application site at Lea.
- These comments confirm that there are fundamental commercial issues with the proposed development, where the economic viability for the proposal is almost completely extinguished by a new facility within the locality. There is therefore no defined need for the proposed development.

Shakespeare Martineau: Proposal comprises a very substantial building given the proposal to accommodate a single cremator. The scale of development is further exacerbated by the 209 proposed car parking spaces. These discrepancies and the justification for a building and parking of this scale requires a thorough and robust justification. The Council's justification is that it has to be located in such an area by virtue of the 1902 Cremation Act. However, this fails to take account of the fact that the separation distance specified in that Act does not itself justify the remote location of the site.

- The proposal is not required in a rural location as a means of maintaining or enhancing the rural economy. The proposal lies in an area of open countryside away from established development.
- Conflicts with policy LP55
- Creates an urban feature in the landscape which is far in excess of any operational requirement.
- There has to be justified quantitative and qualitative need for the proposal.
- No agricultural land assessment to determine the grade of agricultural land affected by the proposal.
- Needs assessment does not take into account our facility. Assessment is out of date.
- Proposed crematorium falls short of the required levels needed to justify the scheme.
- Site is located within an AGLV. Development of the scale proposed would be prominent in the views from the road and an incongruous element in the landscape.
- The road access proposals are like to substantially reduce the depth of elm scrub and further open the site to view.
- Application has not considered the landscape and visual impacts of the scheme.

Conclusion

- The proposal is contrary to policy
- Fails to address key tests regarding the need for the development
- Has a serious adverse impact on an Area of Great Landscape Value.
- Does not take account of the agricultural land quality of the site.
- Application is lacking key material supporting information.

Local residents: Objections received from 2 Knaith Hill, 6 Knaith Hill, 45a Willingham Road, 59a Willingham Road and Lake House with the main concerns –

- Having looked through the minutes from Knaith Parish Council meeting's minutes, the word "initially" kept cropping up. "Initially there will be one chapel of rest/crematorium". "Initially there will be 4/5 people working/running the crematorium." Therefore, do we understand that this could grow?
- Why is it necessary to remove a section of woodland to allow for the development?
- Feel the crematorium will increase the volume of traffic and the likelihood of accidents on this road
- Slow moving cortege and attendant vehicles will present a hazard on an already busy road
- Traffic will grow as people come to visit the gardens of remembrance at a later date
- Understand the need for a crematorium in this area but this is not the site for it
- To suggest that traffic will be evenly spread throughout the day and only out of the rush hour is unreasonable
- Application neglects traffic travelling to and from facility outside those arriving for cremations
- With the potential of two stacks the numbers need to be doubled
- View will be blighted by a direct view over the crematorium and stacks
- Led to believe that we can also expect a film of "dust" that will need to be regularly cleaned from our property
- Application is predicated on an unviable business model
- Would be unhappy for the Local Authority to become saddled with a highly expensive and uneconomic facility without robust and prior scrutiny of the financial case being made
- How do the applicants intend to comply with Lincolnshire Highways demands to site a tactile crossing point across that main trunk road which currently has the national speed limit?
- Knaith Parish Council does not believe the Thonock Estate or others would not be willing to sell land for this purpose on a freehold basis

LCC Highways/Lead Local Flood Authority: The Highway Authority would request the applicant revises the access drawing to show a tactile crossing point from the access footway on the opposite side of Gainsborough Road.

- the drainage strategy is acceptable. Discharge rate will be greenfield run off and consent for discharge will be required. These calculations do not appear to have been submitted as part of the application.

Following the inclusion of a tactile crossing point plan and further details on drainage, there were no objections from LCC Highways/Lead Local Flood Authority.

LCC Minerals and Waste Team: The proposed development has been identified as being located within a Minerals Safeguarding Area and is subject to policy M11 (Safeguarding of Mineral Resources) of the Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) adopted June 2016.

Within a minerals resource safeguarding area, except for the exemption set out in policy M11, all applications for non-minerals development should be accompanied by a Minerals Assessment prepared in accordance with the latest guidance from the British Geological Survey.

The proposals should therefore be accompanied by a Minerals Assessment.

A Minerals Assessment was provided and the Minerals and Waste team considered that having regard to the scale, nature and location of the proposed development, the applicant has demonstrated that in accordance with the criteria set out in policy M11 that prior extraction of the mineral resource would be impracticable, the development would have a limited impact with respect to sterilising the mineral resource and risk of proximal sterilisation is likely to be limited also.

Environment Agency: We have no objection to the proposed development, as submitted.

Public Protection: No representations received to date

Tree Officer: I have no objections to the proposals in terms of its impact to nearby trees and hedges. There are many existing trees around the edges of the site, but the proposed soft landscaping scheme would significantly improve the biodiversity value of the site from its current use.

- Any new landscaping that fails, becomes diseased or damaged should be replaced. Protective fencing will be required around the existing trees and alongside hedges in the form and at the positions as shown in the submitted arboricultural report. Tree protection measures should be installed prior to works commencing, and be retained in position until completion.

Lincolnshire Wildlife Trust: No representations received to date

Natural England: Has no comments to make on this application.

Archaeology: No archaeological input required

Relevant Planning Policies:

Development Plan

Planning Law¹ requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan in this location comprises the Central Lincolnshire Local Plan (April 2017); The Lea Neighbourhood Plan; and the Lincolnshire Minerals and Waste Local Plan.

Central Lincolnshire Local Plan 2012-2036

LP1: A Presumption in Favour of Sustainable Development

LP5: Delivering Prosperity and Jobs

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP15: Community Facilities

LP17: Landscape, Townscape and Views

LP21: Biodiversity and Geodiversity

LP26: Design and Amenity

LP55: Development in the Countryside

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Lea Neighbourhood Plan

A neighbourhood planning referendum was held on the 7 December, more than 50% of those voting did so in favour of the plan (Actual 73%). Therefore, the Lea Neighbourhood Plan is now part of the statutory development plan for West Lindsey District Council. It was made at full council on 22nd January 2018. Policies applicable include

Policy 4: Design and Character

Policy 11: Wastewater and Water Supply

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/lea-neighbourhood-plan-made/>

Lincolnshire Minerals and Waste Local Plan

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and forms part of the Development Plan. The application site is not within a Mineral Safeguarding Area (MSA).

The Site Locations were adopted in December 2017. The site is within an allocated Minerals Site.

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(02) of the Town and Country Planning Act 1990

<https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/>

National guidance

National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance

<http://planningguidance.planningportal.gov.uk/>

Main issues

- Principle
- Design
- Impact on the Area of Great Landscape Value
- Highways and Drainage
- Loss of Agricultural Land
- Ecology
- Minerals

Assessment:

Principle

The proposed facility comprises of a chapel and crematorium building; ancillary offices; memorial gardens; remembrance court and gardens; and two parking areas – one for congregation visitors attending services, and the other for staff, visitors to the memorial garden and service users. A new access road in to the site would be proposed from Gainsborough Road. This is proposed from one location point taken from Gainsborough Road on the western side of the site.

Policy LP15 states that proposals for new community facilities will be supported in principle, and should:

- d. Prioritise and promote access by walking, cycling and public transport. Community facilities may have a local or wider catchment area: access should be considered proportionately relative to their purpose, scale and catchment area;
- e. Be accessible for all members of society;
- f. Be designed so that they are adaptable and can be easily altered to respond to future demands if necessary;
- g. Where applicable, be operated without detriment to local residents: this especially applies to facilities which are open in the evening, such as leisure and recreation facilities.

The proposal would be in accordance with policy LP15. The access to the proposal has been considered acceptable for its use and is accessible for all members of society. It has been designed as such that it could respond to

future demands and will be operated without being detrimental to local residents.

Part E of policy LP55 states that proposals for non-residential developments will be supported provided that:

- a. The rural location of the enterprise is justifiable to maintain or enhance the rural economy **or** the location is justified by means of proximity to existing established businesses or natural features;
- b. The location of the enterprise is suitable in terms of accessibility;
- c. The location of the enterprise would not result in conflict with neighbouring uses; and
- d. The development is of a size and scale commensurate with the proposed use and with the rural character of the location.

Under the Crematorium Act 1902 it specifies that a crematorium should not be built within 200 yards (183m) of a dwelling house or within 50 yards (46m) of a public highway.

Given these restrictions the proposal would meet these requirements and to part a and d of the above policy.

The location of the crematorium such requires a countryside location to achieve the correct setting in order to achieve the appropriate amenity for the memorial gardens and the crematorium as a whole. A sequential test has been provided to show how the site was deemed the most appropriate for the proposal.

17 sites were considered as shown in the sequential test. The first 10 were in the urban area of Gainsborough. In the urban area the 10 sites were each constrained differently but included constraints such as the below:

- proximity to residential properties
- proximity to commercial properties
- land allocation
- unavailable sites
- flood risk
- contamination

Given these constraints, sites outside the urban area were considered. The constraints identified here include:

- highway safety/capacity issues
- residential amenity concerns from planned development
- proximity to residential dwellings
- proximity to scheduled ancient monuments
- noise impacts from the railway
- overhead electrical lines

The proposed site was chosen given its pleasant setting. There are no residential or commercial properties within close proximity and no highway

concerns. There was also no overhead electrical lines, railway lines or other infrastructure to constrain the site.

The proposed site for the crematorium is adjacent to A156 Gainsborough Road between Lea and Knaith. Gainsborough Road forms a link from Gainsborough to Lincoln via the A57. Gainsborough Road is fronted by mainly agricultural land with a footway on the west side of the road.

An advisory cycle lane and a shared footway/cycleway are provided on the east side of Gainsborough Road. Two railway stations are located within 5km north of the proposed site, Gainsborough Lea Road Station and Gainsborough Central Station. Gainsborough Lea Road has services from Lincoln that run once an hour. A bus route runs along Willingham Road approximately 1km north of the site. The 105 and 107 services provide hourly connections to Lincoln and Gainsborough.

Given the nature of the development it is likely that most staff and visitors will arrive by car however the train and bus services provide additional travel options.

The development is of a size and scale commensurate with the proposed development and with the rural character of the area.

There are no national or local guidelines or policies which stipulate the quantitative need for a crematorium or against the impact on other comparable provision. Indeed the impact to provision would be deemed competition of which is not a material planning consideration. Quantitative need is not material to the determination of the application.

The proposal would not result in conflict with neighbouring uses.

The principle that runs through the NPPF is that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

It is considered that the economic, social and environmental potential benefits of the proposed development are such that the principle of development is considered to be acceptable and would not conflict with the aims and objectives of the NPPF in this instance.

Design

Policy 4: Design and Character of the Lea Neighbourhood Plan states that all new developments must deliver good quality design. In order to achieve this all new development, where relevant, should consider the following local design principles:

- a) should not disrupt the linearity of settlement or the way the streets and spaces related to the underlying land form;
- b) recognise and reinforce the distinct local character in relation to scale, mass, form, character, density, landscape, setting and materials;
- c) the scale of the development should be limited to a maximum of 2 storey throughout the development site to reflect local characteristics;
- d) provide a mix of housing types and tenures that suit local housing needs;
- e) provide clear and appropriate boundary treatments to provide screening;
- f) sustainable urban drainage should be incorporated into design of the schemes and it must not cause and surface or foul water problems to existing properties;
- g) respect and protect Listed Buildings and their settings and the key views towards these important structures are retained;
- h) the views into and out of the settlement as identified in Appendix B should be retained; and
- i) sufficient parking must be provided for residents and visitors within the development plots.

Part d is not applicable in this policy as the proposal is not for housing.

Policy LP26 of the Central Lincolnshire Local Plan states that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape and supports, diversity, equality and access for all.

The proposal is for a single storey building with one double height space to the chapel. It has been designed as such to take into consideration the land levels and surrounding character.

The form over the crematory, used to disguise the required chimney flue, follows the roof parapet angles and lines of the chapel popup.

The porte-cochere provides visual presence for the mourners on approach from the carpark as well as providing shelter for cortege and congregation. The porte-cochere provides covered spaces to hold groups together.

To the north west of the main building is a floral tribute area and a protected view is available through the large window of the chapel.

The chapel is designed to seat up to 120 people with additional standing room in both chapel and lobby.

The main building is to be built in light buff brick with precast brick faced coping. Large timber/aluminium composite bronze framed window panels to break up the monolithic brick building, which opens up to key views.

The remembrance court building is to be built in light buff with precast brick faced coping. The windows and doors are to be PCC aluminium.

The main building has been designed and sited towards the front end of the site towards Norbury Hills which helps incorporate it into the landscape with the back drop of trees.

The memorial gardens and small remembrance building have then been situated in the more open part of the site with significant landscaping. The buildings work with the topography constraints in order to create a coherent environment.

Some amendments were received to the proposal. These include the removal of a window to the waiting room. Repositioning of a window and increasing in size a window to the waiting room.

There has been internal alterations to the layout which includes access from the service yard to cremator plant server room added, redesign of WC, introduction of internal door and an internal redesign of the reception area.

A window has been added to the family room and a door has been omitted on the west elevation.

The floral tribute wall is now varying heights.

A gantry and steps have been added to the roof for safe access and safe zones have been added for roof maintenance by means of a flat walkway.

On the site plan, amendments include the overflow carpark being included. The road to the service yard has been extended to allow for HGV turning. Pathways to the remembrance court have been revised. Paving has been extended to allow for limousine turning. Gates have been removed at the entrance.

These amendments are minor in nature and are considered acceptable. The overflow carpark does not fall within the root protection area for the trees and therefore the trees would not be affected.

The materials, design and siting along with the landscaping would be acceptable in this location. The proposal provides appropriate boundary treatments and SUDs are incorporated into the design (discussed in another section). There are no Listed Buildings in close proximity and as such would not impact upon key views towards any important structures. The proposal

does not impact upon the views and there is sufficient parking provided on site (discussed in another section). The proposal is therefore in accordance with policy 4 of the Lea Neighbourhood Plan.

The proposal is also in accordance with policy LP26 of the Central Lincolnshire Local Plan. The proposal would contribute positively to the local character, landscape and townscape given the design, materials, siting and landscaping.

Impact on the Area of Great Landscape Value

Policy LP17 states that to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.

All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible.

The considerations set out in this policy are particularly important when determining proposals which have the potential to impact upon the Lincolnshire Wolds AONB and the Areas of Great Landscape Value.

The whole of the site is within the designated Area of Great Landscape Value.

To the north and east of the site is Norbury Hills. The Lea Neighbourhood Plan states that “Norbury Hills is a highly valued community green infrastructure asset to Lea.... These beautiful woods are enjoyed by all generations, predominantly by dog walkers and families from the local area. The woodlands are easily accessed across the field from Sheriffs Walk and the New Plantation.”

The site is currently an arable field bound by good hedgerows with hedgerow trees and larger blocks of deciduous woodland to the north, east and south east. It lies on an area of slightly higher land south of Gainsborough. There are few detracting features within the site. However, the A156 lies adjacent to the site and the views across the River Trent to the large power station at Burton are slight detractors within the surrounding landscape.

The West Lindsey District LCA (1999) identifies the Site as lying within LCA 3 Trent Valley. The key characteristics of the LCA relevant to the Site are:

- “Low-lying, gently undulating landform with higher terrain to east and south of Gainsborough.
- Significant blocks of deciduous woodland, good hedgerows and hedgerow trees create a relatively enclosed landscape.
- River Trent and its adjacent washlands are enclosed by steep flood embankments.
- Historic parkland landscape including a medieval deer park, and landmarks such as the ruins of Torksey Castle.
- Main roads are significant features in the landscape; recent development concentrated along the main roads, bypassing original village centres.
- Views towards the west are dominated by the power stations along the River Trent.”

The below includes an extract of the landscape description for LCA 3 – Trent Valley as relevant to the Site:

“.... The landform is gently undulating and quite low lying, although the higher terrain to the east and south east of Gainsborough extends as far south as Marton. This relatively elevated land is formed by local outcrops of resistant gypsum within the rock strata. There are significant blocks of predominantly deciduous woodland to the south and east of Gainsborough, some of which are remnant semi-natural ancient woodland, and good hedgerow boundaries throughout the area. These are generally hawthorn, but there are also taller mixed species hedgerow and hedgerow trees, particularly adjacent to roads.

The combination of tree cover and an undulating landform provides a sense of enclosure; long views are generally contained, particularly to the east of the A156 and A1133 spine roads. However, there are some views down onto this area from the high ground around Gainsborough and along the higher ground along the eastern boundary near Marton. Further south, views to the west are dominated by the power stations along the River Trent and the major transmission lines leading to them....

This landscape accommodates a variety of land uses and features including, settlements, golf courses, transmission lines, roads, a railway and the Fosdyke.”

The site is assessed as making a positive contribution to the Local Landscape Character of the District.

As part of the application a full scheme of landscaping is proposed.

To the west of the site, which is where the entrance is located, the existing hedgerow will be supplemented with additional planting.

To the south west will be a storm water attenuation area and new woodland planting. Further new woodland planting also takes place to the south of the site, north, north east, east and south west.

Within the site will be memorial gardens and terraced gardens.

The design of the proposed development is well-integrated into the surrounding more open landscape and will maintain the quality of the transition between the developed and rural landscape. This would be in accordance with policy LP17 of the Central Lincolnshire Local Plan.

Highways and Drainage

As part of the application a Transport Statement has been submitted in support of the application.

A maximum of 60 arrivals and departures in an hour is estimated if the chapel is operating at capacity. These trips would occur outside of the AM and PM peaks.

It is proposed that the members of staff will be required during the operating hours (09:00-17:00) and are therefore likely to travel during peak hours.

The parking arrangements and drop off facilities are sufficient to accommodate all visitors, including any potential overlap between services.

The speed limit on Gainsborough Road at the location of the proposed site access is 60mph. It reduces to 40mph as you approach Lea. Knaith Hill to the east has a speed limit of 30mph.

Personal injury data has been obtained from the DfT (Department for Transport) database for the Transport Statement for the latest 3 year period (2013-2016) available in the area surrounding the proposed site location.

In total, 5 slight collisions occurred in the latest three year period. All the accidents were classified as 'slight' severity. A 'slight' injury is defined by the DfT as one in which at least one person is slightly injured. This includes minor injuries such as sprains, bruises, slight cuts, or shock, requiring only roadside attention.

The number of accidents is not abnormal for a road with this level of traffic flows.

The Transport Statement does not consider there to be existing safety concerns on the highway network in the vicinity of the site.

The Transport statement also shows that the required visibility splays for the maximum design speed (60mph) can be accommodated with some removal and trimming of the hedge line that borders the proposed site.

The statement concludes that the proposed crematorium development can be accommodated at the proposed site and there is not anticipated to be a significant adverse impact on the local highway network.

The Highways Authority have been consulted on the application and have assessed all the information and Transport Statement submitted. They have no objection to the proposal however they requested that the applicant revise the access drawing to show a tactile crossing point from the access.

An amended plan was received to that effect and the application will be conditioned to be in accordance with this plan.

Proposed Surface Water Strategy

It is proposed that surface water from the development will ultimately drain to the Lea Marshes Main drain located on the southern boundary of the site, via a new headwall connection. Surface water run-off will be restricted to 5l/s via a vortex flow control device and upstream attenuation.

In order to achieve attenuation requirements various SUDs devices have been proposed which includes porous car parking bays, gravel trenches and a surface water attenuation basin in the south-west corner of the site.

Proposed Foul Water Strategy

As no existing public sewers are present within the vicinity of the site it is proposed to connect treated foul water to the Lea Marshes Drain.

Foul water from the main crematorium building and the book of remembrance building will be treated via a private treatment plant before discharging into the main drain.

The Highway and Lead Local Flood Authority (HLLFA) have assessed the drainage strategy and have confirmed this is acceptable.

The proposal is therefore in accordance with policies LP13 and LP14 of the Central Lincolnshire Local Plan.

Loss of Agricultural Land

Part G of policy LP55 states that proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy.

With the exception of allocated sites, development affecting the best and most versatile agricultural land will only be permitted if:

- a. There is insufficient lower grade land available at that settlement (unless development of such lower grade land would be inconsistent with other sustainability considerations); and
- b. The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and
- c. Where feasible, once any development which is permitted has ceased its useful life the land will be restored to its former use, and will be of at least

equal quality to that which existed prior to the development taken place (this requirement will be secured by planning condition where appropriate).

The land is classified as 3 which is good to moderate. All of the sites tested in the sequential test were of the same quality.

The lower grade land is situated in flood zone 3 and therefore were discounted as a suitable site.

Whilst some agricultural land will be lost in this development, the built development of the site only forms a small percentage in comparison with the rest of the site. The majority of the site could be restored to its former use should the development permitted cease.

Ecology

The majority of the site comprised arable habitat and was considered to be of low ecological value. The woodland within the northern, eastern and southern extents of the site has greater ecological value and is recognised as a BAP Priority Habitat.

This woodland is to be retained following the development and with appropriate protection measures will continue to provide opportunities for a range of faunal species. The majority of the woodland along the western site boundary is also to be retained, except for a short length (some hedging) to be removed to facilitate access to the site. This minor loss of habitat is to be compensated within the proposed landscaping across the site, which is anticipated to result in a net gain in biodiversity following the development.

The site provides opportunities for nesting birds within the woodland and scrub vegetation. Appropriate mitigation is required, where vegetation removal and/or management is necessary, in order to avoid disturbing nesting birds.

Since Great Crested Newts were confirmed to be present at the site the proposed development had the potential to kill/injure individuals as well as to result in potential loss of terrestrial habitat. Further surveys were required to determine a population estimate and to inform an appropriate mitigation strategy to ensure the favourable conservation status of the population is maintained.

The population has been determined as medium and a mitigation plan has been produced. The mitigation includes –

- Temporary Amphibian Fencing (TAF) will be installed around the boundary of the development footprint, and pitfall traps and carpet tiles will be set out before a translocation programme commences;
- Whilst the population estimate is considered to be medium, given the limited optimal terrestrial habitat which is to be impacted by the proposed development, a trapping programme of 30 days is proposed (subject to agreement with Natural England);
- All GCNs and other amphibians found will be moved into the temporary receptor area, where they will be excluded from the site until the development

is complete. It is proposed to use the woodland habitat within the northern area of the site as a temporary receptor area. Since the translocation works are anticipated to be undertaken in Autumn 2018, this area provides existing hibernation opportunities, and will be further enhanced through the creation of log piles;

- In order to provide compensatory habitat and further enhancements for GCN, the creation of a wildlife pond is proposed within the north-eastern area of the site. This would be excavated following the initial trapping programme. Once established, the TAF which separates the pond from the temporary area would be removed and access for GCNs permitted, the aim to be available for the 2019 breeding season; and

- Following the development, as much habitat on-site as possible will be opened back up again to GCNs, however, measures will need to be included to ensure that there is no habitat fragmentation through the avoidance of steep kerbs and gully pots, which cause amphibians to become stuck on roads/ in drains and die, and linkages created through the inclusion of hedgerows/ green corridors through the site.

The mitigation plans and strategy will be conditioned.

As large parts of the site are proposed for memorial remembrance gardens with associated landscaping, this has the potential to enhance the site for amphibians following the development.

A grass snake was recorded at the site during the survey. The arable land was considered sub-optimal for reptile species, with habitat of greatest value associated with the woodland and field margins in proximity to the drain. It is anticipated that any reptiles present during construction activities will disperse into suitable off-site habitats. However, a precautionary approach should be applied to vegetation clearance to further minimise the risk of harm to any reptiles that may be present. Proposed landscaping within the development has the potential to enhance the site for reptile species and to provide greater connectivity across the site to suitable off-site habitat.

The site and land immediately surrounding the site, did not support any opportunities for roosting bats. Lighting within the proposed development should be sensitively designed in order to avoid impacts upon nocturnal wildlife.

No evidence of recent badger activity was recorded at the site, or within the immediate surrounding land, during the survey, however, a disused sett was identified within the northern boundary extent of the site and the data search indicates their presence in the local area. A precautionary approach is, therefore, required to ensure no new setts are dug which may be impacted by the proposed works, and to protect badgers which may venture onto site during the proposed works.

Brown hare have been recorded in the local area, however, it is anticipated that any present on the site at the commencement of the works will disperse into suitable off-site habitat, with no significant impact upon them.

The woodland and scrub provides suitable habitat for hedgehog, which should be considered during any vegetation clearance to avoid harm.

The findings of the initial site assessment have identified habitat or potential for nesting birds, GCNs, reptiles, badger and hedgehog.

Recommendations include –

- The retained woodland habitat should be protected to BS5837 (2012) during the development works, including the use of protective barriers, where necessary;
- All works should be undertaken to current Pollution Prevention Guidance.
- Where works will impact protected and notable species of flora and fauna a suitable method statement should be incorporated into the site Construction Environment Management Plan (CEMP)
- If, however, site clearance works are deemed necessary during the nesting period an experienced ecologist will be required to check the site habitats immediately prior to works commencing to confirm that no nesting birds will be affected by the proposed works.
- It is recommended that arable land continues in active management up to the commencement of development activities.
- As a precautionary approach, it is recommended that a suitable qualified ecologist is present during any vegetation clearance to areas of woodland and field margin habitat in order to advise on, and facilitate the dispersal of any reptiles present into suitable off-site habitat.
- Prior to works commencing on site, a badger survey should be undertaken to establish the current use of the site and land within 30m of the site by badger. This would inform the requirement for any further mitigation.
- It is recommended that no excavations or trenches are left uncovered overnight during the development works in order to prevent badgers from becoming trapped. Alternatively, ramps can be provided to enable mammals to climb out of trenches or excavations.
- Planting should aim to enhance retained and adjacent vegetation and be of native species, or those of known value to wildlife, sourced from local nurseries to enhance foraging opportunities for local birds and bats. It is recommended that where trees are planted they have a functional understorey.
- Installation of bird nest and bat boxes on trees to be retained around the site.
- Detailed lighting design should be functional and directional and in line with current guidance. It should avoid excessive up-lighting and light spill.
- SUDS should be prioritised.
- Any fencing within the development should allow for access and egress for hedgehogs.

Given the mitigation proposed on site the proposal is therefore in accordance with policy LP21 of the Central Lincolnshire Local Plan. All mitigation will be conditioned.

Minerals

The proposal lies within a minerals safeguarding area.

Within a minerals resource safeguarding area, except for the exemptions set out in Policy M11, all applications for non-minerals development should be accompanied by a Minerals Assessment prepared in accordance with the latest guidance from the British Geological Survey (currently set out in Mineral Safeguarding in England: Good Practice Advice, reference OR/11/046).

Following the initial consultation from the Minerals and Waste Team, a Minerals Assessment was provided as per the consultation response and requirement of policy M11.

The Minerals and Waste Team were re-consulted and given the particulars of this proposed development, were satisfied that the assessment was proportionate and sufficient to qualify as a "Minerals Assessment" for the purposes of Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016) document.

It is considered that having regard to the scale, nature and location of the proposed development, the applicant has demonstrated that in accordance with the criteria set out in policy M11 that prior extraction of the mineral resource would be impracticable, the development would have a limited impact with respect to sterilising the mineral resource and the risk of proximal sterilisation is likely to be limited also.

Accordingly, the County Council had no safeguarding objections.

Other matters

A representation has been received regarding whether the chapel of rest/crematorium will grow. Any future development would require permission in its own right and future development can only be assessed should an application come forward and not at this present stage.

It has been stated that there is a section of woodland being removed to allow for development. There is no woodland being removed only hedges for the access and mitigation has been included for protected species and further landscaping.

A resident has been led to believe that they can expect a film of dust that will need to be regularly cleaned from their property. There is however no evidence to suggest this.

The financial business case of the crematorium is a separate matter outside the material planning considerations of the application.

There is no legal right of way through the wood.

Conclusion

The proposed development would provide a chapel and crematorium facility. The land is not allocated and would fall within open countryside in an Area of Great Landscape Value.

The proposal provides a new community facility and would be in accordance with policy LP15 of the Central Lincolnshire Local Plan.

The proposal would accord with policy LP55 of the Central Lincolnshire Local Plan given the location, accessibility, its size and scale and would not conflict with neighbouring uses.

The design of the development would be acceptable. The proposal has been designed as such that it would not be intrusive in this countryside location and the materials are sympathetic to the character of the area in accordance with policy LP26 of Central Lincolnshire Local Plan and policy 4 of the Lea Neighbourhood Plan.

The proposal is to be significantly landscaped in order to integrate with its surroundings. The buildings work with the topography to create a coherent environment in accordance with policy LP17 of the Central Lincolnshire Local Plan.

Detailed drainage has been included within the application and ensures that the site is adequately drained in accordance with policy LP14 of the Central Lincolnshire Local Plan.

Access to the site can be achieved without harm to highway safety or capacity. A tactile crossing is to be provided to improve the pedestrian link to the site should this be used in accordance with policy LP13 of the Central Lincolnshire Local Plan.

The site has shown evidence of Great Crested Newts and therefore extensive surveys have been carried out. A mitigation plan has been produced in order to protect these protected species. The landscaping and mitigation would improve the biodiversity of the site.

Other ecological surveys have taken place and subject to according with the recommendations within the ecological report, wildlife will be safeguarded in accordance with LP21 of the Central Lincolnshire Local Plan.

There will be some loss of agricultural land in this development. However the built development of the site only forms a small percentage in comparison with the rest of the site. The majority of the site could be restored to its former use should the development permitted cease.

The proposal is within a minerals resource safeguarding area. The applicant has demonstrated that in accordance with the criteria set out in policy M11 that prior extraction of the mineral resource would be impracticable, the development would have a limited impact with respect to sterilising the

minerals resource and the risk of proximal sterilisation is likely to be limited also. There are no safeguarding objections.

Subject to conditions it is considered the proposal would be acceptable and would not have a detrimental impact on the character of the area, the Area of Great Landscape Value, highway safety/capacity, residential amenity, ecology and drainage in accordance with policies LP1, LP5, LP13, LP14, LP15, LP17, LP21, LP26, LP55 of the Central Lincolnshire Local Plan, Policy 4: Design and Character and Policy 11: Wastewater and Water Supply of the Lea Neighbourhood Plan, Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance.

The application is recommended for approval subject to the following conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

2. Prior to works commencing on site, a badger survey should be undertaken to establish the current use of the Site, and land within 30 m of the Site by badger. This would be used to inform the requirement for any further mitigation with regards to this species. No excavations or trenches are to be left uncovered overnight during the development works in order to prevent badgers from becoming trapped. Alternatively, ramps can be provided to enable mammals to climb out of trenches or excavations.

Reason: To safeguard wildlife in the interests of nature conservation in accordance with LP21 of the Central Lincolnshire Local Plan.

Conditions which apply or are to be observed during the course of the development:

3. With the exception of the detail matters referred by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following amended drawings:

- OS Location Plan 1121-1000 A dated 01/12/18
- Proposed Site Plan 1121-P1001 A dated 12/10/17

- Proposed GA Elevations – Main Building (Coloured) 1121-P2702 A dated 10/20/17
- Proposed Ground Floor Plan – Main Building 1121-P1003 A dated 09/06/17
- Proposed Roof Plan – Main Building 1121-P1004 A dated 07/06/17
- Proposed GA Sections 1 of 2 – Main Building 1121-2002 B dated 11/15/17
- Proposed GA Sections 2 of 2 – Main Building 1121-A-GA-2003 B dated 11/07/17
- Proposed GA Elevations – Remembrance Court (Coloured) 1121-P2703 A dated 20/10/17
- Proposed Ground Floor Plan – Remembrance Court 1121-P1005 A dated 08/08/17
- Proposed Roof Plan – Remembrance Court 1121-P1006 A dated 08/09/17
- Proposed GA Sections – Remembrance Court 1121-2004 A dated 15/11/17
- Site Sections: Protected View Arrival Space to Front Chapel 0472-PLI-00-ZZ-L-502 dated 22.05.2018
- Site Sections: Floral Tribute and Main Carpark 0472-PLI-00-ZZ-L-503 dated 22.05.2018

The works shall be in accordance with the details shown on the approved plans and in any other documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

4. Prior to the commencement of construction of any buildings, the vehicular access to the development shall be improved in accordance with amended drawing number 5148532-ATK-SK001 Rev C dated 27/11/17

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

5. Prior to any of the buildings being occupied, the detailed arrangements for the foul and surface water drainage shall be completed in accordance with the details and plans submitted within the drainage strategy (Drainage Strategy and SuDs Statement Revision P3 dated Oct 2017). The scheme shall be retained and maintained in full in accordance with this strategy.

Reason: To ensure the site is adequately drained in accordance with policy LP14 of the Central Lincolnshire Local Plan.

6. Before the access is brought into use all obstructions exceeding 1 metre high shall be cleared from the land between the highway boundary and the vision splays indicated on amended drawing number 5148532-ATK-SK001 Rev C dated 27/11/17 and thereafter the visibility splay shall be kept free of obstacles exceeding 1 metre in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and in accordance with policy LP13 of the Central Lincolnshire Local Plan.

7. The arrangements shown on the approved amended plan 1121-P1001 A dated 12/10/17 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of A156 Gainsborough Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

8. The tree protection measures shall be in accordance with plan 0472-S4-PLI-00-L-005 dated 22.03.2018 and details contained within BS 5837:2012 Arboricultural Survey, Gainsborough Crematorium, Gainsborough by Delta-Simons dated October 2017.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

9. The landscaping shall be in accordance with plan 0472-PLI-00-ZZ-L-004 Rev B dated 26.10.17 and 0472-S4-PLI-00-L-003 Rev B dated 26.10.2017.

Reason: In the interests of visual amenity in accordance with policy LP17 of the Central Lincolnshire Local Plan.

10. The development shall be carried out in strict accordance with the ecological report (Extended Phase 1 Habitat Survey Gainsborough Crematorium, Gainsborough by Delta-Simons dated June 2017) submitted with the application, including provision of any proposed details of habitat protection/ creation.

Reason: To safeguard wildlife in the interests of nature conservation in accordance with LP21 of the Central Lincolnshire Local Plan.

11. The development shall be carried out in strict accordance with the Great Crested Newt Survey Report by Delta-Simons dated May 2018 submitted with the application.

Reason: To safeguard wildlife in the interests of nature conservation in accordance with LP21 of the Central Lincolnshire Local Plan.

12. The construction of the development shall be in accordance with the details submitted in the Construction Method Statement (Gainsborough Crematorium Construction Method Statement by SNC.LAVALIN FAITHFUL GOULD dated 21 May 2018.) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

13. Unless otherwise agreed in writing by the Local Planning Authority, the bricks shall be TBS Mystique and all other external materials in accordance with the details submitted within the application.

Reason: To ensure the satisfactory external appearance of the development in accordance with the National Planning Policy Framework and policy LP26 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with policy LP17 of the Central Lincolnshire Local Plan.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report