

<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;

<b>Application Reference</b>	<b>Proposal</b>	<b>Decision</b>
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

### 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, 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 mains 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 2: Proposed 3D visualisation

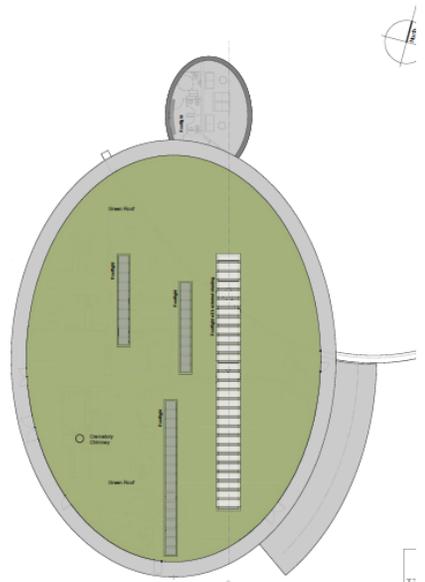
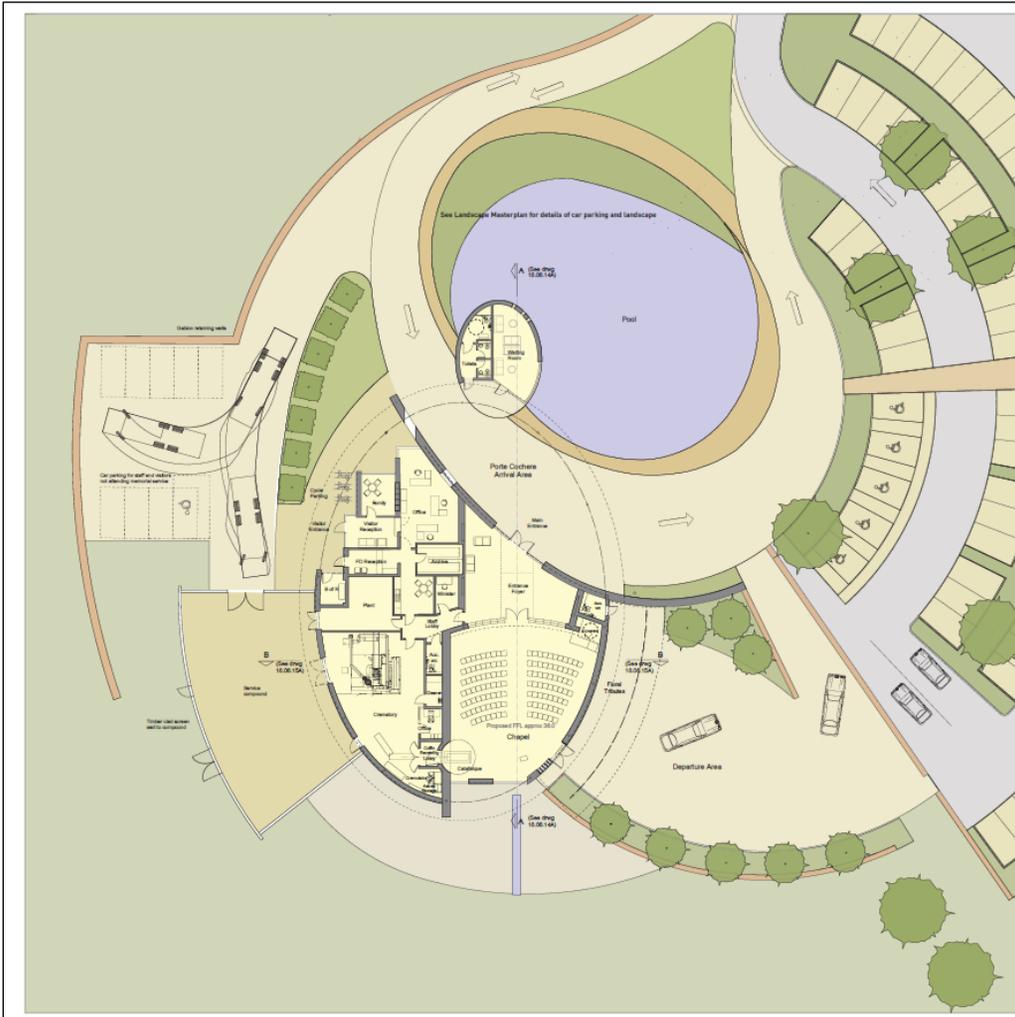


Approach road from Green Lane, looking south





# APPENDIX 4: Elevations and Floor Plans



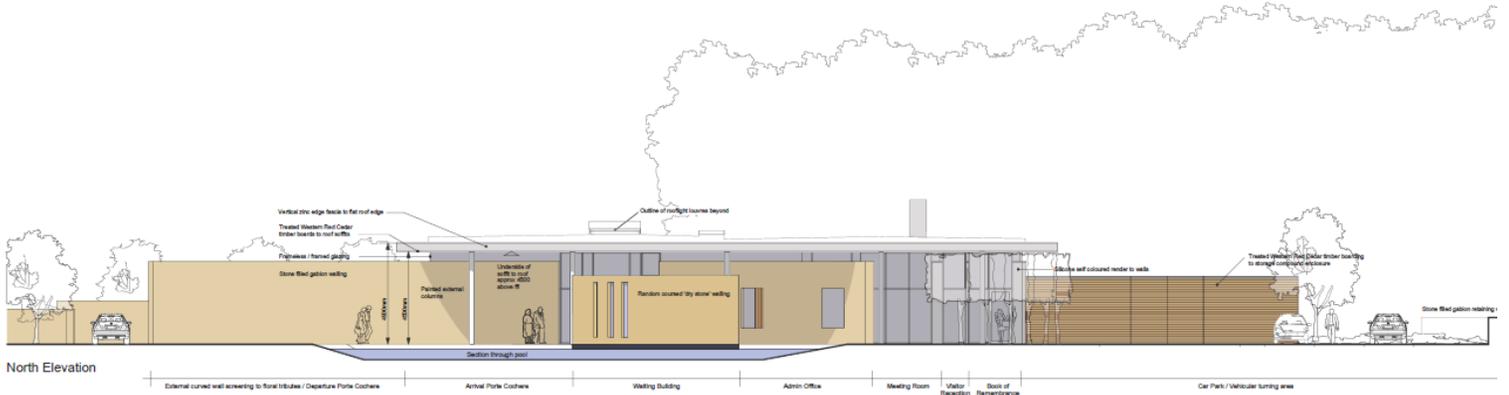
Roof Plan



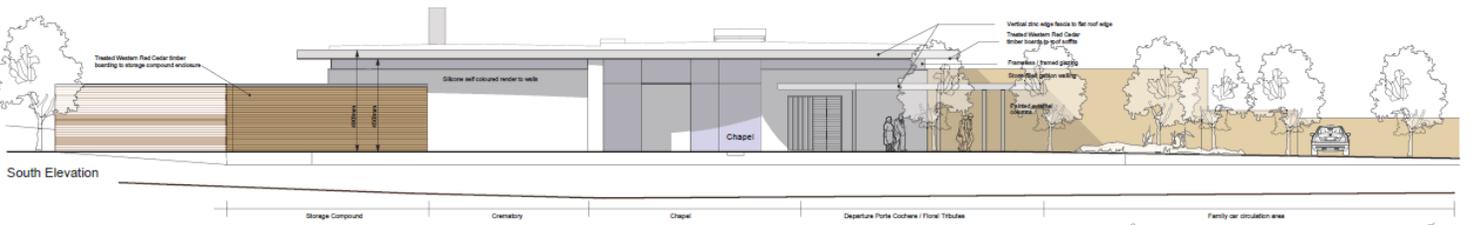
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# APPENDIX 4: Elevations and Floor Plans

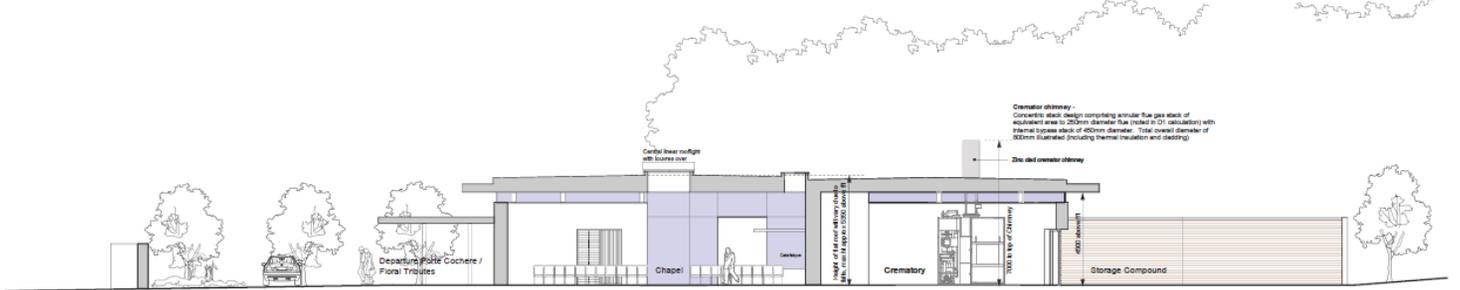
## North-South Elevations



North Elevation



South Elevation



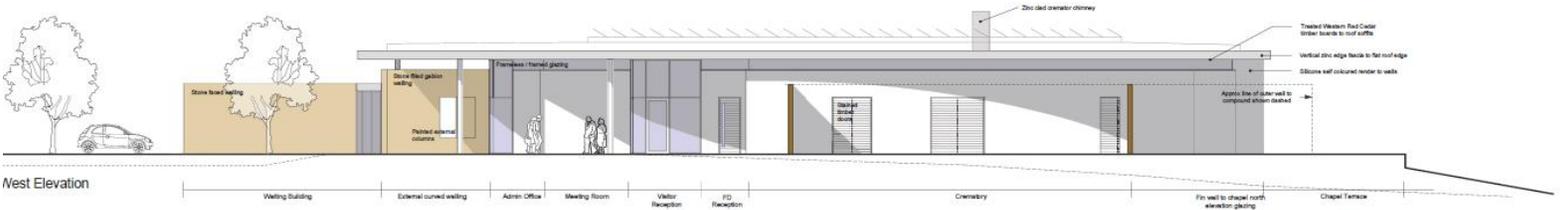
Transverse East / West Section B-B through Chapel

# APPENDIX 4: Elevations and Floor Plans

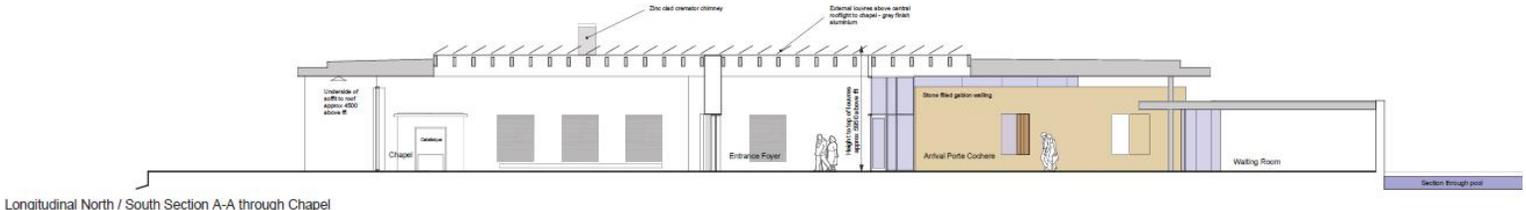
## East-West Elevations



East Elevation



West Elevation



Longitudinal North / South Section A-A through Chapel