

CREMATORIA IN THE DISTRICT

Local Planning and Environment Advisory Committee - 23 October 2014

Report of Chief Planning Officer

Status: For Consideration

Key Decision: No

Portfolio Holder Cllr. Piper

Contact Officer(s) Alan Dyer Ex 7196.

Recommendation to Local Planning and Environment Advisory Committee: That the report be noted.

Introduction

- 1 This report, prepared for Members information, describes proposals that have come forward for crematorium development in the District, outlines relevant local and national policy and sets out the key conclusions of the one appeal decision made early this year.

Proposals for Crematoria in the District

- 2 There have been recent proposals for development of crematoria on three sites in the District, all in the Badgers Mount/Halstead area. These are:

Land South of Orchard Barn, London Road, Halstead (13/02415). Permission refused and appeal dismissed.

Land North of Oak Tree Farm, London Road, Halstead (13/03178). Permission refused and appeal pending.

Watercrofts Wood, Old London Road, Badgers Mount (13/03353 and 14/02003). First application withdrawn and second application under consideration.

- 3 There have been no other proposals in recent years.

Policy Considerations

- 4 There is no specific reference to crematoria in the Government's National Planning Policy Framework. Development proposals would need to be considered against the general policies in the NPPF. Within developed areas a crematorium need not be unacceptable in principle but there are practical problems in accommodating such development because of its extensive space requirements and because of the specific requirement in the Cemeteries Act preventing crematorium

development within 200 yards of a dwelling without the consent of the owner. In the Orchard Barn appeal the Inspector accepted that there were very unlikely to be any suitable or available non Green Belt sites in the catchment area for the facility.

- 5 A crematorium is not specifically listed as an exception to the presumption against inappropriate development in the Green Belt. Under the NPPF inappropriate development should not be approved except in very special circumstances. A crematorium could be appropriate if it forms a redevelopment of a previously developed site provided there is no greater impact on openness and on the purposes of including land within the Green Belt.
- 6 The NPPF gives additional protection to AONBs and states that great weight should be given to their protection. In considering major developments one of the factors to consider is the scope for accommodating development outside the AONB. This suggests a preference for non-AONB over AONB sites.
- 7 At a local level there are no specific policies or proposals for crematorium development in either the Core Strategy or the Allocations and Development Management Plan. When these plans were prepared no representations were made seeking the allocation of land for crematorium development or suggesting there was an unmet need in the District.

Appeal Decision and Local Need

- 8 There has been one crematorium appeal decision, earlier this year on the Orchard Barn site. In dismissing the appeal the Inspector accepted that the proposal was for inappropriate development. He considered that the development would lead to a loss of openness and be detrimental to the existing countryside character.
- 9 However, he also accepted that there was a qualitative and quantitative need for a crematorium based on evidence of waiting times for cremations and journey times to crematoria outside the District.
- 10 He then considered alternatives and, while he accepted that an alternative non Green Belt site was very unlikely to be found, he referred to the other two sites being promoted in the area and concluded that he could not be certain that there are no alternative sites that would have a lesser impact on Green Belt openness.
- 11 The current application for Watercrofts Wood is under consideration. The recommendation has not yet been formulated but it will go to Development Control Committee if the recommendation is to approve.

Background Document

Orchard Farm Appeal Decision

Richard Morris
Chief Planning Officer