



# Doncaster Council

## Agenda

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To all Members of the

## **PLANNING COMMITTEE**

Notice is given that a Meeting of the above Committee is to be held as follows:

**Venue:** Extraordinary Virtual meeting via MS Teams

**Date:** Friday, 18th December, 2020

**Time:** 10.00 am

The meeting will be held remotely via Microsoft Teams. Members and Officers will be advised on the process to follow to attend the Planning Committee. Any members of the public or Press wishing to attend the meeting by teleconference should contact Governance Services on 01302 737462/736712/736723 for further details.

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**Damian Allen**  
Chief Executive

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Issued on: Thursday, 10 December 2020

Governance Services Officer for this meeting **Amber Torrington**  
Tel: 01302 737462

Doncaster Metropolitan Borough Council  
[www.doncaster.gov.uk](http://www.doncaster.gov.uk)

<b>Item</b>	<b>Page No.</b>
1. Apologies for Absence.	
2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.	
3. Declarations of Interest, if any.	
<b>A. Reports where the Public and Press may not be excluded.</b>	
<b><u>For Decision</u></b>	
4. Planning Applications for new Crematoria - Advice for Members of the Planning Committee in relation to the decisions.	1 - 6
5. Schedule of Applications.	7 - 108

### **Members of the Planning Committee**

Chair – Councillor Susan Durant  
 Vice-Chair – Councillor Sue McGuinness

Councillors Duncan Anderson, Iris Beech, Mick Cooper, Steve Cox, John Healy, Charlie Hogarth, Eva Hughes, Andy Pickering and Jonathan Wood



## Doncaster Council

### Report

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18<sup>th</sup> December 2020

To the Chair and Members of the  
**PLANNING COMMITTEE**

#### REPORT TITLE

**Planning Applications for new crematoria – Advice for members of the Planning Committee in relation to the decisions before them**

<b>Relevant Cabinet Member(s)</b>	<b>Wards Affected</b>	<b>Key Decision</b>
Councillor Chris McGuinness	Stainforth & Barnby Dun Sprotbrough Conisbrough	No

#### EXECUTIVE SUMMARY

1. This report advises the Planning Committee about the legal framework within which the determinations of the three planning applications for new crematoria within the Borough are to be made. Its purpose is to provide legal advice to members in relation to their approach to determining these applications, all of which are to be presented at the Extraordinary Planning Committee meeting on 18<sup>th</sup> December 2020.

#### RECOMMENDATIONS

2. That the report be noted.

#### WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. The determination of these applications will be important to residents of Doncaster in terms of the provision of cremation services within the Borough.

#### BACKGROUND

4. The Council has received three applications for new crematoria within the

Borough, those being:

- a) 19/02434/FULM for the construction of crematorium, associated car park, access road, gardens of remembrance and area for natural and traditional burials at land east of Armthorpe Lane, Barnby Dun (“the Barnby Dun Proposal”);
  - b) 19/03088/FULM for construction of crematorium including memorial gardens, associated car parking, a new vehicle access onto Green Lane and ancillary works at land south of Green Lane, Brodsworth (“The Brodsworth Proposal”); and
  - c) 20/00334/FULM for a crematorium with ceremony hall, memorial areas, garden of remembrance and associated parking and infrastructure, including new access at land off Sheffield Road, Conisbrough (“the Conisbrough Proposal”).
5. These applications are for a rare form of development and have been submitted for consideration in close succession. Accordingly the Council has sought and is in receipt of Counsel’s advice regarding these determinations. This report sets out salient parts of Counsel’s advice and also seeks to guide members generally as to a lawful approach to reaching a decision on each of the applications before them.

## LEGAL FRAMEWORK

6. Section 70(2) of the Town and Country Planning Act 1990 as amended (“TCPA”) requires the decision maker to have regard to the development plan and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“PCPA”) requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Decision-makers must therefore assess an application against the development plan policies, and weigh any other material considerations in the balance.
7. The planning case officer considers that all of the proposals are contrary to the development plan, and there are therefore clear planning objections weighing against each proposal. However as set out in section 38(6) PCPA, material considerations may justify a departure from the development plan.
8. The need for one or more new crematoria within the Borough is considered to be a material planning consideration. Each applicant has submitted its own assessment of need to justify the location of each respective proposal and the Council has commissioned its own independent assessment of the need for one or more such facilities within the Borough (“the PMA report”), in relation to which, members are referred to the “need” sections of the Officer’s Reports. It therefore follows that whilst each proposal will have to be assessed on its own merits, need is a fundamental material consideration, common to all three proposals.
9. It is a matter for the Council’s discretion as to whether the three proposals be considered together, as there is no express or implied requirement to do so in statute. Case law has indicated that where competing proposals are before a decision-maker, in a case where there are clear planning objections to them all, it may be irrational not to consider those applications together unless there is an identified and accepted need for all of the proposals (*obiter comments of Carnwath LJ in Derbyshire Dales District*

**Council v SoSCLG [2010] 1 P & CR 19).** The PMA report does not conclude that there is a need for an additional three crematoria in the Borough at the locations subject to these applications.

10. It is Counsel’s view therefore that the consideration of all three proposals as alternatives, and therefore material considerations in the determination of each proposal warranting joint consideration and comparison, is legally sound.
11. In the comparative exercise for these three planning applications, need is an important material consideration which must to be weighed into the planning balance. The advice from PMA, the consultant’s report to the Council on the need for new crematoria, is that there is a clear need. The extent to which an application meets that need is an important material consideration.
12. It is also important to compare the other adverse effects of the schemes and the extent to which they are constrained by planning policy. This means that where the need can be met on an alternative site that does not have the same level of environmental impact or is not as constrained by planning policy, then that alternative site should be preferred (see Oliver LJ in **Greater London Council v Secretary of State for the Environment (1986) P&CR 158**)
13. The applications are due to be presented to the Planning Committee in the following order:
  - (1) The Barnby Dun Proposal – recommended for approval;
  - (2) The Brodsworth Proposal – recommended for refusal;
  - (3) The Conisbrough Proposal – recommended for refusal.

**OPTIONS CONSIDERED**

14. Not applicable - the report at this stage is for noting only.

**REASONS FOR RECOMMENDED OPTION**

15. Not applicable.

**IMPACT ON THE COUNCIL’S KEY OUTCOMES**

- 16.

	<b>Outcomes</b>	<b>Implications</b>
	<p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>	

	<p><b>Doncaster Living:</b> Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul>	<p>The PMA report advises that any one of the 3 application sites would bring a benefit to residents by;</p> <ul style="list-style-type: none"> <li>• Proximity- reducing their funeral travel times;</li> <li>• Increasing capacity - reducing delays between death and being able to hold a funeral at a convenient time and date;</li> <li>• Providing new capacity and choice of crematorium - reducing demand and thus reducing congestion at Rose Hill Crematorium;</li> <li>• Contemporary design and longer funeral services - giving more privacy to each group of mourners.</li> </ul>
	<p><b>Doncaster Learning:</b> Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>	
	<p><b>Doncaster Caring:</b> Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes</li> </ul>	

	<p><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and residents to provide effective leadership and governance</li> </ul>	
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**RISKS AND ASSUMPTIONS**

17. None.

**LEGAL IMPLICATIONS**

18. Legal advice is contained in the body of this report.

**Officer Initials SC Date 08.12.20**

**CONSULTATION**

19. With Counsel.

**BACKGROUND PAPERS**

Planning Case Officer Reports  
 Counsel’s advice dated 18<sup>th</sup> June 2020.

**REPORT AUTHOR & CONTRIBUTORS**

Stacy Cutler – Senior Legal Officer

**Dan Swaine**  
**Director of Economy and Environment**

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## DONCASTER METROPOLITAN BOROUGH COUNCIL

Date 18th December 2020

To the Chair and Members of the

### **PLANNING COMMITTEE**

#### **PLANNING APPLICATIONS PROCESSING SYSTEM**

##### Purpose of the Report

1. A schedule of planning applications for consideration by Members is attached.
2. Each application comprises an individual report and recommendation to assist the determination process. Any pre-committee amendments will be detailed at the beginning of each item.

##### **Human Rights Implications**

Member should take account of and protect the rights of individuals affected when making decisions on planning applications. In general Members should consider:-

1. Whether the activity for which consent is sought interferes with any Convention rights.
2. Whether the interference pursues a legitimate aim, such as economic well being or the rights of others to enjoy their property.
3. Whether restriction on one is proportionate to the benefit of the other.

##### **Copyright Implications**

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Scott Cardwell  
Assistant Director of Economy and Development  
Directorate of Regeneration and Environment

Contact Officers: Mr R Sykes (Tel: 734555)

Background Papers: Planning Application reports refer to relevant background papers

## Summary List of Planning Committee Applications

NOTE:- Site Visited applications are marked 'SV' and Major Proposals are marked 'M'  
Any pre-committee amendments will be detailed at the beginning of each item.

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Application	Application No	Ward	Parish
1. M	19/02434/FULM	Stainforth And Barnby Dun	Barnby Dun /Kirk Sandall Parish Council
2. M	19/03088/FULM	Sprotbrough	Brodsworth Parish Council
3. M	20/00334/FULM	Conisbrough	Conisbrough Parks Parish Council

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<b>Application</b>	1
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<b>Application Number:</b>	19/02434/FULM
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Construction of crematorium, associated car park, access road, gardens of remembrance and area for natural and traditional burials.
<b>At:</b>	Land East Of Armthorpe Lane Barnby Dun Doncaster DN3 1NA

<b>For:</b>	Mr Jamieson Hodgson
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<b>Third Party Reps:</b>	2 letters of objection.	<b>Parish:</b>	Barnby Dun /Kirk Sandall Parish Council
		<b>Ward:</b>	Stainforth And Barnby Dun

<b>Author of Report:</b>	Andrea Suddes
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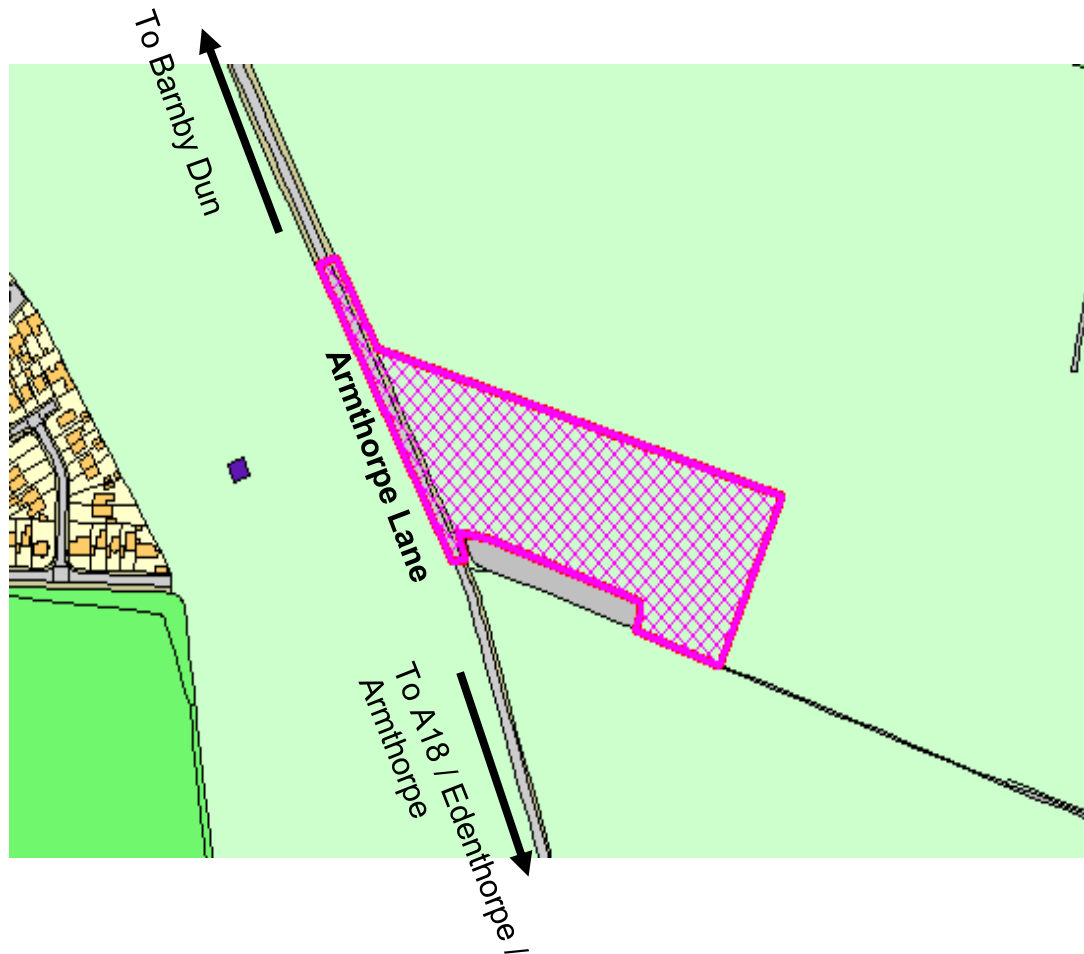
## SUMMARY

Planning permission is sought in full for the construction of a crematorium, associated car park, access road, gardens of remembrance and area for natural and traditional burials on land allocated as Countryside Policy Area, as defined by the Doncaster Unitary Development Plan.

The proposal is acceptable in policy terms having a limited impact on the intrinsic character of the countryside and the highway network. The proposal is an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

The report demonstrates that there are no material planning considerations that would outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to residential areas, the highway network, ecological or arboricultural networks, or the wider character of the area. Whilst this application is considered on its individual merits, it has also been necessary to consider two other crematoria applications concurrently on account of the exceptional circumstance of having three applications for this rare form of development that all seek to meet the same need. An independent external consultant has fully considered the need for all three proposals and concludes that the Barnby Dun site would best impact on the current over capacity at Rose Hill. This weighs heavily in favour of this proposal and outweighs any harm to the character of the countryside, and as such, the proposal is recommended for approval.

**RECOMMENDATION: GRANT planning permission with planning conditions.**

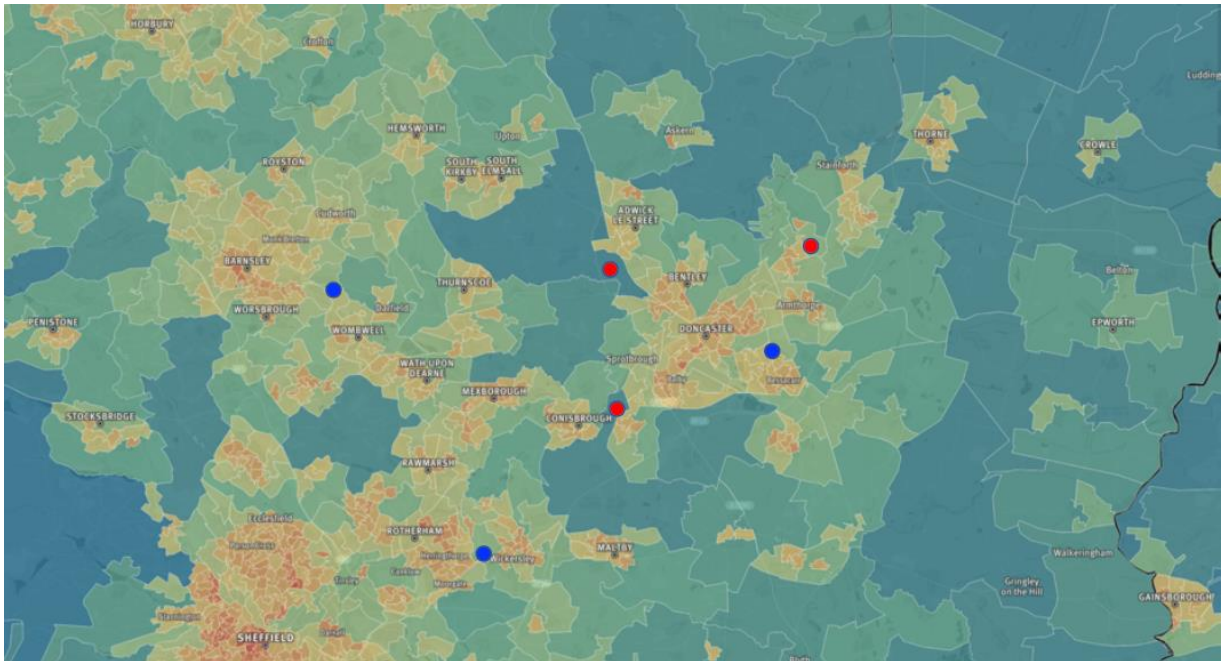


## 1.0 Reason for Report

- 1.1 The application is being presented to Planning Committee for determination on account that the application site lies within an area designated as Countryside Policy Area and is therefore a departure from the Development Plan.

## 2.0 Proposal

- 2.1 Planning permission is sought in full for the construction of a crematorium, associated car park, access road, gardens of remembrance and area for natural and traditional burials.
- 2.2 The crematorium is proposed to be operational Monday to Friday between 0900 and 1700 (the last service starting at 1600), and on Saturdays from 0900 to 1200 noon.
- 2.3 This application is one of 3 applications submitted for crematoria in the Borough. They are submitted independently by three different operators, Dignity, Horizon and Memoria and in 3 different areas of the borough. The application should be considered concurrently with the other 2 crematorium applications and each should not be considered in isolation of the others. Each must be considered on its own merits but the consideration of need is common to all three. The map extract below shows the locations of the 3 proposed crematoria in red and the blue indicates the locations of the 3 existing crematoria.



### 3.0 Site Description

- 3.1 The site lies approximately 6 miles to the north east of Doncaster and comprises land to the east of Armthorpe Lane. The site which extends to approximately 3ha lies immediately to the east of the settlement of Kirk Sandall with Barnby Dun and comprises a relatively level agricultural field.
- 3.2 The site is largely open and level with field boundaries comprising a mix of hedgerows interspersed with trees. Open agricultural land lies to the north, south, east and west whilst the settlement of Kirk Sandall lies further to the west.
- 3.3 Armthorpe Lane runs north-south to the west of the site linking Kirk Sandall and Barnby Dun to the north with Armthorpe and the M18 motorway to the south.

### 4.0 Relevant Planning History

- 4.1 Application site;

Application Reference	Proposal	Decision
19/01420/PREAPP	Proposed crematorium.	Closed 19.06.2019

### 5.0 Site Allocation

- 5.1 The site is designated as Countryside Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 National Planning Policy Framework (NPPF 2019)
- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless

material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
  - a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.6 Paragraphs 54 - 56 state local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The tests are:
  - a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 5.7 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 180).
- 5.8 Paragraph 84 states that planning decisions should recognise that sites to meet local community needs in rural areas may have to be found adjacent to or beyond existing settlement settlements.
- 5.9 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.
- 5.10 Paragraph 117 states that planning decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.11 Paragraph 127 states that good design criteria should ensure that developments function well and add to the overall quality of the area, are sympathetic to local character and history and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

- 5.12 Paragraph 170b of the NPPF requires that planning decisions should contribute and enhance the natural and local environment by ... recognising the intrinsic character and beauty of the countryside.
- 5.13 Core Strategy 2011 - 2028
- 5.14 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.15 Policy CS1 of the Core Strategy is concerned with Quality of Life, covering a range of issues and criteria. Related to this application, the policy seeks to ensure that proposals are place specific in their design and protect and enhance the built and natural environment, are accessible by a range of transport modes, protect amenity and are well designed.
- 5.16 Policy CS 3 of the Core Strategy sets out the overarching policy for development in the countryside.
- 5.17 Policy CS4 requires all development to address the issues of flooding and drainage where appropriate. Development should be in areas of lowest flood risk and drainage should make use of SuDS (sustainable drainage) design.
- 5.18 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.
- 5.19 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.
- 5.20 Policy CS16 states that nationally and internationally important habitats, sites and species will be given the highest level of protection in accordance with the relevant legislation and policy. Proposals will be supported which enhance the borough's landscape and trees by including measures to mitigate any negative impacts on the landscape, include appropriate hard and soft landscaping, retain and protect appropriate trees and hedgerows and incorporate new tree and hedgerow planting.
- 5.21 Policy CS17 seeks to protect, maintain, enhance and where possible, extend Doncaster's green infrastructure.
- 5.22 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)
- 5.23 Saved Policy ENV 4 of the UDP is the general development control policy for development within the Countryside Policy Area and states that development will not be permitted, except for purposes other than as set out in criteria a-f.

5.24 Saved Policy ENV 37 relates to sites of archaeological importance and with a presumption for their physical preservation.

5.25 Saved Policy ENV 38 acknowledges where development is to be allowed on an archaeological site opportunities for preservation can be achieved by conditions.

5.26 Local Plan

5.27 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy:

- Substantial
- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:

5.28 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.

5.29 Policy 2 focuses on delivering sustainable growth, appropriate to the size of individual settlements, meeting needs for new homes and jobs, regenerates places and communities, and supports necessary improvements to infrastructure, services and facilities. This policy is considered to carry limited weight at this time.

5.30 Policy 26 states that new development in the Countryside will be supported if in accordance with policy criteria. Part 4: Non Residential Development is relevant in the consideration of this application. This policy is considered to carry limited weight at this time.

5.31 Policy 14 seeks to promote sustainable transport within new developments. This policy is considered to carry limited weight at this time.

5.32 Policy 17 seeks to consider the needs of cyclists within new developments. This policy is considered to carry moderate weight at this time.

5.33 Policy 18 seeks to consider the needs of pedestrians within new developments. This policy is considered to carry moderate weight at this time.



- 5.34 Policy 30 seeks to deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks. This policy is considered to carry limited weight at this time.
- 5.35 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.36 Policy 33 seeks to protect the loss of woodlands, trees and hedgerows when considering new developments. This policy is considered to carry substantial weight at this time.
- 5.37 Policy 34 supports proposals that take account of the quality, local distinctiveness and the sensitivity to change of distinctive landscape character areas and individual landscape features. This policy is considered to carry limited weight at this time.
- 5.38 Policy 43 deals with the need for good urban design. Moderate weight can be attached to this policy.
- 5.39 Policy 49 seeks a high standard of landscaping in new developments. This policy is considered to carry limited weight at this time.
- 5.40 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.41 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.

5.42 Neighbourhood Plan

5.43 There is no Neighbourhood Plan for this area.

**5.44 Other material planning considerations**

- The Community Infrastructure Levy Regulations 2010 (as amended)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- Supplementary Planning Document: Development and Flood Risk, Adopted Sept 2010
- South Yorkshire Residential Design Guide (SYRDG) (adopted 2015)
- National Planning Policy Guidance
- Cremation Act 1902

**6.0 Representations**

6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, press advertisement and being published on the Council's website.

6.2 2 individual letters of representation have been received in objection to the proposal. The following issues of concern have been raised;

- Increase in the volume of traffic will cause congestion on Armthorpe Lane at both ends of the main road
- Armthorpe Lane is populated with HGV traffic , and funeral related traffic will add to the traffic flow and congestion
- Facility would be better placed in the northern part of Doncaster where there is a need
- Site is one of open countryside, to approve this development will set a precedent for other residential development
- Proposed external materials not in character with the area
- Emissions from chimney due to furnaces being run until 8pm
- Facility should be operated by the Local Authority and not private sector

6.3 The Applicant has also carried out a public consultation in September 2019. The consultation was by way of an information leaflet with detachable Freepost comment card sent to over 5300 local properties, and was supported by a dedicated project website ([www.northdoncastermemorialpark.co.uk](http://www.northdoncastermemorialpark.co.uk)) and Freephone community information line.

6.4 The public engagement saw good public participation, with 389 people returning comment cards or completing the online feedback form. Of those people who completed and returned comment forms, 70% offered complete support with a further 9% offering qualified support for the proposals. Of those who offered critique this mainly focused on the perceived suitability of the local road network and access to support a development of this nature, with the location of the proposals and consideration of alternative sites, pollution concerns and need also raised.

## 7.0 Parish Council

7.1 Barnby Dun with Kirk Sandall Parish Council have raised concern in relation to the speed of vehicles travelling on Armthorpe Lane and the position of the 30mph speed limit and are awaiting publication of the latest traffic survey. They have also commented that a right hand harbourage should be introduced for north bound traffic.

## 8.0 Relevant Consultations

8.1 **South Yorkshire Architectural Liaison Officer:** Advice provided on elements of the scheme's design of windows and doors, and an intruder alarm which have been given full consideration and as such advisory informative notes are included. Overall no objections in principle.

8.2 **Environment Agency:** Has raised no objections to the proposal.

8.3 **Ecologist Planning Officer:** Is satisfied with the submitted ecology report and associated biodiversity net gain assessment. As such recommends conditions for a Biodiversity Impact Assessment to be submitted along with a 30 year management and monitoring plan to be agreed.

8.4 **Trees and Hedgerows Officer:** Initially raised concerns on account of the loss of the hedgerow, however following discussion and agreement is now satisfied with the proposal subject to conditions for a hard and soft landscaping scheme and tree root protection measures to be agreed.

- 8.5 **Local Plans Policy Team:** This application is one of 3 applications submitted for crematoria in the Borough. They are submitted independently by three different operators. In summary, the application should be considered concurrently with the other 2 crematorium applications and that each should not be considered in isolation of the others. Each must be considered on its own merits but the consideration of need is common to all three.
- 8.6 **Highways Development Control:** No objections, subject to conditions.
- 8.7 **Transportation Team:** No objections raised.
- 8.8 **Design Officer:** Has raised no overall objections to the proposal and subject to conditions for details of external materials to be submitted and agreed, details of hard and soft landscaping and the building to meet BREEAM and renewable energy standards.
- 8.9 **Pollution Control (Land Contamination):** No objection raised subject to condition for a Phase 1 desktop study to be submitted and agreed.
- 8.10 **Pollution Control (Air Quality):** No objections are raised subject to condition for EV charging provision and an air quality mitigation plan to be submitted and agreed prior to the opening of the facility.
- 8.11 **South Yorkshire Archaeology:** The site has archaeological implications, however no objections are raised subject to a pre commencement condition for a Written Scheme of Investigation that sets out a strategy for archaeological investigation.
- 8.12 **Doncaster East IDB:** No objections raised.
- 8.13 **Yorkshire Water:** No objection raised subject to conditions for details of surface water discharge and measures to protect the public water supply infrastructure laid within the site boundary.
- 8.14 **Internal Drainage:** No objection raised subject to a condition for full details of the proposed on-site drainage to be submitted and agreed prior to any works commencing on site.
- 8.15 **Coal Authority:** Standing advice for developments within a coal mining area which may contain unrecorded coal mining hazards.
- 8.16 **National Grid:** No objections raised but have advised an informative advisory note be included for the applicant as there is gas apparatus identified on the site
- 8.17 No comments have been received from **Local Ward Members, Severn Trent Water**, or the **Area Manager**.

## 9.0 Assessment

9.1 The principal issues for consideration under this application are as follows:

- Principle of development
- Need for the development

- Impact on residential amenity
- Landscape Visual Impact Assessment
- Agricultural Land Classification
- Design and Appearance
- Impact on highway safety and traffic
- Air pollution and contaminated land
- Ecology
- Flood risk and drainage
- Trees and landscaping
- Archaeology
- Overall planning balance

9.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

#### Principle of Development

9.3 The site lies within an area designated as Countryside Policy Area (CPA) as designated within the Doncaster Unitary Development Plan. As such it is also considered to lie within the broad extent of the Core Strategy defined Countryside Protection Policy Area (CPPA). Although the CPPA is not defined on a Proposals Map, the area of the CPPA will, with some necessary amendments, taking account of approved development and proposed allocations, be similar to that of the CPA (see CS 3 Part B 1&2).

9.4 As such the proposal should be primarily assessed against UDP Policies ENV 2 / ENV 4 and CS Policies CS2 / CS3. Policy ENV 2 sets out the purposes of Countryside Policy Area and its protection whilst policy ENV 4 sets out a list of criteria a) – f) of acceptable development within the CPA. Crematoria development is not an acceptable development included within this policy criteria. As such the proposed development is not consistent with the purposes for the designation of Countryside Policy Area in UDP ENV2 or the stated purposes of appropriate development in such areas given in UDP ENV4.

9.5 In terms of the Core Strategy, policy CS 2 sets out the Growth and Regeneration Strategy for the borough in terms of new housing and employment. This application would contribute to neither of these aspects. Policy CS 3 seeks to protect and enhance the countryside and sets out criteria that echoes policy ENV 4 but also includes new urban extension allocations; however these are confined to those necessary to deliver the Growth and Regeneration Strategy; minor amendments to settlement boundaries; and development appropriate to a countryside location that would protect its intrinsic character and beauty. This crematorium proposal is not consistent with CS2 and CS3 Part B.

- 9.6 NPPF policy in paragraph 170b requires that planning decisions should contribute and enhance the natural and local environment by ... recognising the intrinsic character and beauty of the countryside. Weight should therefore be given to protecting the intrinsic character of the countryside of the proposal's location.
- 9.7 The development would provide some, albeit limited, employment (4 full time staff), so it could be argued that the proposal supports economic growth. The NPPF at paragraph 84 states that planning decisions should recognise that sites to meet local community needs in rural areas may have to be found adjacent to or beyond existing settlement settlements. The accompanying planning statement provided for this application (as well as those for the Green belt proposals) propose that need is demonstrated over quite extensive catchment areas. This is not so much a 'local' need but a wider need and which can be considered that paragraph 84 is less relevant. However, it is accepted that the particular requirement of crematoria proposals do require locations that are difficult (but not necessarily always impossible) to find within settlements.
- 9.8 In summary, the proposal is inconsistent with local planning policy. NPPF policy considerations require a balance between recognising the intrinsic character of countryside and meeting community need for crematoria. Unlike Green Belt there is no requirement to demonstrate 'very special circumstances' to overcome countryside policy. Nevertheless, the proposal is inconsistent with countryside policy and therefore should demonstrate a need for the development to override the harm which would allow a departure from the local development plan.
- 9.9 The applicant asserts that there is a 'need' for another crematorium in the Borough and has submitted an assessment of the need which it is argued supports a departure from the development plan. The issue of 'need' is discussed in the section below.
- 9.10 Need for the Development
- 9.11 There is no national planning policy or guidance, or local (Doncaster) development plan policy, specific to the consideration of planning applications for crematoria. However the NPPF at paragraph 92 (e) requires that planning decisions should 'ensure an integrated approach to considering the location of housing, economic uses and community facilities and services'. Crematoria are clearly essential cultural facilities and services and planning decisions should be taken with the aim of supporting proposals that meet identified demand. Crematoria are a rare form of development with specific unique requirements. It is therefore particularly unusual that three independent proposals have been submitted concurrently.
- 9.12 The need for crematoria is therefore a material consideration and which has been accepted by all 3 applicants as evidenced with the need assessments submitted to accompany the respective applications. All three applications claim there is both a quantitative and qualitative need for a new crematorium to meet existing and future demand for cremations in Doncaster. They claim that there is insufficient capacity provided by the Borough's existing facility at Rose Hill, Cantley, and by other crematoria in neighbouring local authority areas.
- 9.13 The Council instructed an expert to carry out an assessment of Doncaster's current need in order to establish whether there was an existing unmet need within the borough. The consultant was also tasked with assessing where this need was best met and to evaluate the need assessments of the three separate planning applications for new crematoria.

- 9.14 The resultant report concludes that there is a compelling quantitative and qualitative need for a new crematorium in Doncaster. Between the years of 2016-2019 the existing Rose Hill Crematorium in Doncaster operated at 155% of practical capacity in peak months. A crematorium operating above 80% of its practical capacity makes it difficult to offer a cremation service that meets an acceptable quantitative standard, which in turn adversely affects a crematorium's ability to offer a quality service to bereaved families. Rose Hill is clearly working well above their capacity to provide funerals at the core times generally preferred by bereaved people, particularly during periods of high demand. Evidence from the Office for National Statistics (ONS) indicates a significant and sustained growth and ageing in the population, leading to increased numbers of deaths within the local authority areas served by the existing crematoria. Annual deaths in Doncaster are projected to increase by 23% between 2020 and 2043.
- 9.15 In terms of where the most suitable location would be, the consultant advises that any one of the 3 application sites would bring a benefit to residents by;
- Proximity- reducing their funeral travel times.
  - increasing capacity - reducing delays between death and being able to hold a funeral at a convenient time and date.
  - providing new capacity and choice of crematorium - reducing demand and thus reducing congestion at Rose Hill Crematorium.
  - contemporary design and longer funeral services - giving more privacy to each group of mourners.
- 9.16 The consultant's report provides a summary of conclusions based on the drive-time catchment analysis undertaken and which indicates that:
- Within a constrained 45-minute drive-time catchment, the development of any of the three new crematoria does not increase overall calculated cremations (10,162) within the wider area, apart from the Barnby Dun site, which brings in an extra 64 cremations per year.
  - Within a constrained 30-minute drive-time catchment, all three sites attract more than the minimum 800 cremations per year required for viability.
  - Within a constrained 45-minute drive-time catchment, the Barnby Dun site attracts the highest number of cremations (1,210), albeit only 34 more than the Brodsworth site (1,176) and 123 more than the Conisbrough site (1,087).
  - Within a constrained 45-minute drive-time catchment, the Barnby Dun site diverts the highest number of cremations away from Rose Hill: 806 compared with 526 at the Brodsworth site and 546 at the Conisbrough site.
  - Within a constrained 45-minute drive-time catchment, the Conisbrough site diverts less cremations away from Rose Hill, but diverts more cremations from Rotherham, reflecting its location about halfway between Doncaster and Rotherham.
  - 30-minute drive-time catchment calculated cremations at the Brodsworth site (1,160) do not significantly increase within its constrained 45-minute drive-time catchment (1,176).
  - 30-minute drive-time catchment calculated cremations at the Conisbrough site (1,058) do not significantly increase within its constrained 45-minute drive-time catchment (1,087).
  - However, 30-minute drive-time catchment calculated cremations at the Barnby Dun site (825) do significantly increase within its constrained 45-

minute drive-time catchment (1,210), reflecting fewer constraining catchments of other crematoria in that particular area leading to a larger overall catchment.

- 9.17 The report advises that any one of the proposed crematoria potentially diverts cremations away from existing crematoria. This is a desirable outcome in terms of reducing overcapacity working and enabling improvements in qualitative provision at existing crematoria, including the Council operated Rose Hill.
- 9.18 Whilst a 30-minute drive-time population is often seen as evidence of need, in reality people living beyond that limit still require cremation facilities and will travel up to 45 minutes or more to reach their nearest crematorium. Purely in terms of its location relative to both population and to existing crematoria, the Barnby Dun site would be the consultant's preferred choice as it has a larger constrained 45-minute drive-time catchment than the other two sites.
- 9.19 The consultant's preference is based purely upon current and potential future drive-time catchments and potential cremations at existing and proposed crematoria. It is not influenced by detailed consideration of any other planning related factors, nor any appraisal of each site, including the design and layout of buildings and grounds.
- 9.20 The planning considerations for the application are whether the benefits of the scheme as detailed in paragraph 9.15 would be sufficient by developing Barnby Dun to outweigh harm to the countryside to overcome conflict with policy ENV 4. The consultant's report clearly sets out the benefits of the Barnby Dun site.
- 9.21 The report assesses a number of scenarios for comparison of each of the 3 proposed crematoriums; for instance if they were operational individually ie just one crematorium was developed, and alternatively more than one crematorium ie two or all three crematoriums were developed.
- 9.22 The report evidences that the majority of areas within Doncaster with higher population densities lie within a 30-minute drive-time of Rose Hill or Barnby Dun. If only Barnby Dun was operational it would bring the highest number of people within a 30 minute drive time of a crematorium for the first time (33,123). Developing this site would also result in the greatest population loss to Rose Hill at 64,926 or -32% of the current population for Rose Hill. Developing this crematorium alone would therefore provide the greatest impact on the current over capacity at Rose Hill. This would improve the qualitative service at Rose Hill, without affecting its viability. It would also bring the highest number of people within a 30 minute drive time catchment of a crematorium for the first time.
- 9.23 The report is clear in that there is an overall need for another facility in Doncaster and in the consultant's opinion, by developing this site at Barnby Dun would meet most of that need. Nevertheless any one of the 3 sites would impact on the current over capacity at Rose Hill.
- 9.24 With regard to the planning policy considerations; this application site at Barnby Dun is located within a designated Countryside Policy Area (CPA) and as such this crematorium proposal is inconsistent with countryside policy. Unlike with Green Belt policy there is no requirement to demonstrate 'very special circumstances' to overcome countryside policy. However need must be demonstrated to override that harm. The benefits of developing this Barnby Dun site are substantial as it would provide the greatest impact on the current over capacity at Rose Hill and bring the highest number of people within a 30 min drive time. This is deemed to outweigh

policy harm defined by policy ENV4 and justify a departure from the development plan.

- 9.25 In terms of the suitability of the Conisbrough or Brodsworth sites as alternative sites, these two sites are both located within the Green Belt where NPPF policy is clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF further 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 resulting from the proposal, is clearly outweighed by other considerations.' The consultant's report advises that developing Barnby Dun, not Brodsworth or Conisbrough would bring the greatest impact, if only one is to be developed, on the current over capacity at Rose Hill. Therefore, as the Barnby Dun site has the greatest positive impact on need and it is not constrained by Green Belt policy, that site is to be preferred over the Brodsworth site or the Conisbrough site.
- 9.26 In summary, there is a clear and expected need for another crematorium within the borough which could be met by any one of the 3 proposed application sites. However 2 of those sites are located within the Green Belt whereby crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm and whether or not there are any other issues that would count as very special circumstances to outweigh that harm. The 'need' for another facility could count as very special circumstances. The consultant's report however concludes that from the 3 proposed sites, the Barnby Dun site would best impact on the current over capacity at Rose Hill and bring the greatest number of people within a 30minute drive time of a crematorium. As Barnby Dun is best able to address the need for a new crematorium, and is less constrained in planning policy terms, it is to be preferred over the proposals at Brodsworth and Conisbrough.
- 9.27 The proposed crematorium development is therefore acceptable in principle. The benefits of developing this Barnby Dun site are substantial as it would provide the greatest impact on the current over capacity at Rose Hill. The need for another crematorium is deemed to outweigh policy harm defined by policy ENV4 and justify a departure from the development plan.

#### Sustainability

- 9.28 The National Planning Policy Framework (NPPF, 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.29 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.



### **9.30 SOCIAL SUSTAINABILITY**

#### **9.31 Impact on Residential Amenity**

9.32 Policy CS 14 (A) of the Core Strategy states that 'new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment'.

9.33 With regards to the impact on any neighbouring land use or properties; there are key standards set out for new crematoria development within the 1902 Cremations Act. This Act prevents a crematorium being located within 200 yards of any dwelling house (except with the consent of the owner) nor within 50 yards of a public highway. As such, the proposed siting of the building has taken this into due consideration and there are no residential dwellings within 200 yards of the proposed building therefore no loss of residential amenity for any nearby residents. In terms of any negative effects on the environment this is discussed later in the report under consideration of other issues including landscape visual impact, ecology, air pollution and trees/landscaping.

9.34 The application is thereby deemed to accord with policy CS14

### **9.35 Conclusion on Social Impacts.**

9.36 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affect by the proposal.

### **9.37 ENVIRONMENTAL SUSTAINABILITY**

#### **9.38 Landscape Visual Impact Assessment**

9.39 In terms of the landscape character, a Landscape Visual Impact Assessment (LVIA) has been submitted by the applicant as part of the submitted documents and which states that the site comprises the south-western quarter of a large flat arable field. The Armthorpe Road boundary comprises a low native hedgerow with a single tree, marking the sites north-western corner. The pond, ditch and associated trees and woodland lie adjacent to the site's southern boundary. The visible edge of modern housing in Kirk Sandall and adjacent pylons are notable urbanising influences to the west of the application area. To the north, Park Hill on the edge of Barnby Dun, has a wooded parkland setting. It summaries the existing visibility of the site as having 'a very limited visual envelope.' Stating that the surrounding landscape is relatively flat with views contained by adjacent woodland, hedgerow and layers of vegetation within the wider landscape.

9.40 The LVIA takes into account the objectives of the scheme design and landscape proposals and assesses the predicted effects of the proposal at year 0 and then at year 10 following establishment of the proposed landscape mitigation. The assessment concludes that the potential landscape and visual effects associated with the proposed crematorium and memorial park on Armthorpe Lane would primarily be localised, though permanent, and given the very limited public viewpoints into the site, there is little potential for the proposals to significantly impact upon visual amenity. New tree planting and landscaping within the site will complement existing woodland adjacent to the site and enhance local landscape character.

9.41 An external Landscape consultant has been employed by the Council to independently assess the landscape visual impact of the proposed development. The consultant has identified that the LVA provides no assessment of the proposed development at year 1 however concludes that the effects of the proposed development at year 1 planting will be immature and the effects similar or slightly greater than year 0. Overall the consultant has commented that due to the nature of the low-lying landform, successive lines of hedgerow field boundaries and the lack of an elevated vantage point, the assessment of visual effects within the LVIA are considered to be consistent with the findings of the consultants site visit.

9.42 In summary, the consultant concludes Armthorpe Lane is bordered by intact hedgerows which restricts direct views into the site, and is most closely associated with an existing settlement. The development would have less than minor adverse effects on the character of the landscape. This therefore carries significant weight in favour of the development.

#### 9.43 Agricultural Land Classification

9.44 Policy CS 18 of the Doncaster Council Core Strategy is concerned with conserving, protecting and enhancing Doncaster's air, water and land resources, both in terms of quantity and quality. Part C relates to agricultural land and states that proposals will be supported which facilitate the efficient use of Doncaster's significant agricultural land and soil resources, including proposals which protect high quality agricultural land (grades 1, 2 and 3a) in so far as this is consistent with the Growth and Regeneration Strategy (as set out in Policy CS 2).

9.45 The applicant has submitted an Agricultural Land Classification Report with the application and within this document it is stated that a soil resource and agricultural land classification survey has been carried out on the land. It is stated that the land comprises of two distinct soil types, sandy loams within the top 25 cm of the soil and heavy clay loams soils. The detailed ALC survey assesses the approximately half the site as Grades 3b and remaining half as 3a at the site, with soil wetness, soil droughtiness, topsoil depth, topsoil stone content and gradient the relevant limitations.

9.46 The ALC states that soil wetness limitations exists where the soil water regime adversely affects plant growth or imposes restrictions on cultivations or grazing by livestock. It further states that the importance of this limitation is reflected by the widespread use of and dependence on field drainage in both arable and grassland areas and excessive soil wetness can affect seed germination and survival. It also inhibits development of good root system. The severity of the situation is assessed using a soil wetness grading for the site and on account of the grading for wetness of the site at Grade 1 the overall classification of the site is classed as Grade 3b.

9.47 Therefore, it is not considered that the proposal is contrary to policy CS 18.

#### 9.48 Design and Appearance

9.49 Policy CS 14 of the Doncaster Council Core Strategy sets out the Council's policy on the design of new development. It states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. This will be achieved through a set of design principles and quality standards as set out.

- 9.50 The siting and design of the building and associated car park and access road has sought to respond to the sites setting in the countryside and landscape context, and also the requirements of the Cremation Act that dictates required distances from dwellings and roads. (See Appendix 1 for an illustrative masterplan of the site layout and landscaping).
- 9.51 The scheme proposes a low design to the scale and height of the building together with extensive natural screen planting which is proposed to both the boundaries of the site and within the setting of the gardens. The building itself provides a gross external area of 445 sqm, is divided into 3 elements; The chapel building forms the focal structure on the site; An administrative area which comprises the waiting area, office, an interview room, lobby and toilet facilities; To the west of the chapel is the main crematory containing the crematory equipment. An outside service yard enclosed by fencing lies further to the west of building.
- 9.52 The height to the underside of the eaves of the building is approximately 3.18 metres from finished floor level within the building. The chimney to the cremator will rise approx. 0.9 metres above the main roof level (approx. 8.5m above the external ground level next to the building). In terms of materials, the building will be finished in render interspaced with the use of local stone buttresses and a coursable local stone plinth to the entrance porch. Roof materials will have a natural slate dark grey finish and timber cladding will be used on the gable front features of the building. The accompanying Design and Access Statement states that the use of white render, local stone, timber boarding and a slate grey roof will reflect the architecture style of the area. A 3D visualisation of the proposed building can be seen at Appendix 2.
- 9.53 The grounds will be both formal and informal in their layout responding to their individual function which include replacing the existing hedgerow to be lost with a mixed native hedgerow, boundary hedge and tree planting, limited formal and ornamental shrub planting, orientate the building so that it affords views from the main chapel over open countryside towards woodland and trees at Park Hill. Provision of an informal memorial garden to the east of the building. A circular pool would provide a focal feature. Informal paths would lead out from the chapel to the burial areas and gardens around the site.
- 9.54 All lighting to paths and access roads will be generally low lying with higher lighting columns to the car parking areas. The details of the lighting scheme will be agreed by condition.
- 9.55 The Council's Urban Design Officer has made comment on the proposed scheme and overall has no issues with the proposal. However has advised to 'consider the need for further landscaping and tree planting around the edges of the site which would be beneficial in reducing the building's impact on the wider landscape, which should not be significant given the size and scale of the crematorium.' The Urban Design Officer further comments that 'The eastern boundary adjacent Armthorpe road will likely require more substantive screen planting so the car park is less dominant and this should have high hedges and trees around it as indicated.' A condition for a full landscape scheme has therefore been included for these details to be agreed.
- 9.56 With regards to the proposed materials of render and stone, the Urban Design Officer considers the render would be at odds with the landscape character whereby the use of brick for isolated agricultural buildings such as the nearby

farmstead, and suggests consideration of materials more characteristic of the area. A condition is therefore included for details of final external materials to be agreed via condition.

- 9.57 The Urban Design Officer is therefore satisfied with the scheme subject to conditions relating to final materials, details of a hard and soft landscaping scheme to be agreed and 10% renewable energy requirement.
- 9.58 The South Yorkshire Police Architectural Liaison Officer has also been consulted on the application and has recommended that all windows and doors comply with Secured by Design standards. It is also recommended that a suitably designed intruder alarm is fitted. An advisory informative note is therefore included.
- 9.59 As such, the proposed redevelopment is therefore considered to meet with policy CS14 and the NPPF.
- 9.60 Impact upon Highway Safety and Traffic
- 9.61 'Quality, stability, safety and security of private property, public areas and the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services' are listed as qualities of a successful place within policy CS 14 (A). The NPPF in para 109 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on road safety, or the residual cumulative impacts on the road network would be severe'.
- 9.62 Part (G) of policy CS 9 states that 'new development will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunity for travel. A Transport Assessment has therefore been submitted in support of this application.
- 9.63 The Council's Transportation Officer initially requested the traffic data be re surveyed on account that it was carried out when Armthorpe Lane was closed and the schools were on holiday and also modelling for the proposed new access to be carried out. This was duly carried out and the revised Transport Statement states that surveys were undertaken at 5 comparable sites across the country and results show an average of 26 vehicles attending per service. As it is the applicants' company policy to operate an hourly service cycle this will reduce the potential overlap of mourners departing and arriving on site.
- 9.64 For the proposed access a worst case scenario of 100 vehicles per service was modelled for the AM and PM peak hours. The results show no capacity problems at the junction.
- 9.65 The Council's Transportation Officer has summarised that the level of additional traffic is not considered severe and as such no objections are raised and the development is in accordance with para 109 of the NPPF and CS 9.
- 9.66 With regard to the layout of the scheme and the design of the access, the Highways Development Control Officer raises no objection to the scheme following clarification of details and subject to conditions. There is a single point of vehicular access proposed via Armthorpe Lane and with a proposed ghost right hand turn into the site for vehicles. See the proposed access arrangement at Appendix 4. <sup>Page 26</sup>

- 9.67 The scheme provides car parking for 100 vehicles to include 60 main car park spaces and an additional 40 overspill spaces. The site is therefore easily accessible by car.
- 9.68 The proposal is therefore considered to meet with policies CS 14 and CS 9 of the Doncaster Council Core Strategy.
- 9.69 Air Pollution and Contaminated Land
- 9.70 Policy CS 18 (A) states that 'proposals will be supported which contribute to improvements in air quality'. The size of development is sufficient to trigger the need for an Air Quality Assessment (AQA) and as such this has been submitted to accompany the application.
- 9.71 The Pollution Control (Air Quality) Officer has commented that the development will not have the potential to result in an exceedance of the existing air quality objectives or unduly exacerbate existing conditions. Whilst the proposal will not result in an exceedance, the AQA does acknowledge there will be an increase in concentrations. Therefore the Officer recommends a condition for electric vehicle charging provision and an air quality mitigation plan via conditions as compensation mitigation.
- 9.72 The Contaminated Land team have also been consulted on the proposal and have commented that as the development is not a sensitive end use, not on a former industrial site, with no closed landfills in the vicinity therefore no issues of concern are raised.
- 9.73 It is worthy to note that the cremation of human remains must be undertaken in compliance with an environmental permit issued by this Authority under the Environmental Permitting (England & Wales) Regulations 2016 (as amended). It is also worthy to note that the crematorium must be operated in accordance with the DEFRA Technical Guidance note PG 5/2 (12).
- 9.74 As such, there are no issues on air quality or contaminated land grounds that weigh against the development that cannot be dealt with by condition.
- 9.75 Ecology
- 9.76 The NPPF at paragraph 170 d) where it states that planning policies and decisions should contribute to and enhance the natural local environment by "minimising impacts on and providing net gains for biodiversity." This is reflected in Policy CS 16 states that Doncaster's natural environment will be protected and enhanced in accordance with a number of principles. Part (A) states that "proposals will be supported which enhance the borough's Ecological Networks by (1) including measures that are of an appropriate size, scale and type and have regard to both the nature of the development and its impact on existing or potential networks; (2) maintaining, strengthening and bridging gaps in existing habitat networks".
- 9.77 An Ecological Appraisal has been submitted along with a Great Crested Newt (GCN) survey and the findings conclude that the site has limited ecological value for flora and fauna as the site is agricultural. The GCN surveys also exclude their presence on site. It is concluded therefore that no further surveys are required. However, paragraph 170 of the NPPF requires development to deliver a net gain in biodiversity. A biodiversity net gain assessment has been provided and following some discussion and amendments a final approach has been agreed with the applicant. All will be

delivered on site with habitat and hedgerow creations/enhancements delivering a 10% increase in bio diversity. The delivery of an agreed Biodiversity Impact Assessment (BIA) is therefore recommended by condition to demonstrate how a 10% net gain in biodiversity will be delivered on the site. The BIA will set out proposed habitats in accordance with the detailed landscaping plans and will set target conditions values that these habitats will be expected to meet within 30 years. As such, the proposal is considered to accord with policy CS 16 and the NPPF in relation to ecology and more specifically bio diversity matters.

#### 9.78 Flood Risk and Drainage

9.79 The site falls within a Flood Risk Zone 1 (FRZ1) area on the latest Environment Agency Flood Map. National planning policy, and Policy CS4 of the LDF Core Strategy, normally requires that for proposals in Flood Risk Zone 1 and over 1 hectare in size should consult with the Environment Agency. As this site is well over 1 hectare at 3 hectares the Environment Agency has been consulted and has raised no objections or issues of concern.

9.80 With respect to the drainage of the site, an outline drainage strategy has been submitted and the Council's Drainage Officer has requested full foul surface water and land drainage details via condition. As such, the proposal is considered to accord with policy CS 4 and the NPPF in relation to drainage and flood risk matters.

#### 9.81 Trees and Landscaping

9.82 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced. As part of the submitted documents, an illustrative landscape masterplan comprises part of the LVIA submission along with a Tree Survey Report and Arboricultural Impact Assessment to accompany the application. The scheme proposes a memorial garden to the east of the site with memorial pond and a SUD's drainage basin in the south eastern corner of the site. Replacement hedge planting along the site frontage is proposed, the southern hedgerow is to be retained and native tree and shrub planting proposed within and around the site.

9.83 The Council's Trees and Hedgerows Officer initially raised objection to the proposal on account of the loss of 194m of the hedgerow fronting Armthorpe Lane which is deemed an ancient hedgerow, and queried whether the need of the length of removal was necessary. The loss of the hedgerow is to provide the required visibility splay for the proposed access. Following discussion and negotiation with the applicant and the Council's Highways DC Officer to explore the potential for re-locating the access to a position where there would be less impact on the hedgerow; the existing location is determined to be the best location to accommodate highway safety requirements. Highway safety is a priority and the Council's Tree Officer has agreed this after further investigation and evidence of significant damage to the hedgerow as a result of HGV's travelling on Armthorpe Lane.

9.84 Overall, the Trees and Hedgerows Officer is now satisfied with the proposal and raises no objection, and notwithstanding the illustrative landscape masterplan suggests a number of conditions including tree protection fencing, and a landscape scheme to be submitted and agreed. The proposal is therefore deemed to accord with policy CS 16.

## 9.85 Archaeology

- 9.86 The NPPF at paragraph 189 states “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.” UDP Policies ENV 37 and ENV 38 also requires consideration of archaeological sites of significant interest.
- 9.87 The South Yorkshire Archaeology Service (SYAS) has commented on the application, stating that there are potential archaeological implications. An archaeological desk-based assessment, by Thames Valley Archaeological Services, was submitted as supporting information for the proposal. This identified evidence from cropmarks relating to the Iron Age and Romano-British landscape surrounding the proposed application area. A few of the cropmarks extend to the edges of the proposed application area and partly within it rather than crossing the whole area. The reason for this is unclear-possibly different geological conditions or previous ground disturbance. Previous evaluation near the site identified three banks of possible medieval date rather than the expected Iron Age or Romano-British features. However, the possibility of archaeological remains cannot be ruled out and there remains potential for hitherto unrecorded archaeological remains to exist within the application area. Groundworks associated with this scheme could, therefore, destroy finds and features of archaeological importance and as such, a scheme of archaeological investigation is required. Given the small footprint of the development and potential to preserve any important remains *in situ*, SYAS recommend that the necessary investigation be secured by attaching a condition for a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation. The proposal is therefore deemed to accord with policies ENV 37 and ENV 38.

## 9.88 **Energy Efficiency**

- 9.89 Policy CS 14 (C) requires proposals to meet or exceed the following minimum standards (1) all new housing must meet all criteria to achieve Code for Sustainable Homes of at least Level 3 and (2) all new development must secure at least 10% of their total regulated energy from decentralised and renewable or low carbon resources. This is now included within building regulations, therefore there is no longer a need to specifically condition this to meet planning policy requirements.

## 9.90 **Conclusion on Environmental Issues**

- 9.91 Para.8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.92 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. The need for another crematorium is considered to outweigh the harm to the countryside to justify a departure from the development plan. The harm to the character of the countryside has been independently assessed and is deemed negligible subject to implementation of a full landscape scheme.

### **9.93 ECONOMIC SUSTAINABILITY**

9.94 As part of the submitted information it is stated that there will be 4 full time employees at the crematorium; therefore there is some economic long term benefit. It is also anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.

### **9.95 Conclusion on Economy Issues**

9.96 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

9.97 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

## **10.0 PLANNING BALANCE & CONCLUSION**

10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The development would not cause undue harm to residential areas, the highway network, ecological or arboricultural networks, or the wider character of the area. Whilst the scheme is not in accordance with the development plan (ENV2 and ENV4, and CS2 and CS3), those conflicts are only slight and therefore given moderate weight. On the other side of the balance, there are material considerations that indicate the development should be granted. The material consideration is that this scheme will best meet the need of the borough for a new crematorium. That must be a given substantial weight in favour.

10.2 Whilst this application is considered on its individual merits, it has also been necessary to consider two other crematoria applications concurrently on account of the exceptional circumstance of having three applications for this rare form of development that all seek to meet the same need. An independent external consultant has established that there is a clear and expected need for another crematorium within the borough which could be met by any one of the 3 proposed application sites. However 2 of those sites are located within the Green Belt whereby crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm

10.3 The external consultant has fully considered the need for all three proposals and concludes that the Barnby Dun site would best impact on the current over capacity at Rose Hill. This weighs heavily in favour of this proposal and outweighs any harm to the character of the countryside defined by policy ENV4. As such, the need for another crematorium is deemed to outweigh policy harm and justify a departure from the development plan. The proposal is therefore recommended for approval.



## 11.0 RECOMMENDATION

### 11.1 GRANT planning permission with the following conditions:

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:  
Proposed Site Plan Dwg No HDA 5  
Yard Plan Dwg No 16 Rev P1  
Proposed Floor Plan Dwg No 02 Rev P1  
Prposed Elevations Dwg No 03 Rev P1  
Proposed Access Arrangement Dwg No 5319/008 Rev B  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.  
REASON  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
04. No building shall be erected within 8.0 metres of the piped water course which passes through/runs adjacent to the site. (The approximate position of the watercourse is shown on the attached plan, the precise location shall be ascertained by investigation on site).  
REASON  
To ensure adequate access at all times and to protect the culvert from damage.
05. All surface water run off from the site, excepting roof water, shall be discharged to the public surface water sewer/land drainage system or Highway Drain via a suitable oil/petrol/grit interceptor. Details of these arrangements shall be approved by the Local Planning Authority prior to the commencement of the development and they shall be fully operational before the site is brought into use.  
REASON  
To avoid pollution of the public sewer and land drainage system.

06. Details of the foul drainage disposal shall be submitted to and agreed in writing with the Local Planning Authority prior to the occupation of the development.  
REASON  
To ensure that the site is adequately drained in accordance with Core Strategy Policy CS 4: Flooding and Drainage.
07. Prior to the operation/opening of the development hereby approved, an air quality mitigation plan shall be submitted to and approved in writing by the local planning authority. This plan shall demonstrate how the damage costs will be disbursed to offset emissions during the lifetime of the development.  
REASON  
To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.
08. Prior to the building of the care home above ground level, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The development shall not commence to operate until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.  
REASON  
To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.
09. Prior to the commencement of the development hereby granted a scheme for the protection of the root protection areas of all of the retained trees that complies with clause 6.2 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority. Tree protection shall be implemented on site in accordance with the approved details and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.  
REASON  
To ensure that all trees are protected from damage during construction in accordance with core strategy policy CS16: Valuing our natural environment.

10. Prior to the commencement of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The facility shall not be in use until the approved connection has been installed and is operational and shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.

11. Prior to the opening of the development hereby approved, an air quality mitigation plan shall be submitted to and approved in writing by the local planning authority. This plan shall demonstrate how the damage costs will be dispersed to offset emissions during the lifetime of the development.

REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.

12. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA).

a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of

such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

**REASON**

To secure the satisfactory development of the site in terms of human health and the wider environment pursuant to the National Planning Policy Framework.

This has to be prior to commencement so that any risks are assessed before works begin to the ground whether this be demolition works or construction works and remediation in place before works begin.

13. Prior to the commencement of development a Biodiversity Impact Assessment (BIA) shall be submitted to the Local Planning Authority for approval in writing. Using the Defra Metric the BIA shall demonstrate how a 10% net gain in biodiversity will be delivered on the site. The BIA will set out proposed habitats in accordance with the detailed landscaping plans and will set target conditions values that these habitats will be expected to meet within 30 years. Accompanying the BIA two GIS shape files mapping the site, its habitats and their condition prior to development and as proposed post development once agreed shall also be submitted.

**REASON**

To ensure a net gain in biodiversity is delivered on the site in line with Paragraph 170 of the NPPF.

14. Prior to the commencement of development a 30 year adaptive Management and Monitoring Plan for proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management and Monitoring plan shall detail the following:

- A 30 year adaptive management plan for the site detailing the management measures to be carried out in order to achieve the target conditions proposed for each habitat parcel in the BIA.
  - Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
  - A commitment to adaptive management that allows a review of the management plan to be undertaken and changes implemented if agreed in writing by the LPA and if monitoring shows that progress towards target conditions is not progressing as set out in the agreed objectives.
  - That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 3, 5, 10, 15, 20, 25 and 30) immediately following habitat creation. GIS files showing the current habitat condition of each habitat parcel will accompany each monitoring report.
  - The detailed scope of proposed monitoring reports including (but not exclusively), presence of any target species, date stamped photos accompanied by detailed site notes on the extent of growth and condition of habitats, notes on factors that could be hindering the progress towards proposed target condition, detailed recommendations on changes to the management actions for parcels where progress is not as planned.
- Once approved in writing the management measures and monitoring plans shall be carried out as agreed.

**REASON**

To ensure the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by the NPPF paragraph 170.

15. Prior to the relevant works commencing, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority.
- REASON**
- In the interests of preserving the character of the area in accordance with Core Strategy Policy CS 3 and Doncaster UDP Policies ENV 2 and ENV 4.
16. No development shall take place in implementation of this permission until a statement has been submitted to the local planning authority and approved in writing from them, explaining how CO2 emissions from the development will be reduced by providing at least 10% of the development's energy through on-site renewable energy equipment or improvements to the fabric efficiency of the building. The carbon savings, which result from this, will be above and beyond what is required to comply with Building Regulations. The development shall then proceed in accordance with the approved report. Before any building is occupied or sold, the local planning authority shall be satisfied that the measures have been installed. This will enable the planning condition to be fully discharged.
- REASON**
- In the interests of sustainability and to minimize the impact of the development on the effects of climate change.

17. No development shall take place on the site until a detailed hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The hard landscape scheme shall include details of all external hard surfacing materials and boundaries. The soft landscape scheme shall include a soft landscape plan; a schedule providing plant and tree numbers and details of the species, which shall comply with section 8 Landscape, Trees and Hedgerows of the Council's Development Guidance and Requirements Supplementary Planning Document, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme.
- REASON  
In the interests of environmental quality and core strategy policy CS16: Valuing our natural environment
18. Before the development commences, a BREEAM pre-assessment, or equivalent assessment, shall be submitted for approval demonstrating how BREEAM 'Very Good' will be met. The development must take place in accordance with the approved assessment. Prior to the occupation of any building, a post construction review should be carried out by a licensed assessor and submitted for approval. This will enable the planning condition to be fully discharged. Advice should be sought from a licensed BREEAM assessor at an early stage to ensure that the required performance rating can be achieved. A list of licensed assessors can be found at [www.breeam.org](http://www.breeam.org).
- REASON  
In the interests of sustainability and to minimise the impact of the development on the effects of climate change.
19. Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
- REASON  
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy
20. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

21. No construction works in the relevant area (s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times.

**REASON**

In the interest of public health and maintaining the public water supply.

01. **INFORMATIVE: SuD's**  
The Developer should be aware that a Sustainable Drainage System (SuDS) is the LPA's preferred option. A detailed explanation of any alternative option and reasons for rejecting a SuDS solution will be required.

The sustainable drainage scheme shall be designed, managed and maintained in accordance with the Non-statutory technical standards and local standards.

02. **INFORMATIVE: Considerations in relation to gas pipeline/s identified on site:**

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688 588

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03. **INFORMATIVE**

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 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

This Standing Advice is valid from 1st January 2019 until 31st December 2020

04. **INFORMATIVE: DESIGNING OUT CRIME**

The Police Designing out crime officer strongly recommends that the windows and doors fitted to the building all comply with Police Approved Specifications. Details of which can be found on the Secured by Design website at <https://www.securedbydesign.com/>

It is also recommended that a suitably designed, fit for purpose monitored intruder alarm is installed. For police response the system must comply with the requirements of the Security Systems Policy which can be found at the Secured by Design website above. System designers may wish to specify certain components certificated to the following standards.

- o LPS 1602 issue 1.0. 2005 Requirements for LPCB approval and listing of Intruder alarm detectors.
- o LPS 16003 issue 1.0.2005 Requirements for LPCB approval and listing of Alarm Control Indicating equipment.

05. **INFORMATIVE: YORKSHIRE WATER**

**Waste Water**

1) No objections are raised to the submitted Drainage Strategy dated 08th October 2019, prepared by Cemetery Development Services is acceptable. In summary, the report states that there will be no proposed foul water flows from the proposed crematorium and that surface water will discharge to the watercourse to the south east of the site.

**Clean Water**

1) On the Statutory records, there is a 9" diameter water main crossing the proposed site entrance. During the construction phase of the development, adequate protective measures must be implemented to ensure that the pipe is not damaged from heavy plant machinery. The exact position and depth of the apparatus can only be determined by excavation and, in the event of a conflict between the position of the water main and the construction phase (plant vehicular access), the developer can apply for a mains diversion at: <https://www.yorkshirewater.com/developers/water/water-main-diversion/>

**The above objections, consideration 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**



# APPENDIX 1: Proposed Layout Masterplan



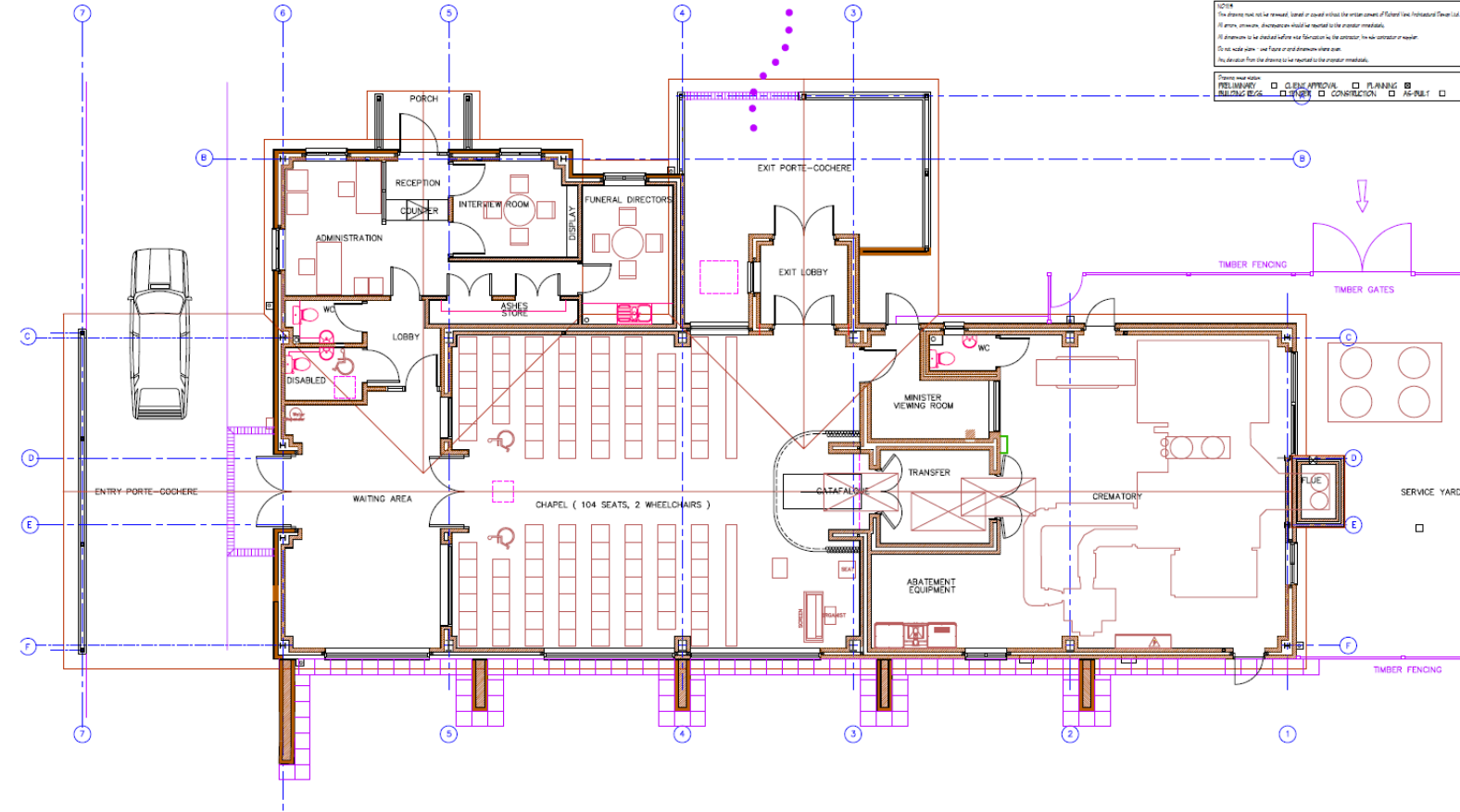
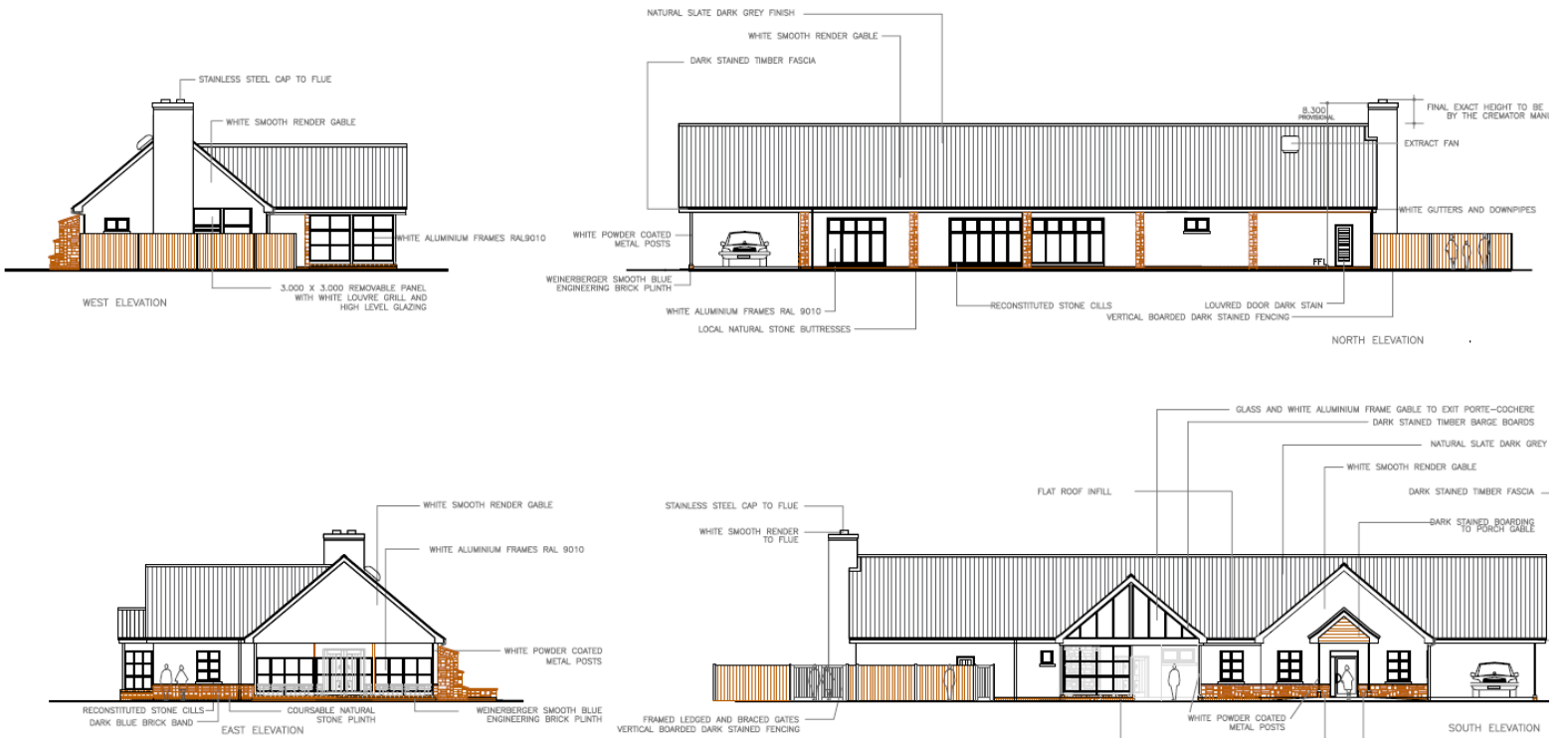
# APPENDIX 2: Proposed 3D visualisation



# APPENDIX 3: Elevations and Floor

The elevation from the drawing is to be treated as the greater material.

Planned and built	<input type="checkbox"/> CLIENT APPROVAL	<input type="checkbox"/> PLANNING
PRELIMINARY	<input type="checkbox"/> TENDER	<input type="checkbox"/> CONSTRUCTION
BUILDING REGS		



# APPENDIX 4: Proposed Access Arrangement



B	Minor Amendments	1	2	3
A	Revised from sheet	1	2	3
	Authorised	1	2	3
COVER HOUSE WILSON LANE COBHAM HANTS, RG29 1TU Tel: 01256 733265 Email: info@belony.co.uk				
Memoria Doncaster Crematorium Proposed Access Arrangement				
A	25/12/19	5319/008	1	ITR
				B

<b>Application</b>	<b>2</b>
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<b>Application Number:</b>	19/03088/FULM
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Construction of crematorium including memorial gardens, associated car parking, a new vehicle access onto Green Lane and ancillary works.
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<b>At:</b>	Land South Of Green Lane Brodsworth Doncaster DN5 7UT
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<b>For:</b>	Dignity Funerals Ltd
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<b>Third Party Reps:</b>	14 letters of representation.	<b>Parish:</b>	Brodsworth Parish Council
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## SUMMARY

Planning permission is sought in full for the construction of a crematorium including memorial gardens, associated car parking, new vehicle access onto Green Lane and ancillary works on land allocated as Green Belt, as defined by the Doncaster Unitary Development Plan.

The site lies within an allocated Green Belt whereby crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm. Consent should not be granted unless the benefits of the proposal clearly outweigh the harm to the Green Belt and another harm. It is only if that test is met that the necessary very special circumstances exist to grant consent.

The 'need' for another crematorium could count as very special circumstances. An external consultant has confirmed that there is an existing unmet need for an additional crematorium in the borough other than Rose Hill, but has advised that by developing the site at Barnby Dun would meet most of that need. It would also meet with planning policy and it is not located within Green Belt. The Barnby Dun application is therefore recommended for approval.

In the assessment of any residual need (ie more than one crematoria); the external report concludes that by developing any one of the 2 Green Belt sites would make the Barnby Dun site unviable therefore providing no issue of need that would count as very special circumstances. The application is therefore contrary to Doncaster Core Strategy (Adopted May 2012) Policy CS 3, Doncaster Unitary Development Plan (Adopted July 1998) Policies ENV 2 and ENV 3 and paragraphs s 143-145 of the National Planning Policy Framework (2019).

**RECOMMENDATION: REFUSE planning permission.**



## 1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination on account that the application site lies within an area designated as Green Belt and is therefore a departure from the Development Plan.

## 2.0 Proposal

2.1 Planning permission is sought in full for a crematorium including memorial gardens, associated car parking, a new vehicle access onto Green Lane and ancillary works.

2.2 The crematorium is proposed to be operational Monday to Fridays. Hours of service will typically be between 09:00 to 17:30. Weekend services will be available although, in the experience of Dignity, such slots are rarely used.

2.3 This application is one of 3 applications submitted for crematoria in the Borough. They are submitted independently by three different operators, Dignity, Horizon and Memoria and in 3 different areas of the borough. The application should be considered concurrently with the other 2 crematorium applications and each should

not be considered in isolation of the others. Each must be considered on its own merits but the consideration of need is common to all three.

### 3.0 Site Description

- 3.1 The site is located on the northwest side of Doncaster. The site is open countryside and is situated in farmland between the settlements of Scawthorpe/ Scawsby and Brodsworth, extending to approx 6.3 hectares in total and forming part of a large agricultural field currently in use. This land within the site itself descends from the northeast to the southwest. It is bounded on the north by Green Lane and on the other three sides by open countryside. The northern, western and southern site boundaries are defined by hedgerow.
- 3.2 The villages of Brodsworth, Pickburn and Marr lie to the west. Residential properties line Green Lane (B6422) approximately 300- 900m east of the site. The A1(M) lies on the western side of the site and the A635 (Barnsley Road) lies to the south.
- 3.3 Brodsworth Hall (Grade I Listed) and its associated parkland (Grade II\* Registered) lie approximately 1.2 - 2.3km west and northwest of the site. The village of Marr is designated as a conservation area and includes the Grade 1 listed church of St Helen. Land on the western side of the A1(M) is designated as an Area of Special Landscape Value, as identified in the Doncaster Unitary Development Plan.
- 3.2 Brodsworth Community Woodland is a large area of emerging deciduous woodland on the northern side of Green Lane and serves as a country park. Other woodlands and plantations near the site, include Long Plantation to the east, Ducker Holt to the south and Stane Hill Plantation alongside the western site boundary.

### 4.0 Relevant Planning History

- 4.1 Application site;

Application Reference	Proposal	Decision
19/00893/PREAPP	Proposed crematorium development.	Closed 05.07.2019

### 5.0 Site Allocation

- 5.1 The site is designated as Green Belt, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 National Planning Policy Framework (NPPF 2019)
- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.6 Paragraphs 54 - 56 state local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The tests are:
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 5.7 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 180).
- 5.8 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.
- 5.9 Paragraph 117 states that planning decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.10 Paragraph 127 states that good design criteria should ensure that developments function well and add to the overall quality of the area, are sympathetic to local character and history and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 5.11 Paragraph 133 states that the fundamental aim of national planning policy in the NPPF is to keep 'land permanently open' (para 133) where 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances' (para 143).
- 5.12 At paragraph 144, the NPPF further 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 resulting from the proposal, is clearly outweighed by other considerations.'



- 5.13 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt' (para 145). An exception is made for the 'provision of appropriate facilities .... for cemeteries and burial grounds ... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it' in paragraph 145b.
- 5.14 Core Strategy 2011 - 2028
- 5.15 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.16 Policy CS1 of the Core Strategy is concerned with Quality of Life, covering a range of issues and criteria. Related to this application, the policy seeks to ensure that proposals are place specific in their design and protect and enhance the built and natural environment, are accessible by a range of transport modes, protect amenity and are well designed.
- 5.17 Policy CS 3 of the Core Strategy sets out the overarching policy for development in the Green Belt and within the countryside.
- 5.18 Policy CS4 requires all development to address the issues of flooding and drainage where appropriate. Development should be in areas of lowest flood risk and drainage should make use of SuDS (sustainable drainage) design.
- 5.19 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.
- 5.20 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.
- 5.21 Policy CS16 states that nationally and internationally important habitats, sites and species will be given the highest level of protection in accordance with the relevant legislation and policy. Proposals will be supported which enhance the borough's landscape and trees by including measures to mitigate any negative impacts on the landscape, include appropriate hard and soft landscaping, retain and protect appropriate trees and hedgerows and incorporate new tree and hedgerow planting.
- 5.22 Policy CS17 seeks to protect, maintain, enhance and where possible, extend Doncaster's green infrastructure.
- 5.23 Policy CS 18 seeks to conserve, protecting and enhancing Doncaster's air, water and land resources, both in terms of quantity and quality.
- 5.24 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

- 5.25 Saved Policy ENV 3 of the UDP is the general development control policy for development within the Green Belt and states that development will not be permitted, except for purposes as set out in criteria a-f.
- 5.26 Saved Policy ENV 37 relates to sites of archaeological importance and with a presumption for their physical preservation.

5.27 Saved Policy ENV 38 acknowledges where development is to be allowed on an archaeological site opportunities for preservation can be achieved by conditions.

5.28 Local Plan

5.29 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy:

- Substantial
- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:

- 5.30 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.31 Policy 2 focuses on delivering sustainable growth, appropriate to the size of individual settlements, meeting needs for new homes and jobs, regenerates places and communities, and supports necessary improvements to infrastructure, services and facilities. This policy is considered to carry limited weight at this time.
- 5.32 Policy 26 states that new development in the Countryside will be supported if in accordance with policy criteria. Part 4: Non Residential Development is relevant in the consideration of this application. This policy is considered to carry limited weight at this time.
- 5.33 Policy 14 seeks to promote sustainable transport within new developments. This policy is considered to carry limited weight at this time.
- 5.34 Policy 17 seeks to consider the needs of cyclists within new developments. This policy is considered to carry moderate weight at this time.

- 5.35 Policy 18 seeks to consider the needs of pedestrians within new developments. This policy is considered to carry moderate weight at this time.
- 5.36 Policy 30 seeks to deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks. This policy is considered to carry limited weight at this time.
- 5.37 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.38 Policy 33 seeks to protect the loss of woodlands, trees and hedgerows when considering new developments. This policy is considered to carry substantial weight at this time.
- 5.39 Policy 34 supports proposals that take account of the quality, local distinctiveness and the sensitivity to change of distinctive landscape character areas and individual landscape features. This policy is considered to carry limited weight at this time.
- 5.40 Policy 43 deals with the need for good urban design. Moderate weight can be attached to this policy.
- 5.41 Policy 49 seeks a high standard of landscaping in new developments. This policy is considered to carry limited weight at this time.
- 5.42 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.43 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.
- 5.44 Neighbourhood Plan
- 5.45 There is no Neighbourhood Plan for this area.
- 5.46 Other material planning considerations**

- The Community Infrastructure Levy Regulations 2010 (as amended)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- Supplementary Planning Document: Development and Flood Risk, Adopted Sept 2010
- South Yorkshire Residential Design Guide (SYRDG) (adopted 2015)
- National Planning Policy Guidance
- Cremation Act 1902

## **6.0 Representations**

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, press advertisement and being published on the Council's website.

6.2 54 individual letters of representation have been received. However 9 of these are additional letters from the same households. Therefore this equates to 45 households overall who have made representations.

The following issues of concern have been raised;

- Site is allocated as Green Belt therefore inappropriate development
- Loss of DEFRA Classified Grade 2 prime agricultural farmland
- Increased volume of traffic on Green Lane as a result of the development
- Highway safety issues due to volume of cars currently parked on Green Lane and visual hazard for vehicles reversing off driveways onto Green Lane
- Location inappropriate due to noise from A1(M)
- Air pollution from additional vehicle and crematorium emissions
- Marr Village soon to be designated as Air Quality Management Area (AQMA) and additional traffic will add to the pollution levels
- Views from nearby Brodsworth Hall and Parkland, and Brodsworth Community Woodland will be spoiled by view of crematorium
- Loss of Green Belt and agricultural land doesn't contribute to the Emergency Climate Change and Government policy to reduce carbon emissions and carbon footprint
- A perfectly good service is provided at Rose Hill
- The Council should be providing an additional facility if needed
- If a new private facility is needed, supports the Conisbrough site as it provides good transport links to Doncaster, Rotherham and Barnsley

6.3 The Applicant has also carried out a public consultation event which took place at the Brodsworth Welfare Community Hall on 23rd October 2019. A flyer invitation was distributed to some 276 households within a 2miles radius of the application site. The day was attended by 23 residents. The public were invited to comment on the proposals by completing a feedback book on the day of attendance or by a dedicated website which included a link for emailed responses.

## **7.0 Parish Council**

7.1 The Joint Rural Parishes (JRP), which represents the rural communities to the west of Doncaster, (Barnburgh, Harlington, High Melton, Adwick on Dearne, Cadeby, Hickleton, Marr, Brodsworth, Pickburn, Green Lane, Hooton Pagnell, Clayton, Frickley, Moorhouse, Hampole, Skelbrooke and Sprotbrough) have held meetings & worked together to formulate a joint response to the consultation raising the following issues of concern;

- Loss of a DEFRA classified Grade 2 agricultural field.
- Site is located in Green Belt on a road by its very name of Green Lane describes perfectly the categorisation and nature of the road and its rural setting as a lane that is visually green in nature.
- Rural and remote location of the site and surroundings are categorised as B and C roads which indicates the unsuitability of the site location, since there are no major transport road links tat easily link the site to a major transport route.
- The alternative application off the A630 proposed to serve the north of the borough is on a major transport route with links to the strategic road network

and would serve not only Doncaster but Rotherham and Barnsley, providing more accessibility for Doncaster and the wider surrounding catchment areas.

- If a 'need' for another facility is determined this could only be provided by one crematorium facility.
- A crematorium which is easily accessible with good transport links for Doncaster should take precedence over one being proposed off a rural and remote lane (Green Lane).
- Green Lane crematorium will increase traffic on the surrounding roads resulting in a detrimental impact on road safety, environment and communities. The A635 is becoming more dangerous with an increase in road traffic accidents.
- Currently all trunk roads to the west side of the Borough are congested and are in use 24/7 along the A635 and the A638. The latest figures for the A635 show 15% of vehicles thundering through Marr and Hickleton are HGV's. Residents in Marr are seeking proposals which will reduce traffic congestion, pollution and round-the-clock noise pollution in Hickleton, Marr and Hampole with greater emphasis being given to managing traffic movements to reduce accidents and improve air quality.
- Impact of air pollution is a cause of concern on the health of children, and the elderly. DMBC stated over the last 2 years that the A635 exceeded DMBC's own safety volume criteria, traffic volume has increased and resulting congestion is exacerbating already dangerous high levels of Air Pollution.
- Fumes from road vehicles have created poor Air Quality through both Marr and Hickleton, with NOx levels consistently above and in excess of 150% of the maximum permitted levels set by DEFRA. Air Quality levels at Hickleton are the second highest recorded in Doncaster.
- The current volume of commuters travelling to and from Doncaster to Barnsley, means that congestion directly impacts other road transport routes which link into the A635 e.g. Scawsby, Barnburgh & Harlington, High Melton, Pickburn and Brodsworth.
- The Crematorium development proposal would negatively impact and further exacerbate these already intolerable environmental issues and road conditions.
- There has been much publicity around Emergency Climate Change and Government Policies for our Country and its Councils to reduce their carbon emissions and carbon footprint to assist in making the World a healthier place to live. Concreting over vast areas of agricultural land for commercial reasons is definitely at odds with and is contrary to, aiding this initiative.
- The site is in Green Belt and should be afforded protection against building on Green Belt and the very special circumstances criteria has not been met, especially when DMBC have created a list of available Brownfield sites in their most recent consultation on the development of the Local Plan.
- Losing acres of Green Belt and Agricultural land for the sole purpose of burning remains to create additional pollution does not align itself or improve the Council's strong position on protecting the Green Belt nor its strong position on abating Climate Change, as reflected by the newly created Commission set up in September 2019 to specifically deal with improving our environment by reducing our carbon emissions.

In addition, individual representations have also been submitted by the following Parish Councils raising the following issues;

#### High Melton PC

- Site is located in Green Belt which should be protected.

#### Marr PC

- Poor public consultation by the applicant for this application
- Development not environmentally friendly or in compliance with Government or Local Climate Emergency or Carbon reduction policies.
- Development will lead to an increase in pollution levels at the site and in surrounding rural areas.
- There are ongoing and major issues with excessive traffic volume, congestion and air pollution on the A635 resulting in both Hickleton and Marr villages being designated as Air Quality Management Areas (AQMA's) with Hickleton having one of the highest recorded air pollution levels in the Borough and the Country.

#### Clayton with Frickley PC

- Site is located in Green Belt which should be protected. Brownfield sites are currently available in the area.
- Site is high grade agricultural land which is essential to the production of quality crops
- Development would cause a substantial increase in traffic in a quiet rural area and associated detriment to air quality.

#### Brodsworth PC

- Site is in Green Belt which national policy seeks to safeguard. The crematorium buildings and car park will encroach into the countryside.
- Green Belt should only be altered where 'exceptional circumstances' are fully evidenced and justified through strategic policies that have identified a need. The Applicant identifies a need but this is not identified by Doncaster Council.
- The development would requires the loss of prime agricultural land.

### **8.0 Relevant Consultations**

8.1 **South Yorkshire Architectural Liaison Officer:** Advice provided on elements of the scheme's design of windows and doors, and an intruder alarm which have been given full consideration and as such advisory informative notes are included. Overall no objections in principle.

8.2 **Environment Agency:** Has raised no objections to the proposal.

8.3 **Natural England:** Has raised no objections to the proposal and that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes

- 8.4 **Ecologist Planning Officer:** Is satisfied with the submitted ecology report and associated biodiversity net gain assessment. As such recommends conditions for a Biodiversity Impact Assessment to be submitted along with a 30 year management and monitoring plan to be agreed.
- 8.5 **Trees and Hedgerows Officer:** No objections on arboricultural grounds subject to conditions for a hard and soft landscaping scheme, implementation and tree protection measures during construction.
- 8.6 **Internal Drainage:** No objection raised subject to a condition for full details of the proposed on-site drainage to be submitted and agreed prior to any works commencing on site.
- 8.7 **Local Plans Policy Team:** This application is one of 3 applications submitted for crematoria in the Borough. They are submitted independently by three different operators. In summary, the application should be considered concurrently with the other 2 crematorium applications and that each should not be considered in isolation of the others. Each must be considered on its own merits but the consideration of need is common to all three.
- 8.8 **Highways Development Control:** No objections, subject to conditions.
- 8.9 **Transportation Team:** No objections raised.
- 8.10 **Design Officer:** Has commented that the proposal has been well considered in relation to the surrounding landscape and could result in a good quality development. No objections raised subject to conditions for details of external materials to be submitted and agreed, details of hard and soft landscaping and the building to meet BREEAM and renewable energy standards.
- 8.11 **Pollution Control (Land Contamination):** No issues of concern, no conditions. The Officer has commented that the cremation of human remains must be undertaken in compliance with an environmental permit issued by this Authority under the Environmental Permitting (England & Wales) Regulations 2016 (as amended). The crematorium must be operated in accordance with the DEFRA Technical Guidance note PG 5/2 (12).
- 8.12 **Pollution Control (Air Quality):** No objections are raised subject to condition for EV charging provision.
- 8.13 **South Yorkshire Archaeology:** The site has archaeological implications, however no objections are raised subject to a pre commencement condition for a Written Scheme of Investigation that sets out a strategy for archaeological investigation.
- 8.14 **Yorkshire Water:** Raise objection on account that there is a water mains pipe running through the site. See paragraph ?? on flooding and drainage.
- 8.15 **Coal Authority:** Standing advice for developments within a coal mining area which may contain unrecorded coal mining hazards.
- 8.16 **Public Health:** A Health Impact Assessment has been submitted that identifies issues such as air quality and sustainable travel measures. These are picked up with other consultee responses.

- 8.17 **Environmental Health:** No objections raised, no noise assessment required as there are no residents nearby.
- 8.18 **Public Rights of Way:** No objections raised, no public rights of way are affected.
- 8.19 **Ward Members:** Local Ward Councillor for Sprotborough, Cynthia Ransome has objected to the application for the following reasons;
- The site lies within a Green Belt and is inappropriate development.
  - The justification for building on Green Belt is need and there is no need.
  - The land is classified as Grade 2 agricultural land.
- 8.20 **Area Manager (North):** Has raised comments that the site is in Green Belt surrounded by countryside, ecology and woodlands. Consideration should be given to the suitability of the development and the air quality for individuals and the ecology. Further consideration of deliveries and traffic accessing the site and the existing access opposite the access to woodland parking areas in terms of bottlenecking.
- 8.21 No comments have been received from Local Ward Members, National Grid or the Yorkshire Wildlife Trust

## 9.0 Assessment

9.1 The principal issues for consideration under this application are as follows:

- Principle of development in Green Belt
- Need for the development
- Impact on residential amenity
- Landscape Visual Impact Assessment
- Agricultural Land Classification
- Design and Appearance
- Impact on highway safety and traffic
- Air pollution and contaminated land
- Ecology
- Flood risk and drainage
- Trees and landscaping
- Archaeology
- Overall planning balance

9.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no



- 9.3 The site lies within the Green Belt so regard should be given to the appropriateness of a crematorium development and the impact on the openness of the Green Belt. National Policy (NPPF) advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping 'land permanently open' (NPPF paragraph 133); the essential characteristics of Green Belt are their openness and their permanence.
- 9.4 National Policy (NPPF) advises of appropriate developments in the Green Belt and paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.5 When considering any planning application the NPPF (para 144) advises that LPA's '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 resulting from the proposal, is clearly outweighed by other considerations.'
- 9.6 The NPPF, paragraph 145 further states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt; then goes on to list a set of criteria as exceptions to this. An exception is made for the 'provision of appropriate facilities .... for cemeteries and burial grounds ... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it' in paragraph 145b.
- 9.7 In terms of this application proposal, the construction of a new build crematorium is not an appropriate use in the Green Belt as defined by the NPPF. This is on account that the NPPF only allows for the provision of additional facilities for an existing cemetery not a new one. The list of exceptions in paragraphs 145 and 146 of the NPPF is a "closed" list – there is no general test that development is not inappropriate if it preserves the openness of the Green Belt and does not conflict with the purpose of including land within the Green Belt. The emphasis of national policy is that 'very special circumstances' need to be demonstrated.
- 9.8 Local policy contained within core strategy CS 3 and saved Doncaster UDP Policy ENV 3 also seeks to protect and enhance Doncaster's countryside and when considering land within Green Belt, national policy will be applied.
- 9.9 In summary, the NPPF is clear that substantial weight should be given to harm to Green Belt and the construction of new buildings (except for the limited list included in the NPPF) is inappropriate as such development causes harm to openness. It is therefore necessary for the applicant to demonstrate that this harm is clearly outweighed by other considerations that would count as 'very special circumstances' to justify development in the Green Belt.
- 9.10 The applicant asserts that there is a 'need' for another crematorium in the Borough and has submitted an assessment of the need which it is argued satisfies this test and counts as 'very special circumstances.' The issue of 'need' is discussed in the section below.
- 9.11 Very Special Circumstances – Need for the Development
- 9.12 There is no national planning policy or guidance, or local (Doncaster) development plan policy, specific to the consideration of planning applications for crematoria. However the NPPF at paragraph 92 (e) requires that planning decisions should 'ensure an integrated approach to considering the location of housing, economic

uses and community facilities and services'. Crematoria are clearly essential cultural facilities and services and planning decisions should be taken with the aim of supporting proposals that meet identified demand. Crematoria are a rare form of development with specific unique requirements. It is therefore particularly unusual that three independent proposals have been submitted concurrently.

- 9.13 The need for crematoria is therefore a material consideration and which has been accepted by all 3 applicants as evidenced with the need assessments submitted to accompany the respective applications. All three applications claim there is both a quantitative and qualitative need for a new crematorium to meet existing and future demand for cremations in Doncaster. They claim that there is insufficient capacity provided by the Borough's existing facility at Rose Hill, Cantley, and by other crematoria in neighbouring local authority areas.
- 9.14 The Council instructed an expert to carry out an assessment of Doncaster's current need in order to establish whether there was an existing unmet need within the borough. The consultant was also tasked with assessing where this need was best met and to evaluate the need assessments of the three separate planning applications for new crematoria.
- 9.15 The resultant report concludes that there is a compelling quantitative and qualitative need for a new crematorium in Doncaster. Between the years of 2016-2019 the existing Rose Hill Crematorium in Doncaster operated at 155% of practical capacity in peak months. A crematorium operating above 80% of its practical capacity makes it difficult to offer a cremation service that meets an acceptable quantitative standard, which in turn adversely affects a crematorium's ability to offer a quality service to bereaved families. Rose Hill is clearly working well above their capacity to provide funerals at the core times generally preferred by bereaved people, particularly during periods of high demand. Evidence from the Office for National Statistics (ONS) indicates a significant and sustained growth and ageing in the population, leading to increased numbers of deaths within the local authority areas served by the existing crematoria. Annual deaths in Doncaster are projected to increase by 23% between 2020 and 2043.
- 9.16 In terms of where the most suitable location would be, the consultant advises that any one of the 3 application sites would bring a benefit to residents by;
- Proximity- reducing their funeral travel times.
  - increasing capacity - reducing delays between death and being able to hold a funeral at a convenient time and date.
  - providing new capacity and choice of crematorium - reducing demand and thus reducing congestion at Rose Hill Crematorium
  - contemporary design and longer funeral services - giving more privacy to each group of mourners.
- 9.17 The consultant's report provides a summary of conclusions based on the drive-time catchment analysis undertaken and which indicates that:
- Within a constrained 45-minute drive-time catchment, the development of any of the three new crematoria does not increase overall calculated cremations (10,162) within the wider area, apart from the Barnby Dun site, which brings in an extra 64 cremations per year.

- Within a constrained 30-minute drive-time catchment, all three sites attract more than the minimum 800 cremations per year required for viability, as referenced in the Competition and Markets Authority report.
- Within a constrained 45-minute drive-time catchment, the Barnby Dun site attracts the highest number of cremations (1,210), albeit only 34 more than the Brodsworth site (1,176) and 123 more than the Conisbrough site (1,087).
- Within a constrained 45-minute drive-time catchment, the Barnby Dun site diverts the highest number of cremations away from Rose Hill: 806 compared with 526 at the Brodsworth site and 546 at the Conisbrough site.
- Within a constrained 45-minute drive-time catchment, the Conisbrough site diverts less cremations away from Rose Hill, but diverts more cremations from Rotherham, reflecting its location about halfway between Doncaster and Rotherham.
- 30-minute drive-time catchment calculated cremations at the Brodsworth site (1,160) do not significantly increase within its constrained 45-minute drive-time catchment (1,176).
- 30-minute drive-time catchment calculated cremations at the Conisbrough site (1,058) do not significantly increase within its constrained 45-minute drive-time catchment (1,087).
- However, 30-minute drive-time catchment calculated cremations at the Barnby Dun site (825) do significantly increase within its constrained 45-minute drive-time catchment (1,210), reflecting fewer constraining catchments of other crematoria in that particular area leading to a larger overall catchment.

9.18 The report advises that any one of the proposed crematoria potentially diverts cremations away from existing crematoria. This is a desirable outcome in terms of reducing overcapacity working and enabling improvements in qualitative provision at existing crematoria, including the Council operated Rose Hill.

9.19 Whilst a 30-minute drive-time population is often seen as evidence of need, in reality people living beyond that limit still require cremation facilities and will travel up to 45 minutes or more to reach their nearest crematorium. Purely in terms of its location relative to both population and to existing crematoria, the Barnby Dun site would be the consultants preferred choice as it has a larger constrained 45-minute drive-time catchment than the other two sites.

9.20 The consultant's preference is based purely upon current and potential future drive-time catchments and potential cremations at existing and proposed crematoria. It is not influenced by detailed consideration of any other planning related factors, nor any appraisal of each site, including the design and layout of buildings and grounds.

9.21 The report assesses a number of scenarios for comparison of each of the 3 proposed crematoriums; for instance if they were operational individually ie just one crematorium was developed and alternatively more than one crematorium ie two or all three crematoriums were developed.

9.22 The report evidences that the majority of areas within Doncaster with higher population densities lie within a 30-minute drive-time of Rose Hill or Barnby Dun. If only Barnby Dun was operational it would bring the highest number of people within a 30 minute drive time of a crematorium for the first time (33,123). Developing this site would also result in the greatest population loss to Rose Hill at 64,926 or -32% of the current population for Rose Hill. Developing this crematorium alone would therefore provide the greatest impact on the current over capacity at Rose Hill. This

would improve the qualitative service at Rose Hill, without affecting its viability. It would also bring the highest number of people within a 30 minute drive time catchment of a crematorium for the first time.

- 9.23 The report is clear in that there is an overall need for another facility in Doncaster and in the consultant's opinion, by developing the site at Barnby Dun would meet most of that need. Nevertheless any one of the 3 sites would impact on the current over capacity at Rose Hill.
- 9.24 The expert report concludes that if only Brodsworth were consented, then it would bring 23,156 people within a 30 minute drive time of a crematorium. It would result in a loss to Rose Hill of 56,560. It would have less of an impact on Rose Hill than would the Barnby Dun scheme. The Barnby Dun scheme has a greater impact on need and is less constrained by planning policy as it is not in the Green Belt. That site is therefore preferred.
- 9.25 If the Barnby Dun scheme is assumed to be consented, then sufficient unmet need may clearly outweigh the harms to the Green Belt and other harms, meeting the Very Special Circumstances test. The issue for consideration therefore is whether or not there is a residual unmet need for another crematorium in the borough after consent is granted for Barnby Dun.
- 9.26 If there is a residual unmet need, is it sufficient, along with other benefits, to clearly outweigh the harm to the Green Belt and any other harms.
- 9.27 As part of the consideration of whether or not there is a residual unmet need for another facility, an important factor for consideration is to ensure the viability of the development and operation of the new crematorium, as developing more than one crematorium could undermine viability. Simply put, a minimum of 800 cremations per year is required, with 1,000 or more per year being preferred, to ensure the viability of the development and operation of the new crematorium.
- 9.28 Within a constrained 30-minute drive-time catchment, all three sites attract more than the minimum 800 cremations per year required for viability if developed on their own. However the report commissioned by the council further assesses scenarios whereby more than one crematorium is developed and makes comparable variable commutations of all 3 proposed sites. This is essential to assess any residual unmet need on the assumption that the Barnby Dun scheme is permitted.
- 9.29 If both Conisbrough and Barnby Dun were developed Barnby Dun would not be viable; if Brodsworth and Barnby Dun were developed Barnby Dun would not be viable. However the point of issue here is that the Barnby Dun site is the least constrained in policy terms in that it is not located within the Green Belt; Barnby Dun is located within CPA and is therefore the preferred location that would address the borough's need for a new crematorium.
- 9.30 It is clear therefore that there is not sufficient need to support two new crematoria once Barnby Dun is consented. If there were sufficient need, then it would be possible for two viable new crematoria to be consented.
- 9.31 In summary, there is a clear and expected need for another crematorium within the borough which could be met by any one of the 3 proposed application sites. However 2 of those sites are located within the Green Belt whereby crematoria development

is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm and whether or not there are any other issues that would count as very special circumstances to outweigh that harm. The 'need' for another facility could count as very special circumstances. However the Barnby Dun site would meet that need, it would meet planning policy and it is not located within Green Belt.

- 9.32 In the assessment of any residual need, the report concludes that by developing any one of the 2 Green Belt sites would make the Barnby Dun site unviable therefore providing no issue of need that would count as very special circumstances to outweigh development in the Green Belt. As such the application is contrary to both local and national Green Belt policies.

### Sustainability

- 9.33 The National Planning Policy Framework (NPPF, 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.34 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

### **9.35 SOCIAL SUSTAINABILITY**

#### 9.36 Impact on Residential Amenity

- 9.37 Policy CS 14 (A) of the Core Strategy states that 'new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment'.
- 9.38 With regards to the impact on any neighbouring land use or properties; there are key standards set out for new crematoria development within the 1902 Cremations Act. This Act prevents a crematorium being located within 200 yards of any dwelling house (except with the consent of the owner) nor within 50 yards of a public highway. As such, the proposed siting of the building has taken this into due consideration and there are no residential dwellings within 200 yards of the proposed building therefore no loss of residential amenity for any nearby residents. In terms of any negative effects on the environment this is discussed later in the report under consideration of other issues including landscape visual impact, ecology, air pollution and trees/landscaping.

- 9.39 The application is thereby deemed to accord with policy CS14

### **9.40 Conclusion on Social Impacts.**

- 9.41 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affect by the proposal.

### **9.42 ENVIRONMENTAL SUSTAINABILITY**

#### 9.43 Landscape Visual Impact Assessment

- 9.44 The fundamental aim of Green Belt policy is to keep land permanently open (NPPF Paragraph 133); the essential characteristics of Green Belts are their openness and their permanence. The NPPF at paragraph 141 encourages LPA's to 'plan positively to enhance their beneficial use...looking for opportunities to retain and enhance landscapes, visual amenity and biodiversity.' Doncaster Core Strategy Policy CS 16 also reflects national policy and seeks to enhance the borough's landscape and trees.
- 9.45 An assessment of the landscape character, a Landscape Visual Impact Assessment (LVIA) has been submitted by the applicant as part of the submitted documents and which states that landform levels descend from over 100m AOD in the west to below 40m AOD in the vicinity of the A1(M) before rising up again further to the east to meet a north-south ridge in the vicinity of Bare Hill at approximately 55m AOD. The site is fully assessed from various viewpoints around the site.
- 9.46 The LVIA takes into account the objectives of the scheme design and landscape proposals and assesses the predicted effects of the proposal at year 1 and then at year 10 following establishment of the proposed landscape mitigation. The assessment concludes that has been carried out in winter months ie a 'worst case scenario.' The assessment concludes that the location and design of the built area and associated landscape proposals would result in a well-integrated development into the landscape with the result that there would be very low or negligible effects on the amenity of existing views and the visual openness of the Green Belt.
- 9.47 An external Landscape consultant has been employed by the Council to independently assess the landscape visual impact of the proposed development. The consultant has commented that the LVIA provides a description of the development that is of relevance to the assessment of landscape and visual effects. Landscape mitigation measures, including the effect of localised enclosure provided by Stane Hill Plantation and the rising topography towards Green Lane are described in detail. The effectiveness of the stated measures is described and demonstrate a commitment to implementation of the mitigation measures. Removal and replacement of the existing hedgerow on Green Lane is proposed, but other boundary hedges will be retained and enhanced.
- 9.48 The LVIA provides a detailed discussion of the sensitivity of landscape receptors defined within the local landscape character assessment. Effects on national level, borough level and local landscape character areas are described.
- 9.49 The assessment of visual effects seems well reasoned with relevant landscape receptors identified and their sensitivities set out. The selected viewpoints appear representative of the range of receptors within the area. The consultant does comment that there is no clear statement or justification for the extent of the study area although no other receptors are identified by the Council's consultant.
- 9.50 The consultant advises that the visual effects are predicted to be very low or negligible in all views, largely due to enclosure by woodland. The effects which are reported are generally very low, and may be anticipated to be slightly higher at construction and year 1, reducing to the year 10 level reported in the LVA. However, this would not result in any particularly important effects. Objections have been raised due to the impact of the development on the nearby Grade II Listed Brodsworth Hall. However the consultant raises no issue of concern regarding views of Brodsworth Hall following site visit. Reasonable mitigation measures are proposed which include

the retention and integration with existing woodland. A section of the hedgerow will be lost from Green Lane along with proposed planting of a new hedgerow as well as new trees and hedgerow planting within the site.

- 9.51 In summary, the consultant notes that none of the three application LVIA's conclude that the development would be of greater than minor importance and does conclude that the landscape and visual effects of the three sites are likely to be similar. All three LVIAs conclude that the woodland and landscape proposals associated with the developments would be beneficial to the landscape and visual amenity to some degree, although in practise, it would take some considerable time for planting to mature. Of the two sites located in Green Belt, this application site benefits most from existing woodland, with views into and out of the site being limited to gated field access points within the existing hedgerow.
- 9.52 It is considered that the development, will result in some harm to the character and appearance of the landscape however this is minor. Significant weight is attached to this however given this is a Green Belt.
- 9.53 Agricultural Land Classification
- 9.54 Policy CS 18 of the Doncaster Council Core Strategy is concerned with conserving, protecting and enhancing Doncaster's air, water and land resources, both in terms of quantity and quality. Part C relates to agricultural land and states that proposals will be supported which facilitate the efficient use of Doncaster's significant agricultural land and soil resources, including proposals which protect high quality agricultural land (grades 1, 2 and 3a) in so far as this is consistent with the Growth and Regeneration Strategy (as set out in Policy CS 2). A number of objections have been received raising concerns at the loss of good quality farmland.
- 9.55 The applicant has submitted an Agricultural Land Classification Report with the application and within this document it is stated that a soil resource and agricultural land classification survey has been carried out on the land. It is stated that the land comprises of Soilscape Type 17, which is described as "slowly permeable, seasonally wet acid loamy and clayey soils." This soil type is mostly suited to grass production for dairying or beef and some cereal production, often for feed. The Agricultural Land Classification (ALC) provisional (England) map identified the site as Grade 2 using the DEFRA Magic Map. However the detailed The detailed ALC survey found Grades 3a and 3b at the site, with soil wetness, soil droughtiness, topsoil depth, topsoil stone content and gradient the relevant limitations.
- 9.56 At the time of the survey, the land had recently been cultivated following a crop of winter oilseed rape, with the exception of a small area of permanent pasture adjoining the Stane Hill Plantation. In total 5.06ha of sub-grade 3b and 1.24 ha of sub-grade 3a agricultural land are delineated, this equates to 19% sub-grade 3a and 88% sub-grade 3b. The land classified as grade 3a land is immediately adjoining the Stane Hill Plantation.
- 9.57 Whilst the NPPF advocates and encourages preserving the best and most versatile agricultural land, there is no definition of the term 'significant' of best and most versatile agricultural land. However, the Town and Country Planning (Development Management Procedure) Order (2010) requires Local Planning Authorities to consult DEFRA on any development that would involve the loss of 20 hectares or more of high quality agricultural land (Grades 1, 2 or 3a). This can therefore be used as a good indication as what is considered significant. National Planning Practise

Guidance (NPPG) also advises that the Development Management Procedure Order 2015, Natural England is a statutory consultee and must therefore be consulted before granting permission for large scale non-agricultural development on best and most versatile land that is not in accordance with the development plan. This proposal would involve the loss of only 1.24 hectares of Grade 3a land. Natural England has nevertheless been consulted and has raised no objections or issues of concern.

9.58 Whilst it is recognised that there will be a loss of agricultural land, 19% of this is grade 3a and whilst policy CS 18 seeks to protect high quality land it would involve the loss of only 1.24 hectares of land, the lowest quality of land to be considered best and most versatile land and should therefore not be considered a significant loss. Therefore, it is not considered that the proposal is contrary to policy CS 18.

#### 9.59 Design and Appearance

9.60 Policy CS 14 of the Doncaster Council Core Strategy sets out the Council's policy on the design of new development. It states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. This will be achieved through a set of design principles and quality standards as set out.

9.61 The siting of the building has been dictated by existing topography of the site, and also the requirements of the Cremation Act that dictates required distances from dwellings and roads. (See Appendix 1 for an illustrative masterplan of the site layout and landscaping).

9.62 The design and appearance of the building has been designed taking into account it's countryside location. The proposed crematorium building has been sited to 'nestle into' the existing landform. Generally the building has been designed to make a 'sculptural' statement within the landscape. Its curved plan form with simple elliptical flat roofs are set within the surrounding undulating ground with a backdrop of woodland to the west and south. It is proposed that stone filled gabion walls are used to address the various level changes within the site and define the boundaries of the arrival space. The elliptical flat roof to the crematorium is designed to 'visually float' above the perimeter walls through the introduction of frameless clerestory glazing. It is proposed that the main roof of the building, which will be visible from the elevated approach road, will have a 'green roof'. The height to the underside of the eaves is approximately 4.5 metres from finished floor level within the building. External louvres are located above the central rooflight to provide solar shading and a potential location for photovoltaic panels. The chimney to the cremator will rise approx. 1.8 metres above the main roof level (approx. 7m above the external ground level next to the building). Both roof eaves and the cremator chimney will be clad in pre-patinated zinc. The building itself, is divided into 2 elements; the waiting room area, and the entrance foyer/ Ceremony Hall/ cremator room and associated offices.

9.63 With regards to the proposed materials, the use of stone as an external material is a historic link to the past when stone was quarried at nearby Long Edge Quarry in Scawthorpe. External render is also proposed. A condition has also been included for details and samples of the proposed external materials to be agreed. A 3D visualisation of the proposed building can be seen at Appendix 2.



- 9.64 The Council's Urban Design Officer has provided guidance and advice throughout the pre application process, and has been consulted with the subsequent application commenting that 'The design of this proposal seems well considered in relation to the surrounding landscape setting and could result in a good quality development which is sensitive to context and attractive in its own right.' The Officer is therefore satisfied with the scheme subject to conditions relating to final materials, details of a hard and soft landscaping scheme to be agreed and 10% renewable energy requirement.
- 9.65 The South Yorkshire Police Architectural Liaison Officer has also been consulted on the application and has recommended that all windows and doors comply with Secured by Design standards. It is also recommended that a suitably designed intruder alarm is fitted. An advisory informative note is therefore included.
- 9.66 As such, the proposed redevelopment is therefore considered to meet with policy CS14 and the NPPF.
- 9.67 Impact upon Highway Safety
- 9.68 'Quality, stability, safety and security of private property, public areas and the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services' are listed as qualities of a successful place within policy CS 14 (A). The NPPF in para 109 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on road safety, or the residual cumulative impacts on the road network would be severe'.
- 9.69 Part (G) of policy CS 9 states that 'new development will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunity for travel. A Transport Assessment has therefore been submitted in support of this application.
- 9.70 The Transport Assessment states that during the network peak hours 0800-0900 and 1600-1700, the development will generate 13 2-way trips and 30 2-way trips respectively. The trip generation is based on the average of count data collected at 4 other crematoria sites also operated by Dignity. Parking accumulation surveys were also undertaken at the 4 sites over a 5 day period. The maximum parking accumulation recorded was 106 vehicles between 1200 and 1300 hours. This development is proposing 109 parking spaces. The Council's Transportation Officer has commented that the level of additional traffic is not considered severe and will not be discernible within daily traffic variations. As such no objections are raised and the commitment to cycle parking is also welcomed.
- 9.71 With regard to the layout of the scheme and the design of the access, the Highways Development Control Officer raises no objection to the scheme following clarification of details and subject to conditions. There is a single point of vehicular access proposed via Green Lane and with a proposed ghost right hand turn into the site for vehicles. See the access arrangement at Appendix 3.
- 9.72 The scheme provides car parking for 109 vehicles to (including disabled spaces and staff parking and cycle parking). The site is therefore easily accessible by car, cycle and on foot.

9.73 The proposal is therefore considered to meet with policies CS 14 and CS 9 of the Doncaster Council Core Strategy.

#### 9.74 Air Pollution and Contaminated Land

9.75 Policy CS 18 (A) states that 'proposals will be supported which contribute to improvements in air quality'. Air pollution has been raised as an issue of concern by objecting residents and from a number of surrounding Parish Councils. The concerns relate to excessive traffic volume, congestion and air pollution.

9.76 The Pollution Control (Air Quality) Officer requested an Air Quality Assessment (AQA) to be submitted to accompany the application. The assessment considers traffic volumes and routeing to and from the site, then the potential impact on air quality resulting from the additional traffic generation. The accompanying Transport Assessment states that during the network peak hours 0800-0900 and 1600-1700, the development will generate 13 2-way trips and 30 2-way trips in total respectively. The Council's Transportation Officer has commented that the level of additional traffic is not considered severe and will not be discernible within daily traffic variations. The Pollution Control Officer has commented that the AQA follows standard methodology and uses data from recognised sources and that the site is remote from sensitive receptors (residential dwellings) therefore its conclusions may be accepted with confidence. The Pollution Officer concludes that the development will not have the potential to result in an exceedance of the extant UK Air Quality objectives, therefore no objections are raised subject to condition for provision of charging points for electric vehicles.

9.77 The Contaminated Land team have also been consulted on the proposal and have commented that as the development is not a sensitive end use, not on a former industrial site, with no closed landfills in the vicinity therefore no issues of concern are raised.

9.78 The Contaminated Land team have commented that the cremation of human remains must be undertaken in compliance with an environmental permit issued by this Authority under the Environmental Permitting (England & Wales) Regulations 2016 (as amended). It is also worthy to note that the crematorium must be operated in accordance with the DEFRA Technical Guidance note PG 5/2 (12).

9.79 As such, there are no issues on air quality or contaminated land grounds that weigh against the development that cannot be dealt with by condition.

#### 9.80 Ecology

9.81 The NPPF at paragraph 170 d) where it states that planning policies and decisions should contribute to and enhance the natural local environment by "minimising impacts on and providing net gains for biodiversity." This is reflected in Policy CS 16 states that Doncaster's natural environment will be protected and enhanced in accordance with a number of principles. Part (A) states that "proposals will be supported which enhance the borough's Ecological Networks by (1) including measures that are of an appropriate size, scale and type and have regard to both the nature of the development and its impact on existing or potential networks; (2) maintaining, strengthening and bridging gaps in existing habitat networks".

- 9.82 A Preliminary Ecological Appraisal (PEA) has been submitted along with a bat survey and the findings conclude that there are no protected species issues. It is concluded therefore that no further surveys are required. However, paragraph 170 of the NPPF requires development to deliver a net gain in biodiversity. A biodiversity net gain assessment has been provided and following some discussion and amendments a final approach has been agreed with the applicant. As it can be clearly shown at this stage that a net gain can be delivered on site the delivery of an agreed Biodiversity Impact Assessment (BIA) is therefore recommended by condition to demonstrate how a 10% net gain in biodiversity will be delivered on the site. The BIA will set out proposed habitats in accordance with the detailed landscaping plans and will set target conditions values that these habitats will be expected to meet within 30 years. As such, the proposal is considered to accord with policy CS 16 and the NPPF in relation to ecology and more specifically bio diversity matters.
- 9.83 Flood Risk and Drainage
- 9.84 Council records indicate that the site falls within a Flood Risk Zones 2 and 3 (FRZ2 &3) areas as designated on the latest Environment Agency Flood Map. National planning policy, and Policy CS4 of the LDF Core Strategy, requires a Flood Risk Assessment (FRA) to be submitted. An FRA has been submitted to accompany the application and which states that correspondence with the Environment Agency confirms that these flood zones are not considered reflective of the current situation and the site should be considered FZ 1. The Environment Agency has confirmed that the current flood zones are now updated and that the LPA should consider the site as falling wholly within FZ 1.
- 9.85 National Policy and Policy CS 4 also normally requires that for proposals in Flood Risk Zone 1 and over 1 hectare in size should consult with the Environment Agency. This site is well over 1 hectare at 6.3 hectares the Environment Agency has been consulted and has raised no objections or issues of concern.
- 9.86 With respect to the drainage of the site, the Council's Internal Drainage Officer has requested full foul surface water and land drainage details are requested via condition.
- 9.87 Yorkshire Water has raised objection to the application on account that there is a water mains pipe that crosses the site. They have also commented that they object to the proposal for trees along the frontage on account of trees hampering access to the water main for maintenance. The exact position of the water main pipe cannot be established until a full site survey has been carried out. This work has yet to be carried out; However when this has been carried out the water main should be plotted on the proposed layout and planting agreed with Yorkshire Water. Yorkshire Water has also suggested another option would be for the developer to bear the costs of diverting the water main. The applicant has indicated that this would be the preferred method of overcoming the issue. Until such time as this is formally agreed with Yorkshire Water they maintain their objection. Although there remains an objection from Yorkshire Water, the issue of debate is not insurmountable and can be overcome by diversion of the water main. As such, there are no issues on Yorkshire Water drainage grounds that weigh against the development that cannot be dealt with by condition, and the proposal is considered to accord with policy CS 4 and the NPPF in relation to drainage and flood risk matters.

## 9.88 Trees and Landscaping

- 9.89 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced. A landscape scheme and a landscape strategy has been submitted to accompany the application which seeks the creation of a setting for the building that suits its purpose with serenity and dignity. It proposes two distinct aspects to the landscaping; the more formal area around the building and the memorial garden and then the wider site area which will encourage the regeneration of the native grassland and new woodland areas. The wider site will be allowed to develop its full potential as a site of bio diverse value with good management.
- 9.90 The landscape strategy for the site makes use of the adjacent woodland and hedgerow pattern to screen the site and from which additional woodland and boundary planting can be developed. Therefore, the entire site is to be contained within a combination of woodland and hedgerows.
- 9.91 The Council's Trees and Hedgerows Officer has commented that the site is not heavily constrained by existing trees and hedgerows. The main constraints being the emerging woodland/regeneration area of trees to the south west of the site beside the road, the trees/shrubs that are in the centre of the field and a 120m section of hedgerow that is to the east of the proposed site access. The Officer has commented that the main constraint to the site is the removal of a large section of hedgerow on the eastern boundary of the site for the required site lines for the proposed access, and suggests moving the access to avoid the need for this. On discussion with the Highway Officer this access has been amended previously and agreed with the applicant. The officer has advised he would not support moving it as this could be hazardous on account of the land levels and the bend in the road.
- 9.92 Overall, the Trees and Hedgerows Officer raises no objection to the proposal, and notwithstanding the landscape plan suggests a number of conditions including tree protection fencing, and a hard and soft landscape scheme to be submitted and agreed. The proposal is therefore deemed to accord with policy CS 16.

## 9.93 Archaeology

- 9.94 The NPPF at paragraph 189 states "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation." UDP Policies ENV 37 and ENV 38 also requires consideration of archaeological sites of significant interest.
- 9.95 The South Yorkshire Archaeology Service has commented on the application, stating that there is high archaeological potential of the area and advised at pre application stage that a geophysical survey followed by a programme of trial trenching was undertaken and the results submitted as supporting evidence with any application. A geophysical survey of the site was undertaken, and the survey identified a number of anomalies including possible soil-filled features of uncertain age and origin in the south-western corner of the site and possible ditch features, maybe related to historic quarrying in the northern part of the site. The information submitted is insufficient to assess the archaeology of the site. As such a condition is recommended and included for both pre commencement for a Written Scheme of Investigation (WSI)

that sets out a strategy for archaeological investigation and post occupation/use of the site the details of the WSI to be agreed with the LPA. The proposal is therefore deemed to accord with policies ENV 37 and ENV 38.

#### **9.96 Energy Efficiency**

9.97 Policy CS 14 (C) requires proposals to meet or exceed the following minimum standards (1) all new housing must meet all criteria to achieve Code for Sustainable Homes of at least Level 3 and (2) all new development must secure at least 10% of their total regulated energy from decentralised and renewable or low carbon resources. This is now included within building regulations, therefore there is no longer a need to specifically condition this to meet planning policy requirements.

#### **9.98 Conclusion on Environmental Issues**

9.99 Para.8 of the NPPF (2019) indicates, amongst other thing, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9.100 In conclusion of the environmental issues, it is considered that issues in relation to trees, ecology, landscaping, highways, air and pollution have been overcome subject to suitably worded conditions. However, issues in relation to landscape visual impact and the impact of the openness of the Green Belt have not been overcome. Although the impact on openness is minor, great weight must be attached to it as set out in NPPF paragraph 144. This weighs against the proposal carrying substantial weight. Overall therefore, the proposal is considered to balance negatively in relation to environmental matters.

#### **9.101 ECONOMIC SUSTAINABILITY**

9.102 As part of the submitted information it is stated that there will be 5 full time employees at the crematorium; therefore there is some economic long term benefit. It is also anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.

#### **9.103 Conclusion on Economy Issues**

9.104 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

9.105 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

## 10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development.
- 10.2 The site lies within an area designated as Green Belt in the Core Strategy and UDP, whereby national local policies crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm. Consent should not be granted unless the benefits of the proposal clearly outweigh the harm to the Green Belt and another harm. It is only if that test is met that the necessary very special circumstances exist to grant consent.
- 10.3 Whilst this application is considered on its individual merits, it has also been necessary to consider two other crematoria applications concurrently on account of the exceptional circumstance of having three applications for this rare form of development that all seek to meet the same need. An independent external consultant has established that there is a clear and expected need for another crematorium within the borough which could be met by any one of the 3 proposed application sites. The consultant's report advises that developing Barnby Dun, not Brodsworth or Conisbrough would bring the greatest impact on the current over capacity at Rose Hill. Therefore neither the Brodsworth site nor the Conisbrough site are considered suitable alternative sites that would outweigh Green Belt policy. As such the application at Barnby Dun is recommended for approval.
- 10.4 In the assessment of any residual need, the external report concludes that by developing any one of the 2 Green Belt sites would make the Barnby Dun site unviable therefore providing no issue of need that would count as very special circumstances to outweigh development in the Green Belt. The harm to the Green Belt by virtue of inappropriateness therefore carries substantial weight and as such the application is contrary to both local and national Green Belt policies.
- 10.5 A Landscape and Visual Impact Assessment (LVIA) has been submitted, and which has been assessed by the Council's external consultant which concludes that there will be minor impact on openness of the Green Belt. This therefore carries substantial weight against the proposal. Nevertheless the applicant does disagree with the council's consultant's conclusions.
- 10.6 The Transport Statement shows that the site can accommodate the extra traffic generated particularly when considering the mitigation measures highlighted as part of the TA. The ecological value of the site has been assessed and will be able to provide 10% net gain and this weighs moderately in favour of the application.
- 10.7 There are potential archaeological implications on the site and as such the South Yorkshire Archaeology Service (SYAS). SYAS recommend that the necessary investigation can be secured by attaching a condition for a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation.
- 10.8 A landscape scheme and a landscape strategy has been submitted to accompany the application. Overall, mitigation via conditions for tree protection fencing, and a hard and soft landscape scheme to be submitted and agreed will render the scheme in accordance with local plan policy.
- 10.9 Yorkshire Water have raised objection due to there being a main water pipe that crosses the site. As the exact location of the water pipe is unknown Yorkshire Water

are maintaining a holding objection. This issue could be overcome by the applicant diverting the water main and which would satisfy Yorkshire Water. The objection raised by Yorkshire Water is therefore not insurmountable.

10.10 The benefits of the scheme do not clearly outweigh the harms to the Green Belt and any other harms and so very special circumstances have not been demonstrated. Overall, on account of the above balancing exercise, the proposal is recommended for refusal.

## **11.0 RECOMMENDATION**

11.1 **REFUSE PLANNING PERMISSION** for the following reason:

1. The proposal represents inappropriate development in the Green Belt for which very special circumstances have not been demonstrated. The proposal is therefore contrary to Doncaster Core Strategy (Adopted May 2012) Policy CS 3, Doncaster Unitary Development Plan (Adopted July 1998) Policies ENV 2 and ENV 3 and paragraphs s 143-145 of the National Planning Policy Framework (2019).

**The above objections, consideration 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**

# APPENDIX 1: Proposed Site Layout Plan





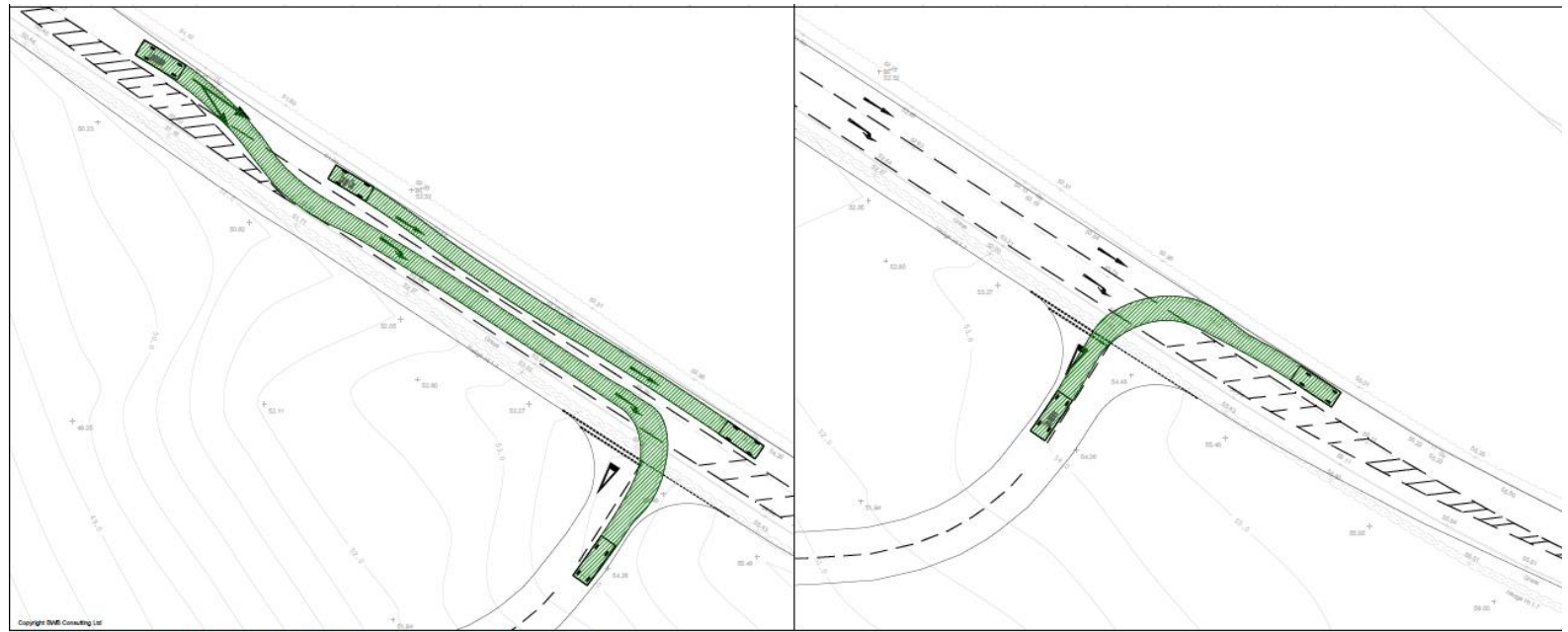
## Appendix 2: Proposed 3D visualisation



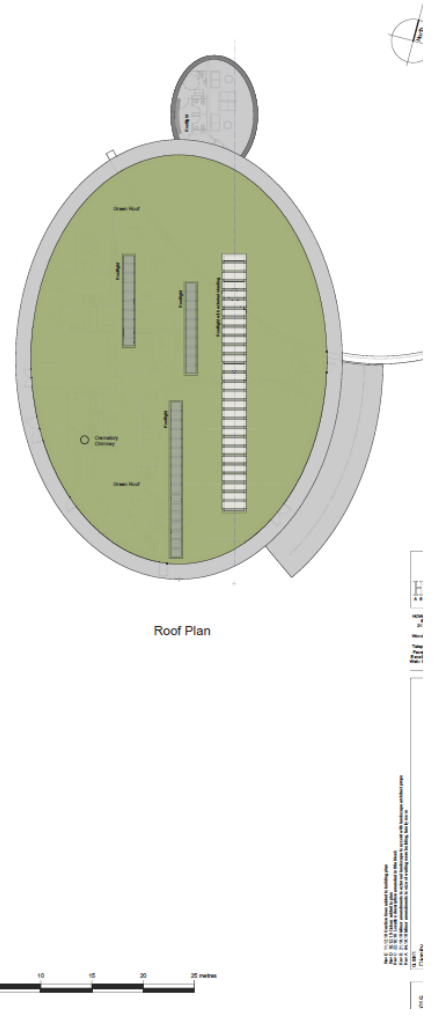
Approach road from Green Lane, looking south



# APPENDIX 3: Proposed Access Arrangement

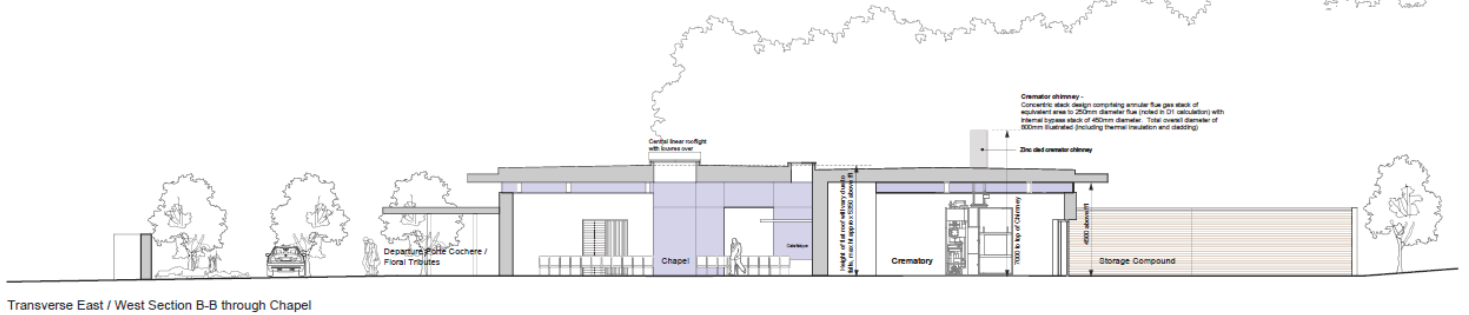
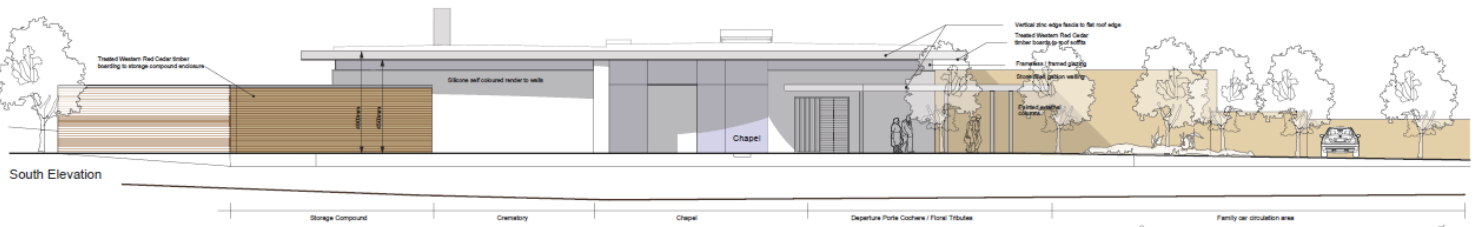
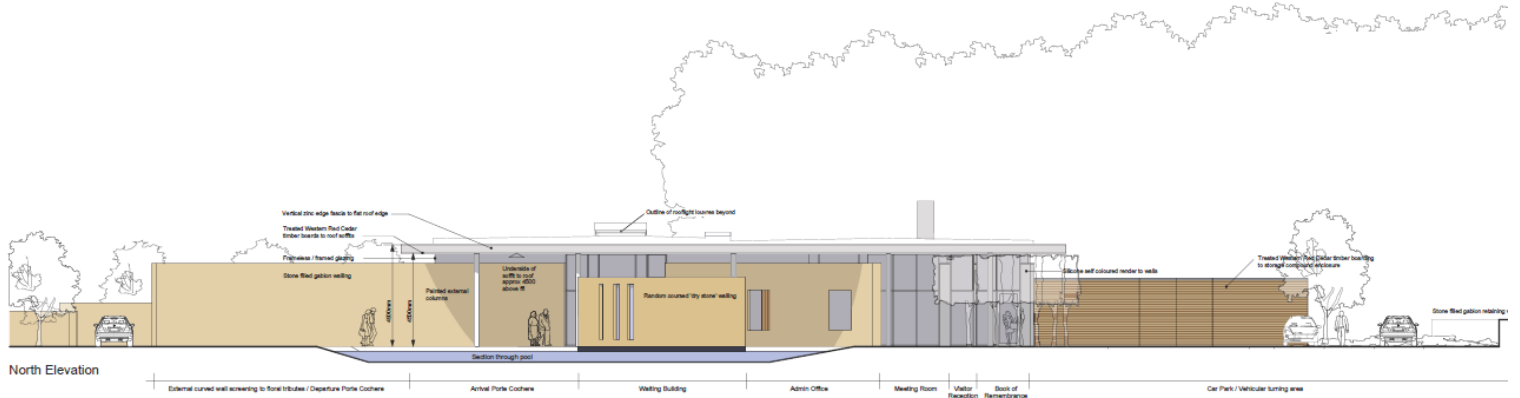


# APPENDIX 4: Elevations and Floor Plans



# APPENDIX 4: Elevations and Floor Plans

## North-South Elevations



# APPENDIX 4: Elevations and Floor Plans

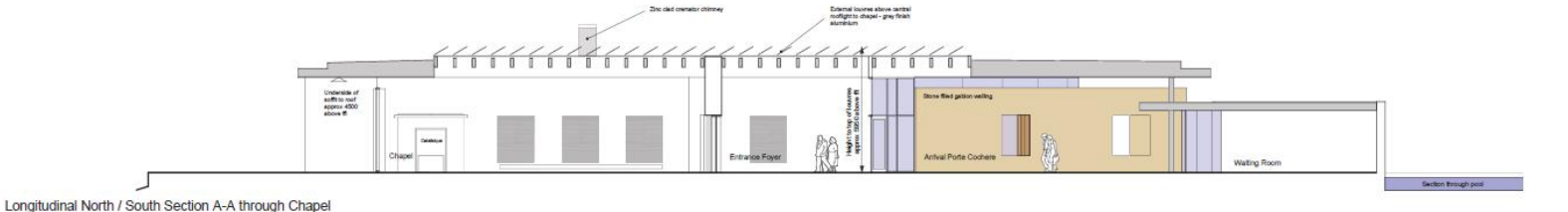
## East-West Elevations



East Elevation



West Elevation



Longitudinal North / South Section A-A through Chapel

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<b>Application</b>	<b>3</b>
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<b>Application Number:</b>	20/00334/FULM
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<b>Application Type:</b>	Planning FULL Major
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<b>Proposal Description:</b>	Crematorium with Ceremony Hall, memorial areas, garden of remembrance and associated parking and infrastructure, including new access off Sheffield Road.
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<b>At:</b>	Land Off Sheffield Road Conisbrough Doncaster
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<b>For:</b>	Mr Stephen Byfield - Horizon Cremation Ltd
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<b>Third Party Reps:</b>	14 letters of representation.	<b>Parish:</b>	Conisbrough Parks Parish Council
		<b>Ward:</b>	Conisbrough

## SUMMARY

Planning permission is sought in full for the construction of a crematorium, with ceremony hall, memorial areas, garden of remembrance and associated parking and infrastructure, including new access off Sheffield Road on land allocated as Green Belt, as defined by the Doncaster Unitary Development Plan.

The site lies within an allocated Green Belt whereby crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm. Consent should not be granted unless the benefits of the proposal clearly outweigh the harm to the Green Belt and another harm. It is only if that test is met that the necessary very special circumstances exist to grant consent.

The 'need' for another crematorium could count as very special circumstances. An external consultant has confirmed that there is an existing unmet need for an additional crematorium in the borough other than Rose Hill, but has advised that by developing the site at Barnby Dun would meet most of that need. It would also meet with planning policy and it is not located within Green Belt. The Barnby Dun application is therefore recommended for approval.

In the assessment of any residual need (ie more than one crematoria); the external report concludes that by developing any one of the 2 Green Belt sites would make the Barnby Dun site unviable therefore providing no issue of need that would count as very special circumstances to outweigh development in the Green Belt. The application is therefore contrary to Doncaster Core Strategy (Adopted May 2012) Policy CS 3, Doncaster Unitary Development Plan (Adopted July 1998) Policies ENV 2 and ENV 3 and paragraphs s 143-145 of the National Planning Policy Framework (2019).

**RECOMMENDATION: REFUSE planning permission.**



## 1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination on account that the application site lies within an area designated as Green Belt and is therefore a departure from the Development Plan.

## 2.0 Proposal

2.1 Planning permission is sought in full for a crematorium with ceremony hall, memorial areas, garden of remembrance and associated car parking and associated infrastructure, including new access off Sheffield Road.

2.2 The crematorium would be operational 252 days per year between 09:00am to 17:00pm.

2.3 This application is one of 3 applications submitted for crematoria in the Borough. They are submitted independently by three different operators, Dignity, Horizon and Memoria and in 3 different areas of the borough. The application should be considered concurrently with the other 2 crematorium applications and each should not be considered in isolation of the others. Each must be considered on its own merits but the consideration of need is common to all three.



### 3.0 Site Description

- 3.1 The site is located on the southwest side of Doncaster, between Conisbrough and New Edlington. It is bounded on the north by predominantly hedgerow along the A630 Sheffield Road and on the other three sides by open countryside. The site is situated in farmland between the settlements of Conisbrough and Warmsworth, extending to approx 3.4 hectares in total and forming part of a large agricultural field.
- 3.2 An existing field entrance and path forms part of the eastern boundary which then extends further east to provide an access and egress point to the site.
- 3.3 This site is part of an existing agricultural field graded Agricultural Land Classification 3b within open countryside. There is a large area of mature trees and roadside hedgerow defining the boundary to the north west of the site. The western boundary abuts a deciduous wood. It is worthy to note that a small proportion of the overall site will be developed whilst the remainder will be green and largely left in its original natural condition with a landscape and ecology management plan in place to both retain and improve all aspects of the site.
- 3.4 The site is initially set approximately one metre lower than the adjacent road with the ground gently sloping downwards to the southwest of the site, with the lowest area being 3-4 metres lower than Sheffield Road.
- 3.5 To the south of the site is a redundant railway track with a line of trees and hedgerow. Further south the landscape is varied with trees and Crookhill Golf Course in the distance.
- 3.6 There is currently no public access to the site but a footpath runs along the former railway line to the south.

### 4.0 Relevant Planning History

- 4.1 Application site;

Application Reference	Proposal	Decision
19/01603/PREAPP	Crematorium with Ceremony Hall, memorial areas, garden of remembrance and associated parking and infrastructure..	Closed 29.08.2019

### 5.0 Site Allocation

- 5.1 The site is designated as Green Belt, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 National Planning Policy Framework (NPPF 2019)
- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework

is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
  - a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.6 Paragraphs 54 - 56 state local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The tests are:
  - a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 5.7 Planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 180).
- 5.8 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.
- 5.9 Paragraph 117 states that planning decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.10 Paragraph 127 states that good design criteria should ensure that developments function well and add to the overall quality of the area, are sympathetic to local character and history and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 5.11 Paragraph 133 states that the fundamental aim of green belt policy in the NPPF is to keep 'land permanently open' (para 133) where 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances' (para 143).
- 5.12 At paragraph 144, the NPPF further 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 resulting from the proposal, is clearly outweighed by other considerations.'

- 5.13 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt' (para 145). An exception is made for the 'provision of appropriate facilities ... for cemeteries and burial grounds ... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it' in paragraph 145b.
- 5.14 Core Strategy 2011 - 2028
- 5.15 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.16 Policy CS1 of the Core Strategy is concerned with Quality of Life, covering a range of issues and criteria. Related to this application, the policy seeks to ensure that proposals are place specific in their design and protect and enhance the built and natural environment, are accessible by a range of transport modes, protect amenity and are well designed.
- 5.17 Policy CS 3 of the Core Strategy sets out the overarching policy for development in the Green Belt and within the countryside.
- 5.18 Policy CS4 requires all development to address the issues of flooding and drainage where appropriate. Development should be in areas of lowest flood risk and drainage should make use of SuDS (sustainable drainage) design.
- 5.19 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.
- 5.20 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.
- 5.21 Policy CS16 states that nationally and internationally important habitats, sites and species will be given the highest level of protection in accordance with the relevant legislation and policy. Proposals will be supported which enhance the borough's landscape and trees by including measures to mitigate any negative impacts on the landscape, include appropriate hard and soft landscaping, retain and protect appropriate trees and hedgerows and incorporate new tree and hedgerow planting.
- 5.22 Policy CS17 seeks to protect, maintain, enhance and where possible, extend Doncaster's green infrastructure.

5.23 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

5.24 Saved Policy ENV 3 of the UDP is the general development control policy for development within the Green Belt and states that development will not be permitted, except for purposes as set out in criteria a-f.

5.25 Saved Policy ENV 37 relates to sites of archaeological importance and with a presumption for their physical preservation.

5.26 Saved Policy ENV 38 acknowledges where development is to be allowed on an archaeological site opportunities for preservation can be achieved by conditions.

5.27 Local Plan

5.28 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy:

- Substantial
- Moderate
- Limited

The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:

5.29 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.

5.30 Policy 2 focuses on delivering sustainable growth, appropriate to the size of individual settlements, meeting needs for new homes and jobs, regenerates places and communities, and supports necessary improvements to infrastructure, services and facilities. This policy is considered to carry limited weight at this time.

5.31 Policy 26 states that new development in the Countryside will be supported if in accordance with policy criteria. Part 4: Non Residential Development is relevant in the consideration of this application. This policy is considered to carry limited weight at this time.

5.32 Policy 14 seeks to promote sustainable transport within new developments. This policy is considered to carry limited weight at this time.

- 5.33 Policy 17 seeks to consider the needs of cyclists within new developments. This policy is considered to carry moderate weight at this time.
- 5.34 Policy 18 seeks to consider the needs of pedestrians within new developments. This policy is considered to carry moderate weight at this time.
- 5.35 Policy 30 seeks to deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks. This policy is considered to carry limited weight at this time.
- 5.36 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.37 Policy 33 seeks to protect the loss of woodlands, trees and hedgerows when considering new developments. This policy is considered to carry substantial weight at this time.
- 5.38 Policy 34 supports proposals that take account of the quality, local distinctiveness and the sensitivity to change of distinctive landscape character areas and individual landscape features. This policy is considered to carry limited weight at this time.
- 5.39 Policy 43 deals with the need for good urban design. Moderate weight can be attached to this policy.
- 5.40 Policy 49 seeks a high standard of landscaping in new developments. This policy is considered to carry limited weight at this time.
- 5.41 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.42 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.

5.43 Neighbourhood Plan

5.44 There is no Neighbourhood Plan for this area.

**5.45 Other material planning considerations**

- The Community Infrastructure Levy Regulations 2010 (as amended)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- Supplementary Planning Document: Development and Flood Risk, Adopted Sept 2010
- South Yorkshire Residential Design Guide (SYRDG) (adopted 2015)
- National Planning Policy Guidance
- Cremation Act 1902

**6.0 Representations**

6.1 This application has been advertised in accordance with Article 1B of the Town and Country Planning Development Management Procedure (England) Order 2015 by

means of site notice, press advertisement and being published on the Council's website.

6.2 14 letters of representation have been received. However this equates to 10 households as there have been multiple representations from the same household. Overall the representations appear to show support for this proposal, however the need for another facility is questioned in 5 of these representations. It is also noted that most of the representations received make the point that they are happy with the service provided at Rose Hill and if extra capacity is required DMBC should be responsible for both building and managing it as opposed to a private sector provider. However this is not a material planning consideration.

6.3 Interested parties have outlined the following benefits of the scheme in comparison with the other 2 concurrent applications at Brodsworth and Barnby Dun;

- Conisbrough will benefit as a community by creation of new jobs in the area as well as Horizon's funding of local causes
- Site is on a main arterial route with good links to Doncaster/Rotherham and Barnsley
- An appropriate location for a new crematorium
- Site not a flood zone
- The green roof of the proposed building makes it more environmentally friendly
- Frequent bus services on the A630
- Better location than Green Lane site
- Site is on Green Belt so other sites might have to be looked at

6.4 The Applicant has also carried out public consultation by way of press release to local newspapers and a public exhibition which took place at the Ivanhoe Community Centre in Conisbrough on 25<sup>th</sup> and 27<sup>th</sup> January 2020. The event was attended by over 100 residents. The submitted information states that overall the consensus of opinion was that people were supportive of a new crematorium and were happy with the proposed design and layout of the site.

## **7.0 Parish Council**

7.1 Consibrough Parks Parish Council has made comment on the application and raised concerns with regards to the following issues;

- The statistics presented would seem to indicate that in Doncaster the waiting time for a service is becoming unreasonable and will only increase if there is no action taken.
- The site is currently green belt land and therefore there would need to be clear evidence that there is no alternative site available,
- The tree and hedge screening around the site is welcomed, but a guarantee that they will be properly cut and maintained regularly is seen as a necessity.
- The A630 is already a busy road and access or egress when turning right will pose significant risks. The Parish Council would support the proposed reduction in the speed limit from 50mph to 40mph along this section of the road.
- The opportunity for people from the local community to gain employment within the facility, including those with a disability.

- The possibility of the Parish Council gaining some benefit from the proposal, such as a section 106 agreement or other conditions attached to the planning permission if granted.
  - The operating times. Will it be 7 days a week? What will be the daily start and finish times? Are the operators aware that off road biking is a popular activity in the vicinity of the proposed site on a Sunday morning?
- 7.2 The site lies on the border between parish councils therefore the neighbouring Warmsworth Parish Council and Edlington Town Council have also been consulted.
- 7.3 Edlington Town Council raise no objections however have expressed reservations regarding road safety on accessing the development and would like to see appropriate measures addressed should consent be granted, also to ensure a reduction of the speed limit from 50 to 40mph.
- 7.4 Warmsworth Parish Council has raised objection to the application raising the following issues of concern;
- Historically concerns have been raised at the volume of traffic on Doncaster Road especially the speeding which has resulted in many fatalities on this stretch of road. The development will add to and increase the volume of traffic causing more congestion.
  - At peak times of the day traffic queues on High Road and Doncaster Road, from the traffic lights at junction 36 and traffic lights at Warmsworth crossroads cause a backup of traffic so the proposal would add more hold ups
  - The plans state the crematorium is to be built in the parish of Conisbrough, but it is the parish of Warmsworth that would be mainly impacted by adding more traffic and pollution to the already busy roads which would not be welcomed or beneficial for the wellbeing of Warmsworth residents.
  - Entry and exit onto the A630 is also a problem, and without traffic management it will still be a dangerous exercise to access the services at the crematorium.
  - Concerns that building on a greenfield site again compromises the environment and although the case for a new crematorium is compelling there is concern that consideration has not been given to a brownfield site.

## 8.0 Relevant Consultations

- 8.1 **South Yorkshire Architectural Liaison Officer:** Advice provided on elements of the scheme's design of windows and doors, and an intruder alarm which have been given full consideration and as such advisory informative notes are included. Overall no objections in principle.
- 8.2 **National Grid:** No objections raised.
- 8.3 **Environment Agency:** Has raised no objections to the proposal.
- 8.4 **Area Manager:** No comments received.
- 8.5 **Ecologist Planning Officer:** Is satisfied with the submitted ecology report and associated biodiversity net gain assessment. As such recommends conditions for a Biodiversity Impact Assessment to be submitted along with a 30 year management and monitoring plan to be agreed.

- 8.6 **Trees and Hedgerows Officer:** No objections on arboricultural grounds subject to conditions for a hard and soft landscaping scheme, implementation and tree protection measures during construction.
- 8.7 **Internal Drainage:** Has commented that insufficient details are submitted however a condition is included for full details of the proposed on-site drainage to be submitted and agreed prior to any works commencing on site.
- 8.8 **Local Plans Policy Team:** This application is one of 3 applications submitted for crematoria in the Borough. They are submitted independently by three different operators. In summary, the application should be considered concurrently with the other 2 crematorium applications and that each should not be considered in isolation of the others. Each must be considered on its own merits but the consideration of need is common to all three.
- 8.9 **Highways Development Control:** No objections, subject to conditions.
- 8.10 **Highways Safety (Safer Roads):** No objections raised on highway safety.
- 8.11 **Transportation Team:** No objections raised.
- 8.12 **Design Officer:** Has commented that the proposal has been thoughtfully designed. No objections raised subject to conditions for details of external materials to be submitted and agreed, details of hard and soft landscaping and the building to meet BREEAM and renewable energy standards.
- 8.13 **Pollution Control (Land Contamination):** No issues of concern, no conditions.
- 8.14 **Pollution Control (Air Quality):** No objections are raised subject to conditions for EV charging and an air quality mitigation plan to be submitted and agreed prior to the opening of the facility.
- 8.15 **South Yorkshire Archaeology:** The site has archaeological implications, however no objections are raised subject to pre commencement condition for a Written Scheme of Investigation that sets out a strategy for archaeological investigation.
- 8.16 **Natural England:** Initially raised concerns as insufficient information was submitted to assess the potential impacts on Sprotbrough Gorge Site of Special Scientific Interest (SSSI) and which is sensitive to air pollution. As such an addendum to the air quality assessment was submitted and natural England has confirmed that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.
- 8.17 **Yorkshire Water:** No objections raised subject to condition for measures to protect the public water supply infrastructure that is laid within the site boundary.
- 8.18 **Yorkshire Wildlife Trust:**
- 8.19 **Northern Gas Networks:** No objections raised.
- 8.20 **Coal Authority:** Standing advice for developments within a coal mining area which may contain unrecorded coal mining hazards.



- 8.21 **Public Health:** A Health Impact Assessment has been submitted that identifies issues such as air quality and sustainable travel measures. These are picked up with other consultee responses.
- 8.22 **Environmental Health (Noise):** No objections raised.
- 8.23 **Public Rights of Way:** No objections raised, no public rights of way are affected.
- 8.24 **Ward Members:** Local Ward members for Conisbrough Parks have expressed support for speed restriction measures on the A630. This is detailed and addressed in paragraphs 9.78-9.81 of this report.
- 8.25 No comments have been received from the **Ramblers Association** or **Area Manager**

## 9.0 Assessment

9.1 The principal issues for consideration under this application are as follows:

- Principle of development in Green Belt
- Very Special Circumstances - Need for the development
- Impact on residential amenity
- Landscape Visual Impact Assessment
- Agricultural Land Classification
- Design and Appearance
- Impact on highway safety and traffic
- Air pollution and contaminated land
- Ecology
- Flood risk and drainage
- Trees and landscaping
- Archaeology
- Overall planning balance

9.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development in Green Belt

9.3 The site lies within the Green Belt so regard should be given to the appropriateness of a crematorium development and the impact on the openness of the Green Belt. National Policy (NPPF) advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping 'land permanently open' (NPPF paragraph 133); the essential characteristics of Green Belt are their openness and their permanence.

- 9.4 National Policy (NPPF) advises of appropriate developments in the Green Belt and paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.5 When considering any planning application the NPPF (para 144) advises that LPA's '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 resulting from the proposal, is clearly outweighed by other considerations.'
- 9.6 The NPPF, paragraph 145 further states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt; then goes on to list a set of criteria as exceptions to this. An exception is made for the 'provision of appropriate facilities .... for cemeteries and burial grounds ... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it' in paragraph 145b.
- 9.7 In terms of this application proposal, the construction of a new build crematorium is not an appropriate use in the Green Belt as defined by the NPPF. This is on account that the NPPF only allows for the provision of additional facilities for an existing cemetery not a new one. The list of exceptions in paragraphs 145 and 146 of the NPPF is a "closed" list – there is no general test that development is not inappropriate if it preserves the openness of the Green Belt and does not conflict with the purpose of including land within the Green Belt. The emphasis of national policy is that 'very special circumstances' need to be demonstrated.
- 9.8 Local policy contained within core strategy CS 3 and saved Doncaster UDP Policy ENV 3 also seeks to protect and enhance Doncaster's countryside and when considering land within Green Belt, national policy will be applied.
- 9.9 In summary, the NPPF is clear that substantial weight should be given to harm to Green Belt and the construction of new buildings (except for the limited list included in the NPPF) is inappropriate as such development causes harm to openness. It is therefore necessary for the applicant to demonstrate that this harm is clearly outweighed by other considerations that would count as 'very special circumstances' to justify development in the Green Belt.
- 9.10 The applicant asserts that there is a 'need' for another crematorium in the Borough and has submitted an assessment of the need which it is argued satisfies this test and counts as 'very special circumstances.' The issue of 'need' is discussed in the section below.
- 9.11 Very Special Circumstances – Need for the Development
- 9.12 There is no national planning policy or guidance, or local (Doncaster) development plan policy, specific to the consideration of planning applications for crematoria. However the NPPF at paragraph 92 (e) requires that planning decisions should 'ensure an integrated approach to considering the location of housing, economic uses and community facilities and services'. Crematoria are clearly essential cultural facilities and services and planning decisions should be taken with the aim of supporting proposals that meet identified demand. Crematoria are a rare form of development with specific unique requirements. It is therefore particularly unusual that three independent proposals have been submitted concurrently.

- 9.13 The need for crematoria is therefore a material consideration and which has been accepted by all 3 applicants as evidenced with the need assessments submitted to accompany the respective applications. All three applications claim there is both a quantitative and qualitative need for a new crematorium to meet existing and future demand for cremations in Doncaster. They claim that there is insufficient capacity provided by the Borough's existing facility at Rose Hill, Cantley, and by other crematoria in neighbouring local authority areas.
- 9.14 The Council instructed an expert to carry out an assessment of Doncaster's current need in order to establish whether there was an existing unmet need within the borough. The consultant was also tasked with assessing where this need was best met and to evaluate the need assessments of the three separate planning applications for new crematoria.
- 9.15 The resultant report concludes that there is a compelling quantitative and qualitative need for a new crematorium in Doncaster. Between the years of 2016-2019 the existing Rose Hill Crematorium in Doncaster operated at 155% of practical capacity in peak months. A crematorium operating above 80% of its practical capacity makes it difficult to offer a cremation service that meets an acceptable quantitative standard, which in turn adversely affects a crematorium's ability to offer a quality service to bereaved families. Rose Hill is clearly working well above their capacity to provide funerals at the core times generally preferred by bereaved people, particularly during periods of high demand. Evidence from the Office for National Statistics (ONS) indicates a significant and sustained growth and ageing in the population, leading to increased numbers of deaths within the local authority areas served by the existing crematoria. Annual deaths in Doncaster are projected to increase by 23% between 2020 and 2043.
- 9.16 In terms of where the most suitable location would be, the consultant advises that any one of the 3 application sites would bring a benefit to residents by;
- Proximity- reducing their funeral travel times.
  - increasing capacity - reducing delays between death and being able to hold a funeral at a convenient time and date.
  - providing new capacity and choice of crematorium - reducing demand and thus reducing congestion at Rose Hill Crematorium
  - contemporary design and longer funeral services - giving more privacy to each group of mourners.
- 9.17 The consultant's report provides a summary of conclusions based on the drive-time catchment analysis undertaken and which indicates that:
- Within a constrained 45-minute drive-time catchment, the development of any of the three new crematoria does not increase overall calculated cremations (10,162) within the wider area, apart from the Barnby Dun site, which brings in an extra 64 cremations per year.
  - Within a constrained 30-minute drive-time catchment, all three sites attract more than the minimum 800 cremations per year required for viability.
  - Within a constrained 45-minute drive-time catchment, the Barnby Dun site attracts the highest number of cremations (1,210), albeit only 34 more than the Brodsworth site (1,176) and 123 more than the Conisbrough site (1,087).

- Within a constrained 45-minute drive-time catchment, the Barnby Dun site diverts the highest number of cremations away from Rose Hill: 806 compared with 526 at the Brodsworth site and 546 at the Conisbrough site.
  - Within a constrained 45-minute drive-time catchment, the Conisbrough site diverts less cremations away from Rose Hill, but diverts more cremations from Rotherham, reflecting its location about halfway between Doncaster and Rotherham.
  - 30-minute drive-time catchment calculated cremations at the Brodsworth site (1,160) do not significantly increase within its constrained 45-minute drive-time catchment (1,176).
  - 30-minute drive-time catchment calculated cremations at the Conisbrough site (1,058) do not significantly increase within its constrained 45-minute drive-time catchment (1,087).
  - However, 30-minute drive-time catchment calculated cremations at the Barnby Dun site (825) do significantly increase within its constrained 45-minute drive-time catchment (1,210), reflecting fewer constraining catchments of other crematoria in that particular area leading to a larger overall catchment.
- 9.18 The report advises that any one of the proposed crematoria potentially diverts cremations away from existing crematoria. This is a desirable outcome in terms of reducing overcapacity working and enabling improvements in qualitative provision at existing crematoria, including the Council operated Rose Hill.
- 9.19 Whilst a 30-minute drive-time population is often seen as evidence of need, in reality people living beyond that limit still require cremation facilities and will travel up to 45 minutes or more to reach their nearest crematorium. Purely in terms of its location relative to both population and to existing crematoria, the Barnby Dun site would be the consultants preferred choice as it has a larger constrained 45-minute drive-time catchment than the other two sites.
- 9.20 The consultant's preference is based purely upon current and potential future drive-time catchments and potential cremations at existing and proposed crematoria. It is not influenced by detailed consideration of any other planning related factors, nor any appraisal of each site, including the design and layout of buildings and grounds.
- 9.21 The report assesses a number of scenarios for comparison of each of the 3 proposed crematoriums; for instance if they were operational individually ie just one crematorium was developed and alternatively more than one crematorium ie two or all three crematoriums were developed.
- 9.22 The report evidences that the majority of areas within Doncaster with higher population densities lie within a 30-minute drive-time of Rose Hill or Barnby Dun. If only Barnby Dun was operational it would bring the highest number of people within a 30 minute drive time of a crematorium for the first time (33,123). Developing this site would also result in the greatest population loss to Rose Hill at 64,926 or -32% of the current population for Rose Hill. Developing this crematorium alone would therefore provide the greatest impact on the current over capacity at Rose Hill. This would improve the qualitative service at Rose Hill, without affecting its viability. It would also bring the highest number of people within a 30 minute drive time catchment of a crematorium for the first time.

- 9.23 The report is clear in that there is an overall need for another facility in Doncaster and in the consultant's opinion, by developing the site at Barnby Dun would meet most of that need. Nevertheless any one of the 3 sites would impact on the current over capacity at Rose Hill.
- 9.24 The expert report concludes that if only Conisborough were consented, then it would bring 15,922 people within a 30 minute drive time of a crematorium. It would result in a loss to Rose Hill of 60,598. It would have less of an impact on Rose Hill than would the Barnby Dun scheme. The Barnby Dun scheme has a greater impact on need and is less constrained by planning policy as it is not in the Green Belt. That site is therefore preferred.
- 9.25 If the Barnby Dun scheme is assumed to be consented, then sufficient unmet need may clearly outweigh the harms to the Green Belt and other harms, meeting the Very Special Circumstances test. The issue for consideration therefore is whether or not there is a residual unmet need for another crematorium in the borough after consent is granted for Barnby Dun.
- 9.26 If there is a residual unmet need, is it sufficient, along with other benefits, to clearly outweigh the harm to the Green Belt and any other harms.
- 9.27 As part of the consideration of whether or not there is a residual unmet need for another facility, an important factor for consideration is to ensure the viability of the development and operation of the new crematorium, as developing more than one crematorium could undermine viability. Simply put, a minimum of 800 cremations per year is required, with 1,000 or more per year being preferred, to ensure the viability of the development and operation of the new crematorium.
- 9.28 Within a constrained 30-minute drive-time catchment, all three sites attract more than the minimum 800 cremations per year required for viability if developed on their own. However the report commissioned by the council further assesses scenarios whereby more than one crematorium is developed and makes comparable variable commutations of all 3 proposed sites. This is essential to assess any residual unmet need on the assumption that the Barnby Dun scheme is permitted.
- 9.29 If both Conisbrough and Barnby Dun were developed Barnby Dun would not be viable; if Brodsworth and Barnby Dun were developed Barnby Dun would not be viable. However the point of issue here is that the Barnby Dun site is the least constrained in policy terms in that it is not located within the Green Belt; Barnby Dun is located within CPA and is therefore the preferred location that would address the borough's need for a new crematorium.
- 9.30 It is clear therefore that there is not sufficient need to support two new crematoria once Barnby Dun is consented. If there were sufficient need, then it would be possible for two viable new crematoria to be consented.
- 9.31 In summary, there is a clear and expected need for another crematorium within the borough which could be met by any one of the 3 proposed application sites. However 2 of those sites are located within the Green Belt whereby crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm and whether or not there are any other issues that would count as very special circumstances to outweigh that harm. The 'need' for another facility could count as very special circumstances. However the Barnby Dun site would meet that need, it would meet planning policy and it is not located within Green Belt.

- 9.32 In the assessment of any residual need, the report concludes that by developing any one of the 2 Green Belt sites would make the Barnby Dun site unviable therefore providing no issue of need that would count as very special circumstances to outweigh development in the Green Belt. As such the application is contrary to both local and national Green Belt policies.
- 9.33 The applicant has responded with a critique of the external consultant's report and raises a number of points with regards to errors in the data in the assessment of over trading in existing crematoria; viability and error in the baseline data for calculating catchment areas and drive time and catchment size
- 9.34 The critique asserts that no single one of the applications will resolve capacity issues in all the existing crematoria – Rose Hill and those outside the Doncaster MBC area. It argues that developing either Brodsworth or Conisbrough would have a significantly greater impact on overtrading in existing crematoria than just development of Barnby Dun. The critique also asserts that there is clearly scope for two crematoria to be built and that either the development of either Barnby Dun and Conisbrough or Barnby Dun and Brodsworth would have greater impact on overtrading of existing crematoria.
- 9.35 In response, the Council disagrees with this and whilst it is recognised that crematoria development will have an impact on the existing crematoria outside of the borough it is acknowledged the applications have been submitted and are being assessed on the basis that there is a need for a new facility in Doncaster and that a proposed new facility will impact on the current over capacity at Rose Hill, not the over capacity at neighbouring authorities. There is no policy basis that requires an assessment of cross boundary impact. The purpose of another facility would be to bring an improved service to residents by providing another accessible facility, whilst also relieving the strain on Rose Hill. The cross boundary impact of the proposed development would therefore carry limited/moderate weight in the consideration of the applications. It certainly carries less weight than the impact in policy terms of either one, or combination of both, the proposed crematoria sited in the Green Belt. As the response sets out, Barnby Dun has the greatest impact on capacity at Rose Hill, the other crematorium in the Borough's area.
- 9.36 The external consultant's report produced by the Council assesses the potential for development of two crematoria, and particularly the scenarios of developing Barnby Dun and either one of the two Green Belt sites. Whilst developing two sites would bring a higher population number within the 30 minute drive time of a crematorium for the first time Figure 44 of the consultant's report referred to in the critique shows 30 minute drive time deaths at 1,322 and 1,450 respectively for Conisbrough and Brodsworth, Figure 44 also shows the drive time deaths for Barnby Dun in scenarios 6 and 7 where both Barnby Dun and either Conisbrough (scenario 6) or Brodsworth (scenario 7) as 937 and 688 respectively. The drive time figures for Consibrough in scenario 6 is 1,312. These results show that where another crematorium is developed alongside Barnby Dun, then Barnby Dun, the sequentially preferable site, becomes unviable.
- 9.37 The conclusion of the report prepared for the Council is that if only one of the three proposed new crematoria were developed, cremation numbers would fall at Rose Hill, but there would still be sufficient to ensure viability. However, if two or more of the three proposed new crematoria were developed, cremation numbers would fall more significantly at Rose Hill, sufficient to compromise its continuing viability.

- 9.38 If Brodsworth and either Barnby Dun or Conisbrough were developed, Brodsworth would appear to still attract sufficient cremations to be viable, but the viability of the other is doubtful. If both Conisbrough and Barnby Dun were developed, Conisbrough would appear to still attract sufficient cremations to be viable, but the viability of Barnby Dun is doubtful. If all three proposed crematoria were developed, it is unlikely that any one of them would attract sufficient cremations to be viable.
- 9.39 The proposed crematorium development therefore represents inappropriate development within the Green Belt and therefore harmful to the Green Belt. The Barnby Dun proposal is less constrained in policy terms and delivers the greatest benefit in terms of individual impact on the capacity of Rose Hill and brings the most residents within 30 minutes of a crematorium, it is considered the first choice site for meeting the need for a new crematorium in the borough. There is insufficient residual need within the borough to support a second crematorium. The benefit of an additional crematorium on capacity of crematorium outside the borough weighs in favour of the scheme but receives no more than limited/moderate weight.

### Sustainability

- 9.40 The National Planning Policy Framework (NPPF, 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.41 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

## **9.42 SOCIAL SUSTAINABILITY**

### 9.43 Impact on Residential Amenity

- 9.44 Policy CS 14 (A) of the Core Strategy states that 'new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment'.
- 9.45 With regards to the impact on any neighbouring land use or properties; there are key standards set out for new crematoria development within the 1902 Cremations Act. This Act prevents a crematorium being located within 200 yards of any dwelling house (except with the consent of the owner) nor within 50 yards of a public highway. As such, the proposed siting of the building has taken this into due consideration and there are no residential dwellings within 200 yards of the proposed building therefore no loss of residential amenity for any nearby residents. In terms of any negative effects on the environment this is discussed later in the report under consideration of other issues including landscape visual impact, ecology, air pollution and trees/landscaping,
- 9.46 The application is thereby deemed to accord with policy CS14

#### **9.47 Conclusion on Social Impacts.**

9.48 In conclusion of the social impacts of the development, it is not considered that the impact of residential amenity will be adversely affected by the proposal.

#### **9.49 ENVIRONMENTAL SUSTAINABILITY**

##### **9.50 Landscape Visual Impact Assessment**

9.51 The fundamental aim of Green Belt policy is to keep land permanently open (NPPF Paragraph 133); the essential characteristics of Green Belts are their openness and their permanence. The NPPF at paragraph 141 encourages LPA's to 'plan positively to enhance their beneficial use...looking for opportunities to retain and enhance landscapes, visual amenity and biodiversity.' Doncaster Core Strategy Policy CS 16 also reflects national policy and seeks to enhance the borough's landscape and trees.

9.52 An assessment of the landscape character, a Landscape Visual Impact Assessment (LVIA) has been submitted by the applicant as part of the submitted documents and which states that the site is initially set approximately one metre lower than the adjacent road with the ground gently sloping downwards to the southwest of the site, with the lowest area being 3-4 metres lower than the A630 (Sheffield Road).

9.53 The LVIA takes into account the objectives of the scheme design and landscape proposals and assesses the predicted effects of the proposal at year 1 and then at year 10 following establishment of the proposed landscape mitigation. The assessment concludes that the potential landscape and visual effects associated with the proposed crematorium and memorial park would be of 'slight significance'.

9.54 An external Landscape consultant has been employed by the Council to independently assess the landscape visual impact of the proposed development. The consultant has commented that the LVIA provides a comprehensive description of the proposed development and the masterplan layout. The siting of the crematorium building appears to have been developed in response to the nature of the topography and availability of existing vegetation, which will serve to provide localised screening. The discussion of siting of the proposed building appropriately makes reference to the design guidelines contained within the published landscape character assessment (LCA) for Doncaster.

9.55 The assessment of landscape effects does not provide a distinction between construction, year 1 and year 10/15 effects. Whilst at year 10, proposed planting may be effective in helping with screening of views, effects at year one may be greater and the differences are not brought out.

9.56 Many elements of the predicted landscape change are judged to be beneficial to the landscape. The loss of a section of hedge at the site access is recorded as a minor adverse effect, which would be mitigated by new planting around and within the site. The visual effects are all reported as minor or negligible, and neither adverse nor beneficial.

9.57 The LVIA suggests that woodland planting will reduce the effect of the building on openness. However, the site is relatively prominent, adjacent to a main road. Currently, open views are available across the site from the A630 Sheffield Road,



and introduction of woodland could be interpreted as a loss of openness, as it grows in the long term.

- 9.58 In summary, the consultant concludes that the landscape and visual effects of the three sites are likely to be similar. All three LVIA's conclude that the woodland and landscape proposals associated with the developments would be beneficial to the landscape and visual amenity to some degree, albeit it would take some considerable time for planting to mature in practice. Of the two sites located in Green Belt, this application site may have a greater effect on visual openness, due to the existing long open views across the site and agricultural land from the A630. This would relate to the effect of planting more than buildings.
- 9.59 It is considered that the development, will result in some harm to the character and appearance of the landscape and as such is contrary to Policy CS 3 of the development plan.
- 9.60 The applicant has provided a response to the external consultant's report which overall acknowledges the comments that the applicant's LVIA is sound and based on good practise. The response also notes the consultant's assessment of the proximity of the site and visibility of Edlington that forms a conclusion that the site has a settlement edge character, similar to Armthorpe Lane. The response raises issue with two points; firstly the phrase 'relatively prominent adjacent to a main road' and secondly that the site is 'likely to be the most visible due to its location next to the A630.'
- 9.61 The applicant's response claims that these comments are not appropriate in the context of the review, as it has not considered the way the development responds to the landscape in terms of form, materials etc. In response to this, whilst the proposed materials and design will assist the building's assimilation into the landscape, any amount of built form on a current open landscape and located near to a main road will impact on openness of the Green Belt and also result in minor harm to the landscape.
- 9.62 Agricultural Land Classification
- 9.63 Policy CS 18 of the Doncaster Council Core Strategy is concerned with conserving, protecting and enhancing Doncaster's air, water and land resources, both in terms of quantity and quality. Part C relates to agricultural land and states that proposals will be supported which facilitate the efficient use of Doncaster's significant agricultural land and soil resources, including proposals which protect high quality agricultural land (grades 1, 2 and 3a) in so far as this is consistent with the Growth and Regeneration Strategy (as set out in Policy CS 2).
- 9.64 The applicant has submitted an Agricultural Land Classification Report with the application and a later addendum to this report. Within the main document it is stated that a soil resource and agricultural land classification survey has been carried out on the land. It is stated that the land comprises of shallow well drained medium loamy soils over limestone with deeper calcareous colluvial soils. The report states that as a result there are significant restrictions to the range of crops that can be grown, restrictions on the cultivations that can be used and on crop yields.
- 9.65 At the time of the survey, the land is an arable field (in oilseed rape). In total 58.5% of the site cannot be graded higher than 3b, with restrictions both on range of cropping (due

to depth) and of yield (due to droughtiness). 41.5% of the site has deeper soils which area sub grade 2.

- 9.66 Whilst the NPPF advocates and encourages preserving the best and most versatile agricultural land, there is no definition of the term 'significant' of best and most versatile agricultural land. However, the Town and Country Planning (Development Management Procedure) Order (2010) requires Local Planning Authorities to consult DEFRA on any development that would involve the loss of 20 hectares of more of high quality agricultural land (Grades 1, 2 or 3a). This can therefore be used as a good indication as to what is considered significant. National Planning Practise Guidance (NPPG) also advises that the Development Management Procedure Order 2015, Natural England is a statutory consultee and must therefore be consulted before granting permission for large scale non-agricultural development on best and most versatile land that is not in accordance with the development plan. This proposal would involve the loss of only 41.5% (less than 2 hectares of sub grade 2 land. Natural England has nevertheless been consulted and has raised no objections or issues of concern.
- 9.67 Whilst it is recognised that there will be a loss of agricultural land, 41.5% of this is grade 2 and whilst policy CS 18 seeks to protect high quality land, it would involve the loss of less than 2 hectares of land, and should therefore not be considered a significant loss. It is not considered that the proposal is contrary to policy CS 18.

9.68 Design and Appearance

- 9.69 Policy CS 14 of the Doncaster Council Core Strategy sets out the Council's policy on the design of new development. It states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area. This will be achieved through a set of design principles and quality standards as set out.
- 9.70 The siting of the building has been dictated by existing topography and ecology of the site, and also the requirements of the Cremation Act that dictates required distances from dwellings. This has resulted in the building being located in the south western part of the site.

The building, which provides a gross external area of totals 526 sqm, is divided into three elements; the reception and waiting room area, the Ceremony Hall and the cremator room and associated offices. The building has been designed for each of these separate elements with mono-pitch roofed sections linked by connecting flat roofed spaces providing ancillary accommodation.

- 9.71 The mono pitch design has been chosen to minimise the impact on the existing landscape. Each pitched roof segment will be finished in sedum (ie green roofs). It is intended that these planted roofs will be seen as green wedges prised up from the existing landscape.
- 9.72 The external materials have been chosen to reflect the semi-rural location and comprise of extensive use of larch cladding to the walls as this will naturally weather to a natural silver/grey tone and will blend with the surrounding countryside over time. Windows and doors will be in silver grey powder coated aluminium, to tie in with the smaller areas of linking flat roofs that will be finished in grey waterproof membranes.

The roofs will also be sedum clad as already stated in para 9.69 above. A condition has also been included for details and samples of the proposed external materials to be agreed. The accompanying Design and Access Statement states that 'by keeping to this restricted palette of materials it is intended that a simple but striking building will be created which will reflect the rural nature of the site.' Additionally, resin bonded gravel will be used on all access driveways and paths. This is also a porous paving adding to the drainage sustainability. A 3D visualisation of the proposed building can be seen at Appendix 2.

- 9.73 The Council's Urban Design Officer has provided guidance and advice throughout the pre application process, and has been consulted with the subsequent application commenting that there are 'no major design concerns with this proposal it has been thoughtfully designed.' The Officer is therefore satisfied with the scheme subject to conditions relating to final materials, details of a hard and soft landscaping scheme to be agreed and 10% renewable energy requirement.
- 9.74 The South Yorkshire Police Architectural Liaison Officer has also been consulted on the application and has recommended that all windows and doors comply with Secured by Design standards. It is also recommended that a suitably designed intruder alarm is fitted. An advisory informative note is therefore included.
- 9.75 As such, the proposed redevelopment is therefore considered to meet with policy CS14 and the NPPF.
- 9.76 Impact upon Highway Safety
- 9.77 'Quality, stability, safety and security of private property, public areas and the highway' and 'permeability - ease of pedestrian movement with good access to local facilities and public transport services' are listed as qualities of a successful place within policy CS 14 (A). The NPPF in para 109 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on road safety, or the residual cumulative impacts on the road network would be severe'.
- 9.78 Part (G) of policy CS 9 states that 'new development will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunity for travel. A Transport Assessment and Framework Travel Plan has been submitted in support of this application. The nature of the development will mean that a high proportion of people visiting the site will do so by private car.
- 9.79 As part of the Transport Assessment, the most recent 5 years of Traffic Collision data has been reviewed. Two scenarios have also been tested for the site access; an 'average' attendance and a 'worst case' where it is assumed 2 fully occupied services take place back to back. The average occupancy is assumed to be 2 persons per vehicle. The 'worst case' scenario is expected to generate 50 arrivals and 50 departures (100 2-way). A future +10 year assessment has also been included and the Council's Transport Officer is satisfied that the junction will operate within capacity in 2031.
- 9.80 An issue of concern has been raised by local residents, Parish Council's and Local Ward Members regarding the speed of traffic travelling on the A630 Sheffield Road between Warmsworth and Conisbrough, and who have requested a speed reduction on this section of the road. This has been supported by the applicant who has offered

to fund this re-designation along with road side gates at the entrances to Warmsworth and Conisbrough, and also road signage.

- 9.81 The Council's Safer Roads Team in conjunction with South Yorkshire Police have considered this request and have commented that whilst it is understandable there are concerns given 2 accidents that have occurred. However these were over 5 years ago and occurred on the outskirts of Conisbrough which is some distance from the site and on what was then a 40mph speed limit zone. As a consequence of these accidents HM Coroner ultimately asked the Council to investigate an improvement scheme intended to address concerns, and this was finally implemented during 2016 after extensive consultation including with the affected Parish Councils. This project entailed the eastward extension of the existing 40 mph speed limit, together with a reduction to 50 mph along the section between Conisbrough and Warmsworth previously subject to the National Speed Limit (in this case 60 mph).
- 9.82 The scheme also included an extensive range of additional supporting measures, including enhanced signs and road markings, coloured surface treatment and an electronic Vehicle Activated Sign, all of which were intended to manage vehicle speeds to ensure compliance with the revised speed limits. The route is also a designated mobile safety camera route which is subject to regular enforcement activity by SYSC, a situation which might be reviewed should any proposal be brought forward to reduce the speed limit. Subsequent monitoring has shown not only that this have good levels of compliance achieved, but that there have been no further concerns regarding road traffic casualties in the area, and it should be noted that specifically relating to the application site there were no concerns in this particular area previously.
- 9.83 The Council's Safer Roads Team and South Yorkshire Police remain satisfied that the level and extent of the existing speed limits are set correctly with good levels of compliance and in view of the acceptable outline design agreed for the access, and the absence of safety problems in the area since the improvement scheme was implemented some years ago, there is no requirement to consider further changes to speed limits along this section of road.
- 9.84 With regard to the layout of the scheme and the design of the access, the Highways Development Control Officer raises no objection to the scheme following amendment to the proposal and subject to conditions. There is a single point of vehicular access proposed via the A630 (Sheffield Road) and a separate pedestrian access that will utilise the existing field access to the site. There are a number of bus stops along the A630. A pedestrian refuge crossing is also provided within the confines of the proposed ghost island that will provide a right turn manoeuvre for vehicles accessing the site from Sheffield Road. The exact location of the pedestrian refuge will be agreed with the highway authority. See the proposed access arrangement at Appendix 4.
- 9.85 The scheme provides car parking for 100 vehicles (including disabled spaces and 20 overspill spaces), and cycle parking. The site is therefore easily accessible by car, cycle and on foot.
- 9.86 The proposal is therefore considered to meet with policies CS 14 and CS 9 of the Doncaster Council Core Strategy.

## 9.87 Air Pollution and Contaminated Land

9.88 Policy CS 18 (A) states that 'proposals will be supported which contribute to improvements in air quality'. The size of development is sufficient to trigger the need for an Air Quality Assessment (AQA) and as such this has been submitted to accompany the application. The Pollution Control (Air Quality) Officer has commented that the development will not have the potential to result in an exceedance of the existing air quality objectives or unduly exacerbate existing conditions. Whilst the proposal will not result in an exceedance, the AQA does acknowledge there will be an increase in concentrations. Therefore the Officer recommends a condition for 1 no. dual electric charging point and an air quality mitigation plan via conditions as compensation mitigation.

9.89 The Contaminated Land team have also been consulted on the proposal and has commented that as the development is not a sensitive end use, not on a former industrial site, with no closed landfills in the vicinity no issues of concern are raised. As such, there are no issues on air quality or contaminated land grounds that weigh against the development that cannot be dealt with by condition.

## 9.90 Ecology

9.91 The NPPF at paragraph 170 d) where it states that planning policies and decisions should contribute to and enhance the natural local environment by "minimising impacts on and providing net gains for biodiversity." This is reflected in Policy CS 16 states that Doncaster's natural environment will be protected and enhanced in accordance with a number of principles. Part (A) states that "proposals will be supported which enhance the borough's Ecological Networks by (1) including measures that are of an appropriate size, scale and type and have regard to both the nature of the development and its impact on existing or potential networks; (2) maintaining, strengthening and bridging gaps in existing habitat networks".

9.92 The Council's Ecologist and also Yorkshire Wildlife Trust has noted that there is a lack of survey information particularly with regards to bat survey details which may be a result of surveying ecologists and clients not communicating over the need and timing of surveys. Notwithstanding this, it was considered that hibernation surveys carried out (just outside of the recommended survey window) identified the use of the air vent and tunnel by hibernating bats. Active period surveys identified no bats emerging from the air vent south of the site. The ecologist planner considers that further surveys in the active period would not be required as the air vent and tunnel would be unsuitable as a maternity roost site. Overall, and taking into account the ecologist planners' knowledge of the disused railway gorge and the surrounding area which he has surveyed in the past, it is considered that that most bats emerging from the air vent would disperse to the west where there is suitable vegetation and then north along the gorge. This would be similar for bats returning to the air vent. This would be in preference to a flight path over the proposed crematorium and across the busy Sheffield Road. It is therefore considered that the siting of the proposed crematorium would not pose a significant disturbance effect on bats.

9.93 However, paragraph 170 of the NPPF requires development to deliver a net gain in biodiversity. A biodiversity net gain assessment has been carried out that clearly indicates that a 10% biodiversity net gain can be achieved through on-site delivery of enhanced and created habitats types. Following discussion and amendments a final approach has been agreed with the applicant. The delivery of an agreed Biodiversity Impact Assessment (BIA) is therefore recommended by condition to

demonstrate how a 10% net gain in biodiversity will be delivered on the site based on the landscape masterplan, and a 30 year maintenance plan. As such, the proposal is considered to accord with policy CS 16 and the NPPF in relation to ecology and more specifically bio diversity matters.

#### 9.94 Flood Risk and Drainage

9.95 The site falls within a Flood Risk Zone 1 (FRZ1) area on the latest Environment Agency Flood Map. National planning policy, and Policy CS4 of the LDF Core Strategy, normally requires that for proposals in Flood Risk Zone 1 and over 1 hectare in size should consult with the Environment Agency. As this site is well over 1 hectare at 3.4hectares the Environment Agency has been consulted and has raised no objections or issues of concern.

9.96 With respect to the drainage of the site, full foul surface water and land drainage details are requested via condition. In addition, Yorkshire Water has requested a condition for measures to protect the public water supply infrastructure that is laid within the site boundary to be submitted and agreed prior to any works commencing on site. As such, the proposal is considered to accord with policy CS 4 and the NPPF in relation to drainage and flood risk matters.

#### 9.97 Trees and Landscaping

9.98 Policy CS16 of the Core Strategy states that Doncaster's natural environment will be protected and enhanced. A landscape scheme and a landscape strategy has been submitted to accompany the application which seeks the creation of a setting for the building that suits its purpose with serenity and dignity. It proposes two distinct aspects to the landscaping; the more formal area around the building and the memorial garden and then the wider site area which will encourage the regeneration of the native grassland and new woodland areas. The wider site will be allowed to develop its full potential as a site of bio diverse value with good management.

9.99 The landscape strategy for the site makes use of the adjacent woodland and hedgerow pattern to screen the site and from which additional woodland and boundary planting can be developed. Therefore, the entire site is to be contained within a combination of woodland and hedgerows.

9.100 The Council's Trees and Hedgerows Officer has commented that the site is not heavily constrained by existing trees and hedgerows. The main constraints being the emerging woodland/regeneration area of trees to the south west of the site beside the road, the trees/shrubs that are in the centre of the field and a 120m section of hedgerow that is to the east of the proposed site access. The Officer has commented that the main constraint to the site is the removal of a large section of hedgerow on the eastern boundary of the site for the required site lines for the proposed access, and suggests moving the access to avoid the need for this. On discussion with the Highway Officer this access has been amended previously and agreed with the applicant. The officer has advised he would not support moving it as this could be hazardous on account of the land levels and the bend in the road.

9.101 Overall, the Trees and Hedgerows Officer raises no objection to the proposal, and notwithstanding the landscape plan suggests a number of conditions including tree protection fencing, and a hard and soft landscape scheme to be submitted and agreed. The proposal is therefore deemed to accord with policy CS 16.

## 9.102 Archaeology

- 9.103 The NPPF at paragraph 189 states “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.” UDP Policies ENV 37 and ENV 38 also requires consideration of archaeological sites of significant interest.
- 9.104 The South Yorkshire Archaeology Service (SYAS) has commented on the application, stating that there are potential archaeological implications. An archaeological desk-based assessment, by Rathmell Archaeology, was submitted as supporting information for the proposal. This identified a high number of known archaeological sites in the vicinity, mainly findspots of flint tools, but no known sites within the proposed site boundary. The site is also bordered to the north and west by the probable course of a Roman road. Just north of the road is the probable site of the medieval settlement of Butterbusk and features may have extended across the road to the south. There is, then, potential for hitherto unrecorded archaeological remains to exist within the application area. Groundworks associated with this scheme could, therefore, destroy finds and features of archaeological importance and as such, a scheme of archaeological investigation is required. Given the small footprint of the development within the application area and potential to preserve any important remains *in situ*, SYAS recommend that the necessary investigation be secured by attaching a condition for a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation. The proposal is therefore deemed to accord with policies ENV 37 and ENV 38.

## 9.105 Energy Efficiency

- 9.106 Policy CS 14 (C) requires proposals to meet or exceed the following minimum standards (1) all new housing must meet all criteria to achieve Code for Sustainable Homes of at least Level 3 and (2) all new development must secure at least 10% of their total regulated energy from decentralised and renewable or low carbon resources. This is now included within building regulations, therefore there is no longer a need to specifically condition this to meet planning policy requirements.

## 9.107 Conclusion on Environmental Issues

- 9.108 Para.8 of the NPPF (2019) indicates, amongst other thing, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.109 In conclusion of the environmental issues, it is considered that issues in relation to trees, ecology, landscaping, highways, air and pollution have been overcome subject to suitably worded conditions. However, issues in relation to landscape visual impact and the impact of the openness of the Green Belt have not been overcome, great weight must be attached to the impact on the openness of the Green Belt as set out in NPPF paragraph 144. This weighs against the proposal carrying significant weight. Overall therefore, the proposal is considered to balance negatively in relation to environmental matters.

## **9.110 ECONOMIC SUSTAINABILITY**

9.111 As part of the submitted information it is stated that there will be 6 employees at the crematorium; 4 full time and 2 part time, therefore there is some economic long term benefit. It is also anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.

## **9.112 Conclusion on Economy Issues**

9.113 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

9.114 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

## **10.0 PLANNING BALANCE & CONCLUSION**

10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development.

10.2 The site lies within an area designated as Green Belt in the Core Strategy and UDP, whereby national local policies crematoria development is by definition harmful to the Green Belt. Great weight must therefore be attached to this harm. Consent should not be granted unless the benefits of the proposal clearly outweigh the harm to the Green Belt and another harm. It is only if that test is met that the necessary very special circumstances exist to grant consent.

10.3 Whilst this application is considered on its individual merits, it has also been necessary to consider two other crematoria applications concurrently on account of the exceptional circumstance of having three applications for this rare form of development that all seek to meet the same need. An independent external consultant has established that there is a clear and expected need for another crematorium within the borough which could be met by any one of the 3 proposed application sites. The consultant's report advises that developing Barnby Dun, not Brodsworth or Conisbrough would bring the greatest impact on the current over capacity at Rose Hill. Therefore neither the Brodsworth site nor the Conisbrough site are considered suitable alternative sites that would outweigh Green Belt policy. As such the application at Barnby Dun is recommended for approval.

10.4 In the assessment of any residual need, the external report concludes that by developing any one of the 2 Green Belt sites would make the Barnby Dun site unviable therefore providing no issue of need that would count as very special circumstances to outweigh development in the Green Belt. The harm to the Green Belt by virtue of inappropriateness therefore carries substantial weight and as such the application is contrary to both local and national Green Belt policies.



- 10.5 A Landscape and Visual Impact Assessment (LVIA) has been submitted, and which has been assessed by the Council's external consultant which concludes that there will be some impact on openness of the Green Belt. This therefore carries substantial weight against the proposal. Nevertheless the applicant does disagree with the council's consultant's conclusions.
- 10.6 The Transport Statement shows that the site can accommodate the extra traffic generated particularly when considering the mitigation measures highlighted as part of the TA. The ecological value of the site has been assessed and will be able to provide 10% net gain and this weighs moderately in favour of the application.
- 10.7 There are potential archaeological implications on the site and as such the South Yorkshire Archaeology Service (SYAS). SYAS recommend that the necessary investigation can be secured by attaching a condition for a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation.
- 10.8 A landscape scheme and a landscape strategy has been submitted to accompany the application. The main constraint to the site is the removal of a large section of hedgerow on the eastern boundary of the site for the required site lines for the proposed access. Although the Council's Trees and Hedgerows officer initially suggested moving the access, on discussion with the highway Officer this has been amended previously and agreed with the applicant. As such has advised he would not support moving it as this could be hazardous on account of the land levels and the bend in the road.
- 10.9 Overall, mitigation via conditions for tree protection fencing, and a hard and soft landscape scheme to be submitted and agreed will render the scheme in accordance with local plan policy.
- 10.10 The positive impact on the quantitative need for a new crematorium in neighbouring authorities is given moderate weight.
- 10.11 The benefits of the scheme do not clearly outweigh the harms to the Green Belt and any other harms and so very special circumstances have not been demonstrated. Overall, on account of the above balancing exercise, the proposal is recommended for refusal.

## **11.0 RECOMMENDATION**

### **11.1 REFUSE PLANNING PERMISSION** for the following reasons:

1. The proposal represents inappropriate development in the Green Belt for which very special circumstances have not been demonstrated. The proposal is therefore contrary to Doncaster Core Strategy (Adopted May 2012) Policy CS 3, Doncaster Unitary Development Plan (Adopted July 1998) Policies ENV 2 and ENV 3 and paragraphs s 143-145 of the National Planning Policy Framework (2019).

**The above objections, consideration 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**

# APPENDIX 1: Proposed Site Layout



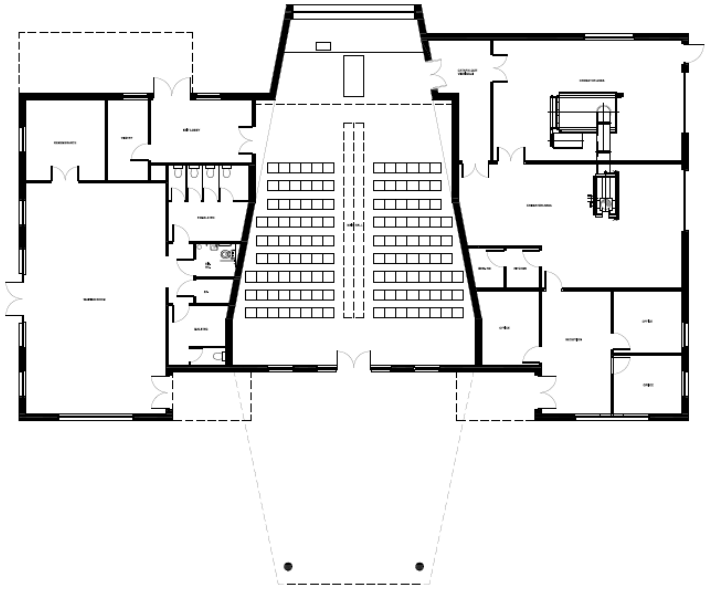
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| <p><b>1 Access Avenue</b><br/>A tree lined avenue with native hedgerow guides visitors into the site whilst providing a gentle visual screen of the memorial gardens from the access road.</p> <p><b>2 Memorial Terraces</b><br/>Three terraces step down towards the building, using local dolomite stone. The stone retaining walls define each memorial space allowing for places of private reflection and natural screening from the road. The southern facing aspect and walls provide a sheltered space and unfiltered views over the countryside.</p> <p><b>3 Reflecting Ponds</b><br/>Two reflecting ponds form a connection between both sides of the building. The southern pond will be a natural pond with native reed and wetland planting and will link with the sustainable drainage design. The northern pond is set in a formal paved space with garden and seating.</p> <p><b>4 Native Woodland</b><br/>Native woodland will be planted to extend and enhance the existing adjacent woodland. A path through the woodland allows for informal memorialisation and reflection.</p> <p><b>5 Wildflower Meadow</b><br/>A low stone wall and wildflower meadow with informal mown walking paths.</p> <p><b>6 Native Hedge &amp; Woodland Screen</b><br/>Native hedge, woodland and scrub planting form a screen along the eastern and southern boundary.</p> | <p><b>7 Site Entrance</b><br/>Native woodland, native hedging and low shrubs with wildflowers provide a natural buffer from the road as visitors enter the site.</p> <p><b>8 Wildflower Mounds</b><br/>Landscape mounds planted with wildflowers creates a pleasant route through the site enabling easy pedestrian access to the carpark and bus stop. This also creates a subtle visual screen from the access road.</p> <p><b>9 Access Path</b><br/>Paved pedestrian path connecting the crematorium to the bus stop.</p> <p><b>10 Existing Hedgerow</b><br/>To be bolstered and extended with more native hedgerow and tree planting.</p> <p><b>11 Crematorium</b><br/>Proposed crematorium building with angled sedum roof.</p> <p><b>12 Carpark</b><br/>Paved carparks with space for 80 cars.</p> <p><b>13 Carpark Overflow</b><br/>Grass paver cells allow overflow space for 20 cars.</p> <p><b>14 Drop Off Zone</b><br/>Two areas to drop off visitors prior to parking.</p> <p><b>15 Accessible Parking</b><br/>Five accessible parking spaces close to the building entrance.</p> |
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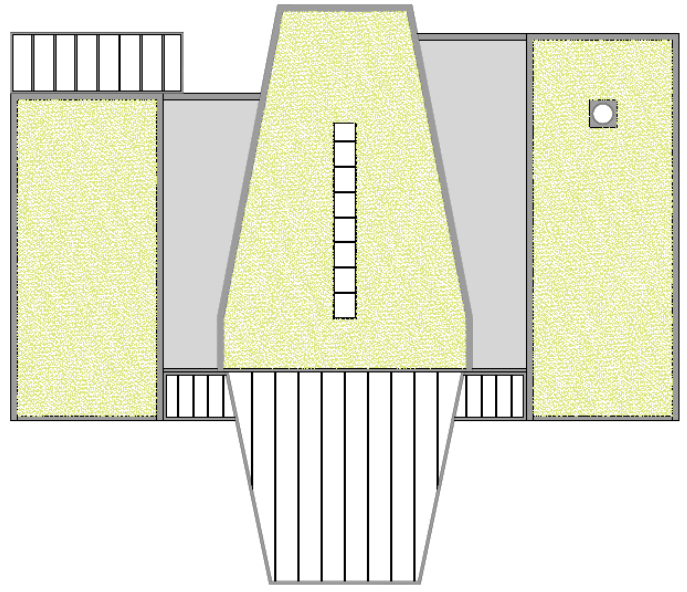
**APPENDIX 2: Proposed 3D visualisation**



# Appendix 3: Proposed Floor Plans

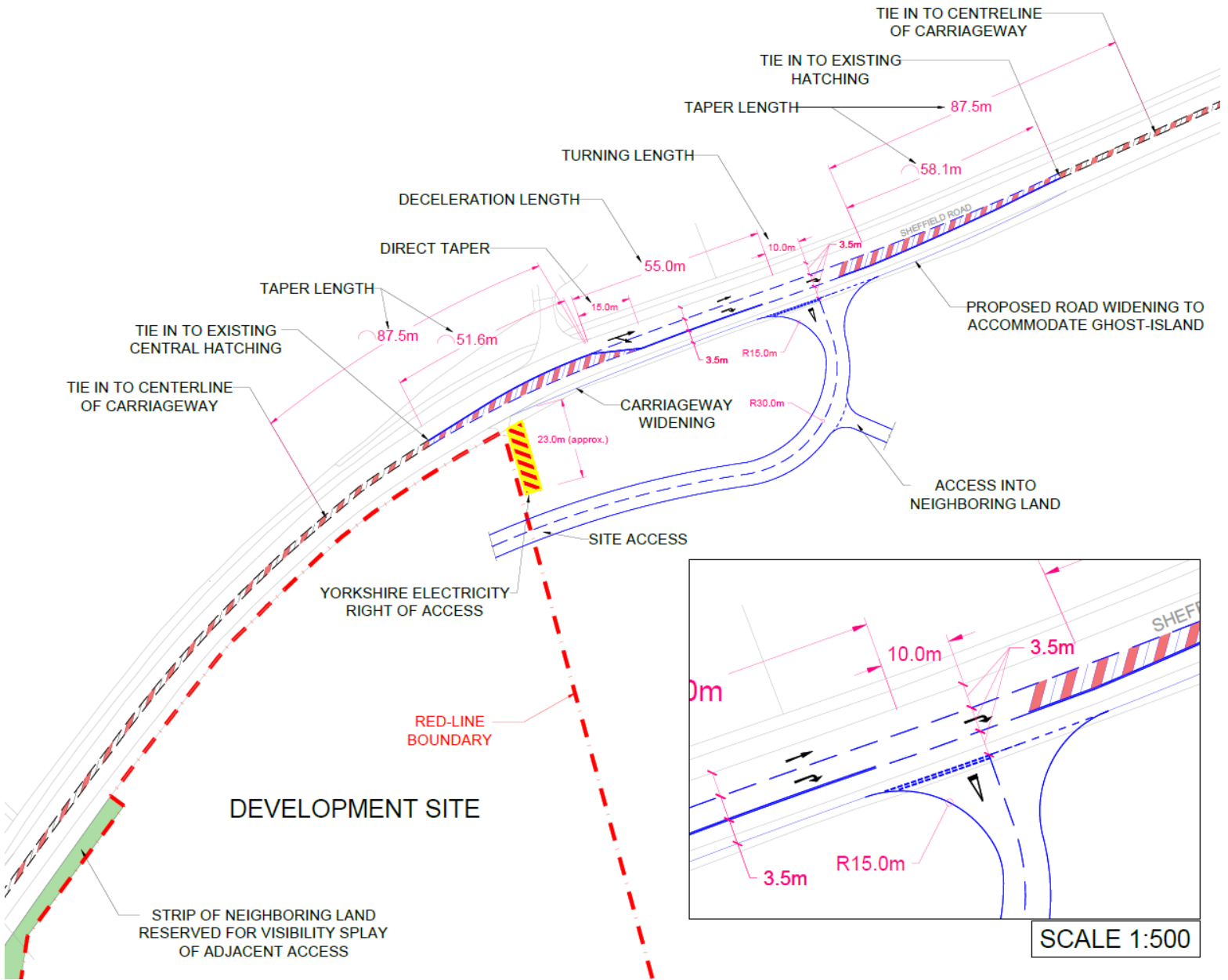


GROUND FLOOR PLAN AS PROPOSED 1/100



ROOF PLAN AS PROPOSED 1/100

# Appendix 4: Proposed Access Arrangement



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