

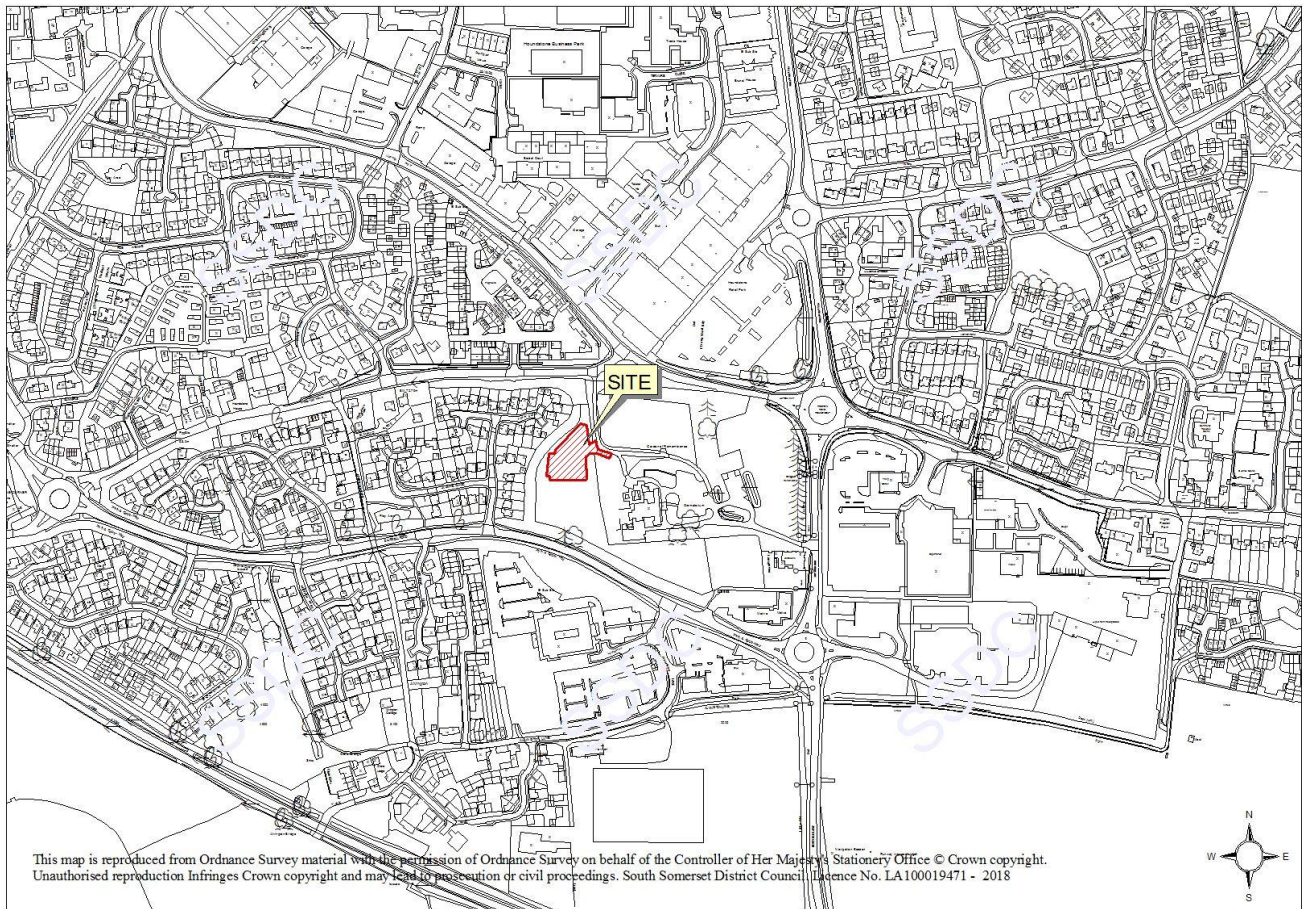
Officer Report On Planning Application: 18/00866/FUL

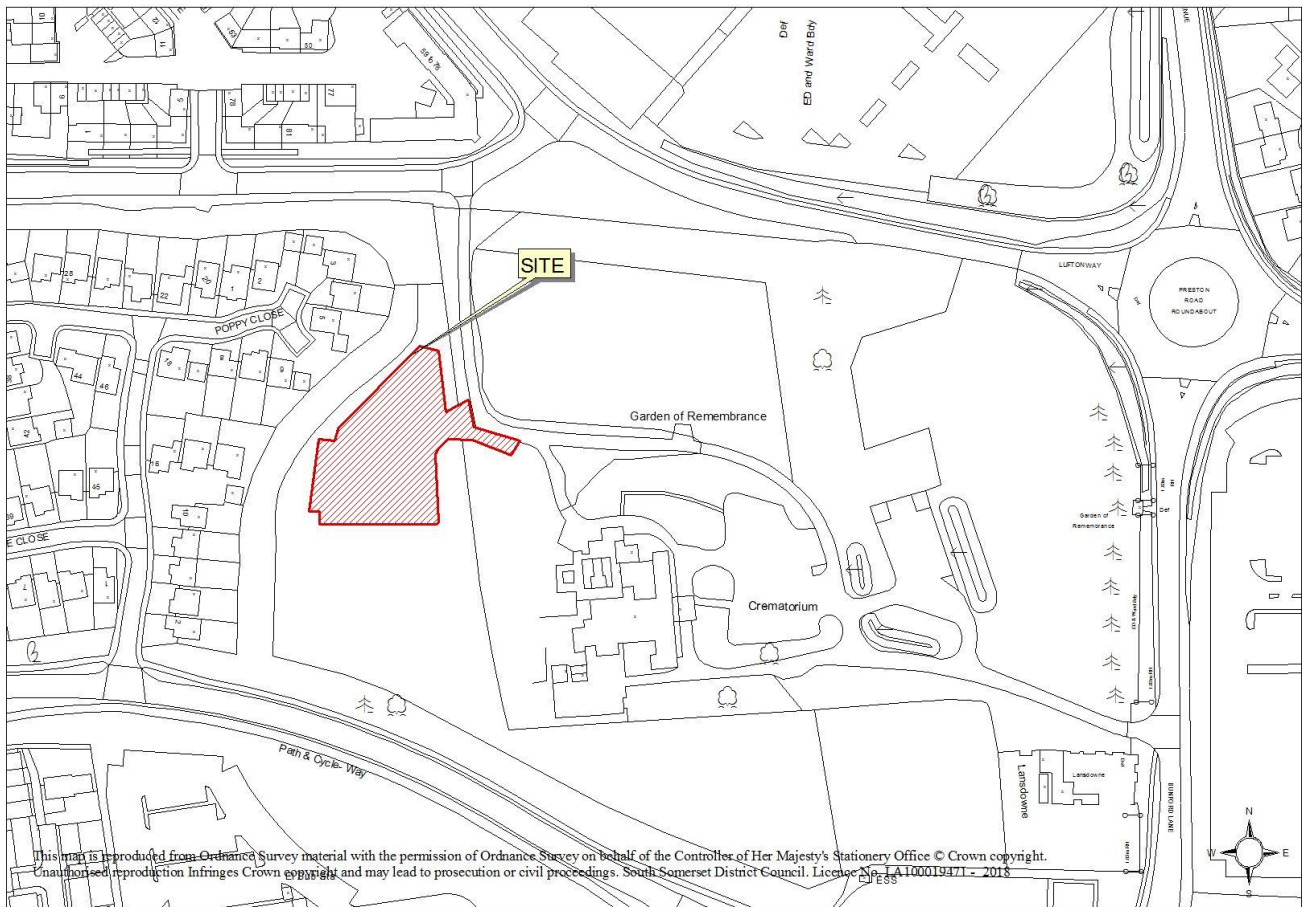
Proposal :	Change of use of land to form overflow car parking area and formation of hardstanding.
Site Address:	Yeovil Crematorium Bunford Lane Yeovil
Parish:	Brympton
BRYMPTON Ward (SSDC Member)	Cllr S Lindsay Cllr P Seib
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	9th May 2018
Applicant :	South Somerset District Council
Agent: (no agent if blank)	
Application Type :	Minor Other less than 1,000 sq.m or 1ha

Reason for Referral to Committee

This application is referred to Area South Committee due to the nature of the proposals and at the discretion of the Lead Specialist for Planning due to SSDC being the applicant.

Site Description and Proposal





The site is located on the Western side of Bunford Lane, opposite the Asda Superstore. There is a current access into the site from Bunford Lane with a one way system and exit onto Preston Road, opposite the Hawks Rise development. A new service road off Bluebell Road, which is located to the south of the crematorium, has recently been constructed under permission 17/02772/R3D. The service area for the crematorium is located to the rear / west of the site.

In detail the proposal seeks permission for the creation of an overflow car park to the west of the site in an area known as 'Poppy Fields'. The proposal will provide an additional 64 spaces, the application advises that this is to alleviate problems that are encountered when there is a large service and vehicles are parked on the existing grassed areas and either side of the entrance road. The application includes the proposed installation of five 5m tall light columns. The proposal will require the removal of 4 trees and includes the provision of additional tree planting to compensate.

HISTORY

Lengthy history over time, but in relation to recent, relevant applications, the following are relevant;

17/02772/R3D - The construction of a new service road. Approved 7/9/2017.

15/02065/R3D - The erection of a new external metal access staircase - permitted with conditions - 23/06/15

00/00597/R3D - The formation of a new exit road - Permitted with conditions - 23/5/00

95/07280/R3D - The installation of replacement cremators, alterations and extensions with associated

works - Permitted with conditions - 01/02/96

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development
SS1 - Settlement Strategy
TA5 - Transport Impact of New Development
EQ2 - General Development
EQ4 - Biodiversity
EQ5 - Green Infrastructure

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment

CONSULTATIONS

Brympton Parish Council

'With regard to the above application, Brympton Parish Council recommends APPROVAL of the application, subject to re-consideration of the proposed lighting. Does the park really need street lights? There are concerns that the proposed lighting may affect residents of nearby Poppy Close & Jasmine Close. If the District Council insist on lighting the car park, why not consider alternatives such as lower level column lights or motion sensitive lighting? Either of these would not be so intrusive as the lighting proposed in the application'

County Highway Authority:

Standing Advice is applicable in this instance

SSDC Highways Consultant:

'The proposed increase in on-site parking for the crematorium would be very significant but I note that it would be phased in as and when demand requires it. It would be preferable for there to be sufficient on-site car parking to meet the needs of the crematorium as opposed to the potential for the parking of vehicles spilling out onto adjoining roads and streets, and therefore, I believe adequate justification exists in this case.'

Tree Officer:

Confirms that the layout has been informed by pre-application advice and subject to the imposition of tree and hedgerow protection and planting conditions advises that the arboricultural impacts of the proposal ought to be negligible.

Ecologist:

'I've noted various wildlife related concerns from objectors. I've visited the site today.

The area has apparently been sown with wildflowers. However, creating a good wildflower meadow is very dependent on soil nutrient status and ongoing management. The site is dominated by coarse grasses, with a limited diversity of wild flower species. It isn't a habitat of any significant nature conservation importance.

Of the various animals quoted, some are species of conservation interest. However, they are also quite mobile species that will depend on a somewhat larger area for their survival. The habitat loss associated with the development is very unlikely to have any significant impacts upon local biodiversity.

There aren't any badger setts present that would be affected by construction works.

I therefore don't consider there are any significant wildlife constraints to the proposed development.'

Environmental Protection Officer

Whilst recognising that the risk of land contamination is low, recommends the imposition of a condition requiring site assessment if the land is found to be contaminated.

MoD:

Has no safeguarding objections to this proposal.

REPRESENTATIONS

Ten letters of objection have been received, making the following comments (summarised):

- o The area is peaceful place for mourners to visit and should be left as such. Ashes may have been scattered in the area.
- o The site has an abundance of wildflowers and wildlife some of which are on the amber endangered list. There are badger setts on or nearby the site. A habitat survey should have been provided.
- o A tree survey should have been provided as trees are to be removed. A number of mature trees were felled on the site within the last year.
- o There is adequate room at the front of the site or closer to the main building for the additional car parking
- o Car park will create noise and pollution for nearby residents
- o Concerned about light pollution from 5 metre column lights and suggest low level lighting and timers
- o Concerned that parking could be used by football fans on match days
- o The area is used more frequently than stated in the application.
- o There are memorial benches in the area and the relevant people should be notified of the proposal.
- o The application contains errors with regard to proposed number of parking spaces; clarity is required as to numbers and phasing.
- o Query the process for neighbour notification, site notice and date at which the Parish Council considered the application.
- o Concerned that there is no apparent link to the proposed extension plans for the crematorium or the Western Corridor road development programme.
- o Removal of boundary greenery will impact on the privacy of mourners and local residents.
- o If permission is granted conditions should be imposed with regard to landscaping/lighting scheme/drainage scheme.
- o Suggest that in the interests of transparency and collaborative working the District Council should have considered a strategic plan encompassing the new service access, tree felling, car park and proposed refurbishment and construction of new 160 seater chapel.

CONSIDERATIONS

Principle

The site is within the defined development area of Yeovil and the car park is to support the existing facility as such it is considered that the development can be supported in principle.

Visual Impact / Trees

The proposal will require the removal of a small number of trees to provide the roadway into the site. Therefore, the application was subject to pre-application discussions with the arboricultural officer who visited the site and provided advice about the protection of the most important trees within the site. The layout has been drawn up to take account of the arboricultural officer's comments and ensures that the best specimen trees on the site will be protected as a result of the development. The arboricultural officer accepts that some smaller trees will need to be removed as a result of the development but considers that the overall arboricultural impacts of the proposal ought to be negligible.

The arboricultural officer recommends the imposition of a condition to ensure that retained trees and hedgerow are to be protected along with a condition to require the submission of a scheme of tree and shrub planting.

As such the proposals comply with Policies EQ2 and EQ4.

Residential Amenity

The nearest residential properties are in Jasmine Close and Poppy Close which are separated from the site by a mature hedgerow.

Whilst the concerns of the local residents with regard to noise and pollution are noted, it is not considered that the application could reasonably be refused on the basis that the application would have an unacceptable impact upon residential amenity given that the car park would only be used when the crematorium grounds are open (8.30am - 6.00pm 1st April - 1st October, 8.30am - 5pm at all other times, 7 days a week); this can be secured through the imposition of a condition.

In terms of the proposed lighting columns, it has been confirmed that these will be controlled by a timer and light sensor and the use of LED lamps will reduce light spill. This can also be secured by way of a planning condition.

With regard to the site boundary, there are no plans to remove any trees or hedging from the shared boundary; the trees to be removed are further into the site. As such, the existing boundary treatment will be retained to ensure appropriate screening for neighbouring properties. A condition is recommended by the arboricultural officer to ensure that retained trees and hedges will be protected through the course of construction.

In the circumstances, due to the nature and extent of the proposals, it is not considered that the creation of car parking would result in demonstrable harm to neighbouring residential amenity and the proposal therefore complies with Policy EQ2.

Highways

The County Highway Authority have advised that standing advice is applicable in this instance, however, it should be noted that the County Council's parking standards do not include any guide as to the appropriate provision of parking for a crematorium. Therefore, the Highways Consultant has considered the proposals and advised that whilst this proposal would represent a very significant

increase it is preferable for there to be sufficient on-site parking to meet the needs of the crematorium as opposed to ad-hoc parking around the site and area. In the circumstances, the Highways Consultant believes that adequate justification exists for the proposal. In terms of traffic movements, it is not considered that the proposal will not result in any significant increase in movements as the parking is required to meet existing need.

Therefore in principle the proposal is considered to comply with Policy TA5.

Ecology

Due to the concerns expressed by local residents the ecologist has visited the site to assess the potential impacts upon ecology. The ecologist has advised that the site is dominated by coarse grasses with a limited diversity of wild flower species and as such the ecologist does not consider that the habitat is of any significant nature conservation importance. With regard to the animals referred to by the objectors as being present on the site, the ecologist advises that some are of conservation interest, however, they are also quite mobile species that depend on a larger area for their survival. The ecologist confirms that there are no badger setts present that would be affected by construction works. The ecologist advises that the habitat loss associated with the development is very unlikely to have any significant impacts upon local biodiversity and therefore he does not consider that there are any wildlife constraints to the proposed development.

Therefore in principle the proposal is considered to comply with Policy EQ4.

Other matters

The detailed concerns of local residents have been carefully considered and the main issues are dealt with in the report above. However, the following additional points can be addressed:

Use of parking by football fans - It is not considered likely that this would be a major issue but the Crematorium would be able to introduce appropriate measures to prevent unauthorised parking on match days.

Notification of application - 16 residents were notified of the application and given 21 days in which to comment upon the application. In addition, a site notice was displayed at the front entrance to the site and an advert was also placed in the local newspaper. Arrangements for the notification by the Parish Council are not a matter upon which the Local Planning Authority can comment. With regard to notification of families that have memorial benches within the site, it has been confirmed that the Crematorium Manager will be contacting all those affected.

Future plans for site - Whilst it is considered preferable that a comprehensive scheme be submitted, this application does have to be considered on its own individual merits as it is to meet an existing need rather than future need. It is understood that a public consultation regarding the proposals for the new chapel and refurbishment of the existing buildings is to take place shortly.

Phasing of development

The application documentation mentions that the development may be phased but it is not considered that this should be a requirement of any planning permission as the development is not of such size as to require formal agreement of its phasing.

Inaccuracies in application

These have been addressed through the submission of additional information.

Requirement for wildlife/tree surveys

Both the Ecologist and the Arboricultural Officer have visited the site and assessed the potential

impacts of the development Neither have deemed it necessary to provide additional surveys due to the limited impact of the development upon local biodiversity and trees.

Alternative sites

SSDC's Senior Building Surveyor has advised that the location for the proposed overspill car park was chosen for two reasons, firstly so that the parked cars will be screened from the remainder of the Crematorium, i.e. if the area on the right hand side of the entrance was chosen the cars would be very visible to those attending services and secondly the area chosen is much closer to the proposed new chapel which will be capable of holding more mourners.

CIL

This development is not CIL liable.

Conclusion

The proposal will provide additional parking to meet current needs, is not considered to result in demonstrable harm to residential or visual amenity and the impact upon existing planting is deemed to be acceptable. Accordingly, the proposal is considered to comply with policies SD1, SS1, TA5, EQ2, EQ4 and EQ5 of the Local Plan and is as such recommended for approval.

RECOMMENDATION:

That application reference 18/00866/FUL be approved:

01. The proposal will provide additional parking to meet current needs, is not considered to result in demonstrable harm to residential or visual amenity and the impact upon existing planting is deemed to be acceptable. Accordingly, the proposal is considered to comply with policies SD1, SS1, TA5, EQ2, EQ4 and EQ5 of the Local Plan and is as such recommended for approval.

SUBJECT TO THE FOLLOWING:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250; Drawing No.'s 1379-10 and AS/114-02

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The car park hereby approved shall only be used when the crematorium grounds are open:
8.30am - 6.00pm between 1st April - 1st October; and
8.30am - 5pm at all other times.

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

04. Prior the first use of the car park hereby approved details of how the lighting shall be controlled (to include light sensors and timer to restrict lighting to crematorium opening times) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and there shall be no change to the details without the prior written consent of the Local Planning Authority

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

05. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

06. Prior to commencement of this development details of the proposals for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details.

Reason: To ensure that the development is appropriately drained.

07. Prior to commencement of this planning permission, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including protective fencing and signage; shall be prepared in-writing and submitted to the Council for approval. Upon approval in-writing by the Council, the scheme of tree protection measures shall be installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by a representative of the Council (to arrange, please call 01935 462670) and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing/signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

08. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of tree and shrub planting. Such a scheme shall confirm the use of planting stock of UK-provenance only, the planting locations, numbers of individual species, sizes at the time of planting, details of root-types or grafting and the approximate date of planting. The installation details regarding ground preparation, staking, tying, strimmer-guarding and mulching shall also be included in the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.