

3/08/2112/FP – Natural cemetery at Harwood Park Cemetery, off Watton Road, Stevenage for W. Austin & Sons Ltd.

Date of Receipt: 22.12.08

Type: Full

Parish: DATCHWORTH

Ward: DATCHWORTH & ASTON

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T12)
2. No burials or land excavations shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the protection of and proper provision for any archaeological remains, in accordance with Government advice set out in PPG16 'Archaeology and Planning' and in accordance with policy BH2 of the East Herts Local Plan Second Review April 2007.

3. Withdrawal of P.D. (Part 2 Class A) (2E21)
4. No external lighting (2E26)
5. Hedge retention and protection (4P06)
6. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Proposed finished levels or contours (b) Means of enclosure (c) Pedestrian access and circulation areas (d) Hard surfacing materials (e) Planting plans (f) Written specifications (including cultivation and other operations associated with plant and grass establishment) (g) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

7. Landscape works implementation (4P13)

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8. Tree Planting (4P15)
9. Details of earthworks/mounding (4P16)
10. Landscape maintenance (4P17)
11. Retention of landscaping (4P21)
12. No burials shall take place below 75m AOD, or 80m AOD for embalmed bodies. There shall be no double depth burials and no burials in saturated ground.

Reason: The site lies on a major aquifer in a Source Protection Zone 3 around a potable public water abstraction borehole, and sufficient depth of unsaturated zone is needed to prevent pollution of groundwater in accordance with Policy ENV20 of the East Herts Local Plan Second Review April 2007.

13. No more than 50 burials per year shall take place within the application site as edged in red on drawing 45705X/1000.

Reason: To prevent the pollution of groundwater in accordance with Policy ENV20 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL)

Summary of Reasons for Decision:

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies GBC1, GBC12, GBC14, ENV1, ENV2, ENV10, ENV11, ENV20, ENV21, ENV23, BH1, BH2, BH3 and IMP1. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract and comprises 4ha of agricultural land to the east of Harwood Park Crematorium. The site

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lies on the southern edge of Stevenage, just south of Bragbury End, and 1km northeast of Knebworth. The site adjoins the railway line which lies to the north on a raised embankment with mature tree screening. Dwellings immediately beyond (under Stevenage Borough Council) are not visible from the site. There are wider open views to the south and east, but no public footpaths or bridleways in the vicinity of the site.

- 1.2 The application proposes to change the use of this land to a natural cemetery, for those seeking an alternative to the traditional grave. The land will be landscaped to provide a mix of woodland areas, open meadow areas, a pond, memorial tree plots, and defined pathways for visitors. It is proposed that the planting will take place over a period of five to ten years as the burial ground develops. An area of meadow, woodland and some feature trees are proposed to form part of the initial phase, with the pond proposed as one of the last features to be installed. The land currently slopes down to the east and southeast, with a central ditch. Only minor re-grading of the land is proposed to construct the pond.
- 1.3 The site will be accessed along an established Chestnut Avenue through an existing field access. The gravel driveway will be extended and a turning area provided within the site; however vehicular access will be restricted only to hearses. Public vehicles will be parked in the existing parking area. There will be no direct vehicular access to a grave; coffins will have to be carried from the main driveway.
- 1.4 Graves are proposed to be identified by simple markers of wood, or similar biodegradable material, which over time will form part of the natural environment. Families will also be encouraged to select wooden coffins manufactured from sustainable sources, or materials such as willow and bamboo. The disposal of cremated remains is also proposed to take place within the natural cemetery, either buried in a plot, or scattered in a designated scattering area.

2.0 Site History

- 2.1 Outline permission was originally granted for the Crematorium on appeal in 1993 (3/92/0716/OP), following a public inquiry. Subsequent details were then approved in July 1995 (3/95/0347/RP).
- 2.2 A similar application for a natural cemetery in this location (3/07/1947/FP) was withdrawn in 2007 following objections from the Environment Agency. Permission had previously been granted for a natural cemetery in 1998 (application number 3/98/1817/FP) on land to the south of the Crematorium; however it is not clear whether this permission was ever implemented. It is therefore important to consider the cumulative implications if both the 1998

approved scheme and the proposed scheme were both to be completed. A later application (3/00/1815/FO) agreed a variation to conditions 2 and 3 of permission 3/98/1817/FP related to a programme of archaeological work.

3.0 Consultation Responses

- 3.1 County Archaeology advise that archaeological excavations carried out in the 1990s prior to the construction of the crematorium located nationally important evidence of Late Neolithic/Early Bronze Age occupation in the form of numerous pits, post-holes, ditches and gullies. Several of these features contained pottery, including two later Beaker (c1800-1400 BC) vessels and other pottery that may represent ceremonial deposition. Later Bronze Age/Early Iron Age occupation was also identified over much of the site.
- 3.2 In addition, the site is of very substantial size and there is no evidence to suggest that it has been subject to disturbance in any form in the past, other than agricultural activity. Any archaeological remains present may therefore, potentially, be well preserved. A condition to require a programme of archaeological work is therefore recommended as the proposed development is such that it is likely to have an impact on significant archaeological remains.
- 3.3 County Highways do not wish to restrict the grant of permission. This revised application for an extension to the cemetery to provide a natural burial ground will not significantly impact upon highway safety or capacity. The site is established as a crematorium and cemetery, and access is perfectly adequate and sufficient on-site parking and manoeuvring area exists. There is a footway leading to the site from Stevenage and a bus service, albeit limited, passing the site.
- 3.4 The Environment Agency advise that the proposed development will only be acceptable if the measures detailed in the 'Extended T1 Study' dated December 2007 submitted with this application are implemented and secured by way of a planning condition. The site lies on a Major Aquifer in a Source Protection Zone 3 around a potable public water abstraction borehole. There needs to be sufficient depth of unsaturated zone to prevent pollution of the groundwater.
- 3.5 The Council's Landscape Officer has no fundamental objection to the creation of a natural cemetery here, or with the basic ideas and concept behind the proposals; however he considers there are a number of unaddressed key design and management issues which need to be resolved, set out below.

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- 3.5.1 The submitted drawings fail to illustrate how the development relates to its surroundings or how it will integrate into the wider landscape setting. The introduction of woodland areas is fine, but the development would be more cohesive if enclosed by a woodland boundary.
- 3.5.2 Topography – The current layout does not defer sufficiently to the topography of the site. For example, the access drive and turning area would need to be graded or cut into the slope, and this is not apparent from the drawings.
- 3.5.3 Implementation – The submitted information states that “the planting will take place over a period of five to ten years as the burial ground develops, and that the site will be developed in small phases”. It is recommended, however, that boundary and other structure planting be planted as part of the initial phase to ensure that the envisaged appearance of the finished scheme will be met.
- 3.5.4 Circulation – There are no clear proposals for footpaths or pedestrian circulation shown on the drawing. A circular or meandering network of paths may be appropriate, and this needs to be planned and integrated at the outset, with consideration taken into account for planting and wildlife.
- 3.5.5 Water feature – The stated intention is that the pond would be one of the last features to be installed; however it is the Landscape Officer’s view that the pond should be installed at the beginning of construction as it will involve the use of heavy plant and equipment, not suitable for an ‘occupied’ burial ground and after tree planting has taken place.
- 3.5.6 There are no details on the depth or profile of the pond, or aquatic planting. There is lack of information on the purpose, form and function of the ditch.
- 3.5.7 Meadows – The description of ‘open meadow areas’ is rather brief. A wildflower meadow might also be appropriate for part of this scheme; however further dialogue is recommended.
- 3.5.8 Management – There is a whole landscape management and maintenance section missing from the proposals. The design intentions for this scheme will succeed or fail, depending on the quality, scope and implementation of a detailed and comprehensive management plan.
- 3.6 No response has been received from Stevenage Borough Council, Environmental Health, Three Valleys Water, Planning Policy, or the Planning Obligations Unit at County Council.

4.0 Parish Council Representations

4.1 Datchworth Parish Council does not object to the proposal provided the environmental risk is kept low by appropriate conditions. They consider that careful technical consideration has been given to the proposed development over an extended period of time. This has resulted in a number of statements that provide differing undertakings and views. It is also clear from early documents that what is proposed potentially poses a medium to high environmental risk but that this can be reduced to low if the operation of the development is managed appropriately. Several management issues therefore require clarification or securing by condition.

5.0 Other Representations

5.1 The application has been advertised by way of press notice and site notices. Neighbours have not been directly notified as they reside in the Stevenage district; however site notices were displayed along Blenheim Way to the north of the site.

6.0 Policy

6.1 The main policy considerations relevant to this application are East Herts Local Plan Second Review April 2007 policies:

GBC1	Appropriate Development in the Green Belt
GBC12	Agricultural Land
GBC14	Landscape Character
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV10	Planting New Trees
ENV11	Protection of Existing Hedgerows and Trees
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
ENV23	Light Pollution and Floodlighting
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
IMP1	Planning Conditions and Obligations

6.2 Government Guidance is also provided in the following documents:

PPS1	Sustainable Development
PPG2	Green Belts
PPS7	Sustainable Development in Rural Areas
PPG16	Archaeology and Planning
PPS23	Planning and Pollution Control

7.0 Considerations

- 7.1 The determining issues in this case relate to the principle of such development in the Green Belt, impact on the surrounding landscape character, and protection of groundwater.

Principle of Development

- 7.2 The site lies in the Green Belt wherein permission will only be given for appropriate forms of development. Policy GBC1 allows for “essential facilities for cemeteries and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.” This is also in accordance with Government guidance set out in PPG2.
- 7.3 In this case I do not consider that the proposed natural cemetery would harm the openness of the Green Belt, nor will it conflict with the purposes of including land in the Green Belt. The proposal involves extensive tree planting, and as such is considered to enhance the surrounding landscape and visual amenity of the Green Belt. There will be little operational development, only some re-grading to create a pond. On this basis, I consider that the proposal is acceptable in principle in accordance with Green Belt policies.

Landscape Impacts

- 7.4 The site appears to lie within Landscape Character Area 37 ‘Datchworth Settled Slopes’, which is defined as undulating and gently sloping open arable farmland with large blocks of woodland. However, the site also borders Area 40 ‘Bramfield – Datchworth Sloping Farmland’, which includes reference to the crematorium. The crematorium building itself is described as a modern building that stands out in open arable farmland within which there are few other structures.
- 7.5 The Landscape Character Assessment identifies that it may be possible to screen this building in the long term by creating new woodland to the south. The woodlands proposed in this application would be located to the east, but would nonetheless aid screening of the crematorium, and would contribute to wider conservation and biodiversity aims. Overall, therefore it is considered that the proposal would provide some enhancement to the surrounding landscape character, in accordance with policy GBC14.
- 7.6 The Landscape Officer has raised no objection to the principle of the proposal; however a number of details need further consideration and can be dealt with by way of condition. This includes details of the planting, location of proposed woodland, implementation and phasing timetables,

pedestrian circulation areas, and grading of land. A full landscape management plan would also be required by way of planning condition to ensure adequate management of planting for the future.

- 7.7 It is noted that the proposal will result in the loss of 4ha of agricultural land; however it is not possible in this case to accommodate the development on previously developed sites or within an urban boundary. The site is well established as a crematorium and the development will provide for additional wildlife habitats as an overriding sustainability consideration, in accordance with policy GBC12.

Groundwater Protection

- 7.8 The site lies within a Zone 3 groundwater Source Protection Zone (SPZ), and an earlier application was withdrawn due to Environment Agency objections. Subsequent discussions have taken place and extensive soil and ground surveys undertaken, including pit excavations, to assess the risk of pollution from the natural cemetery. The Environment Agency no longer objects to the proposal subject to conditions.
- 7.9 The proposed burial rate (approximately 50 per annum), combined with the morphology and hydrology of the site, would carry a moderate risk to polluting groundwater. However, the soil and ground surveys have identified that this potential risk is moderately low, and can be reduced to negligible levels by mitigation. This includes restricting burials not to take place below 75m AOD (or 80m AOD if embalmed), and not double depth burials or in saturated ground. The Environment Agency also consider it necessary to restrict the number of burials to 50 per year to protect groundwater supplies. Conditions are therefore recommended to ensure these mitigation measures are in place to protect groundwater course in accordance with policy ENV20.

Parking and Access

- 7.10 Vehicular access to the site will remain as existing, off Watton Road. The proposed natural cemetery will be accessed via an existing drive to the east of the crematorium, but restricted for hearses only. Parking provision will remain at the main building, which currently accommodates 80 vehicles on hard standing and overflow for another 80. Highways have raised no objection to the application.

Archaeology

- 7.11 The County Archaeologist has advised that there may be well preserved archaeological deposits present on site, and a condition to ensure that a

programme of archaeological work is therefore recommended. This condition has been worded to require the programme of archaeological work to be undertaken prior to any burials or excavations, rather than prior to the commencement of development because it is noted that elements of landscaping that are proposed may be undertaken in the first phase and will have no effect on archaeological deposits. This wording reflects an earlier application to vary archaeological conditions of permission 3/98/1817/FP (our reference 3/00/1815/FP).

Previous Permission for Natural Cemetery

- 7.12 As set out earlier in this report, permission was granted in 1998 (under reference 3/98/1817/FP) for a natural cemetery, and it is unclear whether this was ever implemented. That permission related to 2.5 ha of land due south of the crematorium (approximately 200m south of the application site), and involved the creation of a woodland cemetery with a new access road parking for 42 no. vehicles, and a new grounds maintenance building. This development is not in place; however works may have been undertaken to part of the access road to keep the permission alive. It is therefore necessary to consider the cumulative effect of the possibility of both natural cemeteries being completed.
- 7.13 The current proposal involves no new building or car parking provision. It is proposed solely as an extension to the cemetery land to be landscaped and maintained as a natural cemetery. Whilst visitor numbers would increase for those visiting graves, the total number of burials/cremations could not increase beyond the capacity of the existing building. With the current provision of 160 no. car parking spaces, this is considered to be acceptable. The 1998 permission included provision for a further 42 no. parking spaces, and as such it is not considered that the completion of both projects would be unacceptable in highway and parking terms.
- 7.14 Further, the cumulative effect on the surrounding landscape is considered to be acceptable and beneficial in visual terms, primarily due to the level of tree planting to provide a buffer and mitigate against the visual impact of the existing crematorium building. It is therefore my Officer view that this proposal would still be considered acceptable if the 1998 permission were implemented.

8.0 Conclusions

- 8.1 Overall it is considered that the proposed natural cemetery is an appropriate form of development in the Green Belt and will benefit the character or appearance of the surrounding landscape. The planting of scattered trees,

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woodland blocks and open meadows is considered to enhance the landscape character and will provide a habitat for wildlife.

8.2 The proposal will also cause no harm to archaeological deposits or groundwater sources, subject to conditions, and is also considered to be acceptable in a highway context.

8.3 The application is therefore recommended for approval subject to the conditions set out at the outset of this report.