

## Report To The Area Hub Planning Committee

<b>Date of Meeting</b>	5 <sup>th</sup> September 2013
<b>Application Number</b>	13/01220/OUT
<b>Site Address</b>	Land North West of The Avenue, Salisbury, SP2 9PS
<b>Proposal</b>	Outline Application for proposed new cemetery with vehicular access from The Avenue (resubmission of S/2012/0815)
<b>Applicant</b>	Persimmon Homes
<b>Town/Parish Council</b>	South Newton
<b>Grid Ref</b>	Easting 411498 Northing 132501
<b>Type of application</b>	Outline Application
<b>Case Officer</b>	Adam Madge

---

### Reason for the application being considered by Committee

A previous application for a cemetery was refused by committee on this site. The Area Development Manager therefore considered it appropriate that members made a decision at committee on this and the alternative application of 13/01223/OUT at Land East of The Avenue rather than dealing with the application under officers delegated powers.

#### 1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be Granted subject to conditions.

Members should note that this application is accompanied by an environmental statement as required under schedule 2 of the Town and Country Planning (Environmental Impact Assessment) England and Wales Regulations 2011 (as amended).

#### 2. Report Summary

The main issues to consider with this application are as follows –

1. Alternatives (and the previous application)
2. Socio economic impact
3. Ecology and Nature conservation
4. Landscape and Visual Impact
5. Agricultural circumstances
6. Transport and Access
7. Air Quality
8. Noise and Vibration
9. Hydrology Drainage and Flood Risk
10. Ground Conditions

#### 3. Site Description

The application site is located to the North of the main Fugglestone Red site allocation in the western corner of the existing New Cut crossroads. The site is adjacent a busy

crossroads at the junction of Snakey Hill, The Avenue and the main A360 Devizes road. Trees surround the site on two sides along The Avenue and Devizes road. To the North of the site is the existing Wessex Water Camp Hill pumping Station.

#### **4. Planning History**

A previous application for a cemetery was considered at this site and was refused on the 22<sup>nd</sup> February 2013 under our reference S/2012/0815. The application was considered at committee and refused for the following reasons –

*1) The proposed cemetery, by reason of its prominent siting in open countryside and the inevitable high visibility of associated development (such as gravestones, the car park and associated storage), would detract from the amenities of the countryside contrary to saved policy C2 of the South Wiltshire Core strategy.*

*2) The proposed cemetery by reason of its siting outside of the Fugglestone Red development template area and outside the development limits of Salisbury is considered to be too remote from the city and limited primarily to servicing by private motor vehicles. It would therefore be an unsustainable form of development contrary to saved policy G1 of the south Wiltshire Core strategy*

This application has now been appealed by the applicant and is due to be heard at hearing in the coming months.

#### **5. The Proposal**

The proposal is a resubmission of the previous application (as above) along with further information detailing in more depth the reasons that the applicants consider this to be a more appropriate site than the site originally earmarked for development in the draft masterplan for the site which went before the planning inspector at the Enquiry in Public into the South Wiltshire Core Strategy.

The application is for the change of use of the existing corner field at the New Cut crossroads to use as a cemetery. It is also proposed to create an entranceway onto the Avenue to serve the cemetery.

#### **6. Planning Policy**

The National Planning Policy Framework (NPPF)

The following saved policies of the Salisbury District Local Plan are considered relevant to this proposal:-

G1- General principles of sustainable development.

G2 General criteria for development.

G9 Planning obligations

D8 Public Art.

CN21 Archaeology

CN22 Preserving archaeological remains in situ

CN23 Requirements for archaeological assessment.

C13 Ecological enhancement.

C12 Protected species.

TR11 Off street Car parking.

The following policies of the adopted South Wiltshire Core strategy are considered relevant to this proposal –

Core policy one Settlement and distribution of growth in South Wiltshire.

Core policy two Allocated sites

Core policy Nineteen Water efficiency and the river Avon SAC

Core policy twenty Pollution and phosphate levels

## **7. Consultations**

### **English Heritage**

No comments, recommend that the application is determined in accordance with National and local guidance

### **Environment Agency**

No objections subject to conditions

### **Highways Agency**

No objections

### **Wiltshire Council Environmental Health**

No objections subject to conditions

### **Wiltshire Council Archaeology**

Does not consider it likely from the results of the trenched evaluation that has already taken place that there will be significant archaeological remains.

### **Wessex Water**

A water main is shown on the existing plans development will not be allowed on top of the existing water main.

### **Wiltshire Highways**

No objections subject to conditions.

### **Wiltshire Landscape Officer**

I have looked over both of the applications for a cemetery in association with the Fugglestone Red development. It is worth noting that during the design development of the Fugglestone Red I have liaised with the applicants landscape architect and the principle of the cemetery to the north west was acceptable in landscape terms. While the proposal to the east is more visually prominent it is clear in both cases that the nature and scale of the development could be mitigated with landscape infrastructure planting. In both cases I would advise that a condition is included for the submission of a detailed landscape masterplan including hard landscape and planting details (which I would expect to have a varied age structure for a more immediate impact and naturalistic effect). I also recommend that a management plan for the site is developed, as cemeteries are valuable Green Infrastructure assets and also offer opportunities for biodiversity and wildlife conservation.

### **Wiltshire Trees Officer**

The trees on the western side of The Avenue, adjacent to the proposed Cemetery site, are a mix of Beech and Pine. They are planted in two distinct lines with the Beech closest to the road and the Pine to the west. The line of Beech are over 3 metres from the roadside.

Considers the direct loss of trees as a result of the access road should be no more than about 10 trees, difficult to estimate the number of additional losses as a result of the visibility splay but given the distances the Beech are presently planted back from the highway, the numbers should be very limited (if any). Requests clarification from the applicant.

The loss of any trees in this area is disappointing but concedes the trees in question are early mature at best and could be replaced quite easily (unlike mature trees). In the tree officers view appropriate replanting throughout the cemetery, in mitigation, could be secured by condition if permission was granted.

In consideration of the above, the impact on the landscape should be limited to views along a small section of The Avenue, directly next to the access road.

### **Wiltshire Council Ecology**

No comments on the application

## **8. Publicity**

### **Wilton Town Council**

Supports the application

### **Salisbury City Council**

Strongly supports the application

Two letters of objection

One letter considers that a cemetery is not appropriate and that we should be considering other greener methods of recycling of bodies such as Alkaline Hydrolysis, freeze drying and composting. Cannot go on forever taking up productive land and burying the problem. There is for instance a swimming pool in Redditch heated by the crematorium. Considers that the application should be turned down as this is an excellent opportunity for Wiltshire Council to lead the way with alternative solutions.

Second letter – Doesn't consider that there is anything different about this application than the last application and that was refused because it was too far out of the city. The sign for entering the city of Salisbury is on the Fugglestone Red roundabout so this proposal is still too far out of the city. Considers that perhaps it should be built in the grounds of the Cathedral closer to the city as there are already bodies there. Or knock down some of the Old decaying buildings around Churchfields and build it there.

### **Salisbury Civic Society**

Having expressed reservations about the proposed cemetery site NW of the Avenue at the time of the first application, the Society now wishes to make an outright objection to the proposal. It believes that the Avenue forms a natural boundary beyond which it would be inappropriate to develop, even for a relatively non-intense use such as a cemetery, which in practice would tend to act as the thin end of a wedge, leading to the likelihood of further

subsequent high intensity development. It would be a clear intrusion into open countryside, in contravention of the S Wilts Core Strategy and Saved Policies. There has been no proper consideration of the landscape issues, and the potentially urbanising effect of such a development over time seems to have been overlooked.

The possibility of a cemetery E of the Avenue, within the original Fugglestone Red footprint as written into the Core Strategy, is now the subject of a different application, and this has influenced the Society to strengthen its stance on the site which is the subject of this application.

## **9. Planning Considerations**

### *9.1 Alternatives*

The alternative to this site (which was shown on the draft masterplan considered by the planning inspector at the Enquiry in Public) is discussed in detail, under planning reference 13/01223/out

### *9.2 Socio Economic Impact*

There is an identified need for a new cemetery to serve Salisbury as the existing cemetery on London road has little capacity within it for further burials. The cemetery on Devizes road was closed to new burials some time ago as there is no space left. There is therefore an established urgent need for a new cemetery in Salisbury to serve the people of Salisbury. Wilton Town council have also expressed an interest in sharing the cemetery because whilst their own cemetery currently has some spare capacity it will not be long before further space is required. Therefore both Salisbury City Council and Wilton Town Council support this application

The applicants have agreed to fund a tarmac road to the formal entrance to the cemetery in accordance with the submitted access plans for the junction and to provide the necessary funding for car parking at the entrance for 20 cars. They have also agreed to increase the public art budget (of the main Fugglestone Red Development) to pay for the new wall to the cemetery as this will include ornamental gates and railings. A water and electricity supply is also proposed. There will be a post and rail fence to the boundaries. These are matters that have been agreed with the city and Wilton council and meet their requirements.

### *9.3 Ecology and Nature Conservation*

An ecology survey has been carried out of the site which did not find significant ecology above that which would be expected to be found in a field of this nature. Natural England were consulted on the previous application and raised no objections to it. As the development of the cemetery is likely to take place over an extended period of time with the gradual increase in graves. Any impact from this development is likely to be spread over a considerable number of years and a cemetery such as this does by its nature often provide areas for wildlife. The councils ecologist states she has no comments to make on this application.

#### *9.4 Landscape and Visual impact*

The previous reason for refusal of the application referred to the impact that the cemetery would have on the surrounding landscape positioned as it is on a high point at the New Cut crossroads. Whilst inevitably there will be an impact on the landscape (as any development would have) It is not considered that this would be unduly significant in that the types of development such as gravestones, car parking etc are all relatively low level the landscape impact is considered acceptable.

This particular piece of land does have a number of mature trees to the boundary particularly on The Avenue where the trees form part of the historic route to Wilton House. These are newer trees than those further down the Avenue and therefore whilst some will have to be removed to create the vehicular entranceway to the cemetery, approximately ten (see tree officers comments) It is not considered that these will significantly alter the character of The Avenue other than in this short stretch.

At the reserved matters stage it is anticipated that some planting could be provided if necessary however it is not intended to place buildings on this site and therefore development that takes place in terms of the access way, wall and gates and parking is all likely to be low level having a minimum impact on the surrounding landscape. It is considered that this complies with policies G2 (iv) of the South Wiltshire Core Strategy.

The applicants have produced a full landscape submission in relation to this site which concludes that the landscape impact can be mitigated.

Members should note that the landscape officer met with the applicants prior to the submission of the first application and talked with them about the potential landscape impact and was and is of the opinion that the landscape impact of this is limited and that with a further landscaping condition including the submission of a masterplan to cover landscaping on the site the site could be adequately landscaped so as not to have a significant impact on the surrounding area.

#### *9.5 Agricultural Circumstances*

The development of this cemetery will involve the loss of an agricultural field and whilst the loss of this agricultural land is regrettable. The loss of this one agricultural field is not considered to outweigh the benefits of a much needed new cemetery for the city and the benefits that this will bring for residents of Salisbury and Wilton as a whole.

#### *9.6 Transport and Access*

One of the concerns of members on the previous application was that the cemetery would be difficult to access particularly by those without a car as it was located on the outskirts of the new development. The site has clearly not changed in it's location from that previously proposed. However it should be noted that the Fugglestone Red development has been designed to allow for buses to circulate in and out of the development and whilst clearly at this outline stage the details of that bus service are not known. It is anticipated that a bus service will serve this significant area of housing and therefore Salisbury residents will be able to access the cemetery by bus as the development is built out.

Other bus services are available along Wilton road to the South which can be accessed on foot via the new footpath to the UKLF site. Similarly there is a park and ride stop at the bottom of the Avenue.

The vehicular access to the cemetery will be obtained from the Avenue and consists of a simple junction which will be accessed via a right hand turn ghost lane enabling safe turning against the flow of traffic. It is envisaged that there will be car parking for a funeral cortege and mourners at the cemetery and for up to 20 vehicles. This has been agreed with the City Council as an appropriate provision.

### *9.7 Air Quality*

An air quality assessment was carried out for the whole of the larger housing development site as part of the EIA for the previous application S/2012/0814. This concluded that existing and future pollution concentrations at the application site are below the set objectives used in their assessment.

It is not considered that the relatively small amount of vehicles that will access this site are likely to significantly contribute to the air quality issues at the site and in the surrounding local area.

### *9.8 Noise and Vibration*

It is considered that it will be unlikely that there will be a significant amount of noise from the proposed cemetery when it is up and running. Any noise is likely to come from construction of the site and this is likely to be short lived given the small amount of construction work required. There are no immediate neighbours in the vicinity of the cemetery. It is considered therefore that noise and vibration are unlikely to be a significant issue.

### *9.9 Hydrology Drainage and flood Risk*

The applicants have submitted a flood risk assessment with the application which concludes that the development situated as it is at this high point of land would not be at risk of flooding. The Environment Agency has raised no objections to this application subject to conditions which are replicated in the recommendation below.

### *9.10 Ground Conditions*

The applicant has concluded that there is unlikely to be any significant effect on ground conditions or contamination as a result of this development, and officers agree with this assessment. As such the development will comply with policy G2 (viii) which is a saved policy of the South Wiltshire Core Strategy.

### *9.11 Other issues*

The civic society have raised the understandable issue of this site being the 'thin end of the wedge' in terms of building on this side of the Avenue. That is to say that the development of this site potentially could set a precedent for further development on this side of the Avenue in the future. Members will be aware that each application has to be treated on its merits and if this application were to be granted it does not automatically follow that further development will take place at this location. Cemeteries' are relatively unique in their

character and are often placed on the outskirts of developments as the most appropriate area for them to be situated. They are different in character to other forms of built development and whilst further development on this side of the Avenue can never be completely ruled out in the future, equally the development of the cemetery does not imply or 'open the door' to further to further unchecked development.

## **10. Conclusion**

The applicants have demonstrated through the submission of further details regarding landscape and accessibility to the site that it is in an appropriate area for a new cemetery to be located being as it is likely to be close to bus routes through Fugglestone Red. Appropriate landscape measures can be imposed by condition and as such it is considered that the proposal complies with policy G1 and G2 of the saved policies of the South Wiltshire Core strategy.

## **RECOMMENDATION**

### **Grant Planning Permission subject to conditions**

- 1) Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

REASON: This is an outline application submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995

- 2) Application for the approval of the reserved matters shall be made to the local planning authority not later than five years from the date of this permission.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

- 3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

- 4) No development approved by this permission shall be commenced until a scheme to assess the risk to groundwater, incorporating suitable measures to mitigate those risks, must be submitted to and approved by the Local Planning Authority. It should include the following detailed information:

1. Tier 1: Risk screening in accordance with Environment Agency guidance Assessing the Groundwater Pollution Potential of Cemetery Developments
2. Where required by the tier 1 assessment, a tier 2: Preliminary quantitative risk assessment with detailed desk study and preliminary site investigation

3. Where required by a tier 2 assessment, a tier 3: Detailed quantitative risk Assessment

4. Where required by any stage of the risk assessment, a method statement, based on that agreed risk assessment, for construction and operation of the proposed development.

5. A completion statement to demonstrate that work specified in the method statement has been suitably carried out.

REASON : In order to protect controlled waters

5) All burials in the cemetery shall be:

1. a minimum of 50m from a potable groundwater supply source;
2. a minimum of 30m from a water course or spring;
3. a minimum of 10m distance from field drains;
4. no burial into standing water and the base of the grave must be above the local water table;

REASON In order to Protect controlled Waters.

6) No development shall commence until full details of the ghost island right turn junction have been submitted to and approved in writing by the Local Planning Authority. The junction shall be completed in accordance with the approved details prior to first use.

Reason: In the interests of Highway safety

7) A landscape masterplan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the first use of the development, for its permitted use. The landscape masterplan shall be carried out as approved.

REASON: To ensure the proper management and planning of the landscaped areas in the interests of visual amenity.

8) The development shall be carried out strictly in accordance with the following plans and documents –

Site location plan PO920\_07

Design and Access statement PO920\_6-1

Planning Statement dated 17<sup>th</sup> June 2013

Environmental Statement dated May 2012 P.0747

Transport Assessment dated P.O747 May 2012

Landscape and Visual Impact Assessment dated by the Cooper partnership July 2013

Statement of pre application community consultation dated 17<sup>th</sup> June 2013

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