

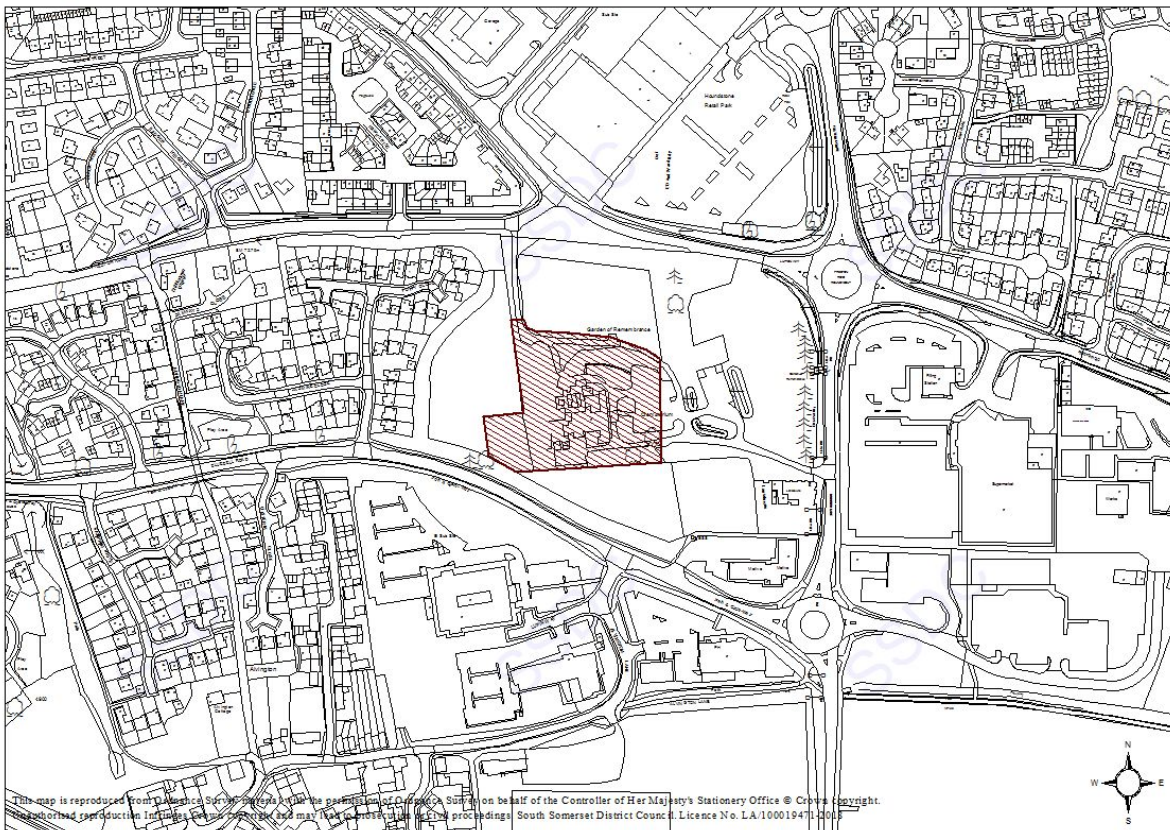
## **Officer Report On Planning Application: 18/02019/FUL**

<b>Proposal :</b>	Refurbishment of the existing crematorium building to include improvements to the external envelope and facade as well as new porte-cochère. Development of a new second chapel and subsidiary spaces. Relocation of chapel of remembrance to existing floral tributes area. Enhancements to surrounding amenity spaces.
<b>Site Address:</b>	Yeovil Crematorium Bunford Lane Yeovil
<b>Parish:</b>	Brympton
<b>BRYMPTON Ward (SSDC Member)</b>	Cllr Sarah Lindsay Cllr Peter Seib
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date :</b>	25th September 2018
<b>Applicant :</b>	South Somerset District Council
<b>Agent: (no agent if blank)</b>	Harry Avis Kendall Kingscott Ltd Glentworth Court Lime Kiln Close Bristol BS34 8SR
<b>Application Type :</b>	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 (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. The existing crematorium was constructed in the 1970s and consists of a traditional brick and block construction with aluminium roof deck and fibre cement panel down-stands. A number of alterations and extensions have been made to the existing building and surrounding site since first built. 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 and an overflow car park is currently under construction in accordance with permission 18/00866/FUL.

The application seeks consent for the erection of a second chapel to allow for more and larger services, the relocation of the chapel of remembrance and the upgrading of the existing building and a new entrance feature (porte cochère.). The development will also include redesign of external spaces and landscaping around the buildings. The second chapel and chapel of remembrance are to be situated to the east of the existing chapel (facing Bunford Lane). The internal rearrangements include the provision of improved facilities for mourners (toilets and waiting areas) and staff with the existing chapel decreased in size to allow for smaller services.

The application is supported by a: Design and Access Statement; Drainage Report; and Ecological Appraisal.

## HISTORY

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

18/00866/FUL - Change of use of land to form overflow car parking area and formation of hardstanding. Approved 11/06/2018

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, and 12 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  
TA6 - Parking Standards  
EQ2 - General Development  
EQ4 - Biodiversity  
EQ5 - Green Infrastructure

National Planning Policy Framework  
4. Decision-making  
12. Achieving well-designed places  
15. Conserving and enhancing the natural environment

National Planning Practice Guidance  
Design  
Natural Environment  
Somerset County Council Parking Strategy (March 2012)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

## **CONSULTATIONS**

Brympton Parish Council

Recommends approval of the application.

County Highway Authority:

Standing Advice is applicable in this instance

SSDC Highways Consultant:

*'No highways issues - no objection. '*

Tree Officer:

Has no objection to the removal of the two trees located within the footprint of the development as neither tree has arboricultural values of sufficient quality to constrain the proposal, subject to the planting of some new trees. He recommends the imposition of a condition requiring details of the tree and shrub planting to be submitted.

Ecologist:

No objection subject to the imposition of a condition requiring full details of a bat mitigation plan given that bats have been recorded roosting behind the building cladding. Also advises that as the development will result in the destruction of a bat roost the relevant report will need to include an assessment against the three Habitats Regulations tests.

Senior Historic Environment Officer:

*'As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.'*

Environmental Protection Officer:

Recommends the imposition of a condition requiring site assessment if the land is found to be contaminated.

Wessex Water:

No objections.

Local Lead Flood Authority:

Originally queried why surface drainage features had not been used on site. The agent has advised that there are space constraints that mean underground cellar storage is the most effective solution on the site. The LLFA has therefore indicated that they are content with the proposals subject to the imposition of a surface water condition.

MoD:

Has no safeguarding objections to this proposal.

**REPRESENTATIONS**

None received (25 local residents were notified, a site notice display and an advert placed in the local newspaper).

**CONSIDERATIONS**

Principle

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

## Visual Impact / Trees

The proposals have come about as a result of the District's Council's plans to refurbish and redevelop the site as the current facilities are considered to be outdated and not able to meet current or future demand. The proposals allow for the updating of the existing chapel and public areas with the provision of significantly improved toilets and waiting area along with improvements of staff facilities. The provision of a new chapel is to provide space for larger congregations with the relocation of the chapel of remembrance to the front of the site (to improve the flow of visitors and funeral congregations). The proposals include the external upgrading of the existing building with a new covered entrance (porte cochère).

The new chapel is to be constructed in materials that will complement the existing buildings but has been designed in order to ensure that it is a focal point for the site with a roof design that adds significant interest whilst remaining at a height that is lower than the existing crematory chimneys.

The agent's advise that *'The chapel's 'folded plate' roof is intended to be read as an over sailing detail expressing the roof form. As the other new roof form, the porte-cochère shares a language from the main chapel whilst functionally the proposal lifts the portico allowing more light into the unloading area. The newly expressed mass is key in re-presenting the public face of the crematorium. The relating key forms combine to create a new identity to the overall crematorium, transforming all aspects of the public interface.'*

It is considered that the proposals respond appropriately to the site and its context and will make a positive contribution to the area.

In terms of the impact upon the trees within the site, the Arboricultural Officer is content that the trees to be removed are not of sufficient quality as to constrain the development. It is recommended that a condition be imposed to require details of the proposed landscaping at the site as this is a fundamental part of the proposals.

As such the proposals comply with Policies EQ2 of the South Somerset Local Plan 2006-2028.

## Residential Amenity

The nearest residential properties are in Jasmine Close and Poppy Close which are separated from the site by a mature hedgerow and approximately 100m from the existing crematorium. The new build works are to the east of the existing building and therefore even further from the dwellings which are to the west of the site. Whilst it is accepted that there is likely to be some disruption and noise as a result of the works this will be for a temporary period and noise levels and disturbance will have to be controlled as the crematorium will remain open during the course of the works. As such, it is not considered that the proposals will 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. Therefore, SSDC's highways consultant has examined the proposal and advised that he has no objection on highways grounds. As members will recall, permission was recently granted for a new overspill car park and as such there is sufficient car parking on site to serve the development.

In terms of traffic movements, neither the County Highway Authority nor the highways consultant has raised any concerns about the levels of traffic that will be generated by the development. It is noted that as part of the Western Corridor highways improvement works, motorists will be discouraged from turning right in to the crematorium and will instead access the site from the left hand lane only via the Bunford

Lane roundabout.

Therefore in principle the proposal is considered to comply with Policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

### Ecology

SSDC's ecologist is satisfied with the survey effort and the conclusions of the ecological appraisal that was submitted as part of the application. The ecologist notes that reptile and great crested newts are unlikely to be present at the site and that badgers are unlikely to be significantly affected by the development proposals. Whilst he also notes that bats were recorded behind the cladding of the building these were low in number with relatively common species being recorded. As such, appropriate mitigation will be required and a condition is recommended to deal with this issue.

The ecologist also notes that as the development will result in the destruction of a bat roost it is necessary to assess the application against the three Habitats Regulations tests, which are (in essence):

Test 1. Is the development needed for:

- public health and safety or
- other imperative reasons of overriding public interest incl. those of a social or economic nature or
- preventing serious damage to property?

Test 2. Are there any satisfactory alternatives (resulting in no or at least less risk of harm)?

Test 3. Is there adequate compensation provided to maintain the favourable conservation status of the population of the species?

With regard to the derogation tests (Conservation of Habitats and Species Regulations 2010):

Test 1 - It is considered that the proposal is required for to provide an extended crematorium facility that will meet both existing and future demands and accords with both local and national planning advice/policies. It is considered that the need for a larger crematorium is in the public interest and this outweighs the harm that would be caused.

Test 2 - There are currently no feasible alternative sites as the proposal is for the expansion of the existing facility and a new facility would be likely to have significantly greater impacts.

Test 3 - SSDC's ecologist concludes that favourable conservation status is likely to be maintained due to the presence of only low numbers of bats, of species (common and soprano pipistrelles) that are relatively common and have a widespread distribution in Somerset, and the securing of appropriate mitigation and compensation by condition.

In summary, the ecologist has thoroughly considered the potential ecological impacts of the development and has no objection to the proposal subject to the imposition of a condition to secure appropriate mitigation.

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

### Other matters

#### CIL

This development is not CIL liable.

## Environmental Impact Assessment

The proposal is not subject to the Environmental Impact Assessment Regulations 2017

### Conclusion

The proposal will provide much needed additional accommodation for the existing crematorium to ensure that the facility can meet existing and future demand. The design has been very carefully considered and responds well to the site context. It is not considered to result in demonstrable harm to residential or visual amenity, highway safety or biodiversity. Accordingly, the proposal is considered to comply with policies SD1, SS1, TA5, TA6, EQ2, EQ4 and EQ5 of the Local Plan and is as such recommended for approval.

### **RECOMMENDATION**

Approve

01. The proposal will provide much needed additional accommodation for the existing crematorium to ensure that the facility can meet existing and future demand. The design has been very carefully considered and responds well to the site context. It is not considered to result in demonstrable harm to residential or visual amenity, highway safety or biodiversity. Accordingly, the proposal is considered to comply with policies SD1, SS1, TA5, TA6, EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006-2028.

### **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: as set out in Schedule of Drawings received from the agent via email on 10/8/2018.

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

03. No building operations above damp proof course level of the development shall take place until details of the materials to be used in the construction of the external surfaces (doors/windows/stonework/render/brick/roof finish) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to accord with policy EQ2 of the South Somerset Local Plan.

04. 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 Policy EQ7 of the South Somerset Local Plan (2006 - 2028).

05. No development shall take place until details of the proposed surface water drainage scheme for the site incorporating sustainable urban drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved statement prior to the use of the building commencing. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the principles of sustainable urban drainage are incorporated into this proposal and such approved details must be implemented throughout the lifetime of the development.

06. No building operations above damp proof course level of the development shall take place until a scheme of tree and shrub planting has been submitted to and approved in writing by the Local Planning Authority. 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 first use 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.

07. No building operations above damp proof course level of the development shall take place until a scheme showing the proposed hard landscaping for the site (including proposed materials) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to accord with policy EQ2 of the South Somerset Local Plan.

08. The development shall not commence (including any demolition) until there has been submitted to and approved in writing by the Local Planning Authority, full details of a Bat Mitigation Plan detailing timing restrictions and protective measures to avoid, mitigate and compensate for harm to bats and their roosts. The works shall be implemented in accordance with the approved details and timing of the mitigation plan and method statement, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.



Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

**Informatives:**

01. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged. However, the information required for the Natural England licence application will often also be suitable for submission to the Council when applying for discharge of the relevant condition.