

4.1 18/03929/MMA

Date expired 6 March 2019

Proposal: Minor material amendment to 16/03186/FUL - Proposed Chapel, maintenance store, access, car parking and associated landscaping. To re-position external windows and doors. As amplified by amended Proposed Site Plan drawing received 25 April 2019.

Location: Watercrofts Wood, Old London Road, Badgers Mount, Kent

Ward(s): Halstead, Knockholt & Badgers Mount

#### Item for decision

Councillor Williamson has referred the application to Development Control Committee on the grounds that the proposals would have a unacceptable impact on the openness of the Green Belt contrary to policy.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

1) The permission hereby granted shall only be exercised in conjunction with the permission for use of the land as a cemetery in accordance with SE/93/01575/FUL as amplified by SE/08/02894/LDCEX.

This permission is granted specifically in relation to the special circumstances surrounding the use of the site in this Green Belt location as supported by Government advice in the form of the National Planning Policy Framework.

2) The maintenance building shall not be constructed other than in accordance with the details indicated on drawing 3917\_PL\_07 on application SE/16/03186/FUL.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) Use of the building shall not commence until details of the individual tree planting indicated as part of the landscaping proposals on Proposed Site Plan drawing 3917\_PL\_10 Rev. D have been submitted to and approved in writing by the District Planning Authority, such details to specify the siting, species and size of planting. The details should also include a scheme of tree planting to the east of the access road opposite the chapel and adjacent to the proposed turning head. Such details to also include details of ecological enhancements as recommended in the Landscape Planning Ltd. Preliminary Ecological Appraisal approved under application reference 16/03186/FUL. In all other respects the hard and soft landscaping shall be implemented in accordance with the details indicated on the Proposed Site Plan. All soft landscaping and ecological enhancements shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance/watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved

landscaping scheme which are removed, die, become severely damaged or diseased within ten years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

To safeguard the visual appearance of the area and the ecological interests of the site as supported by EN1 of the Sevenoaks Allocations and Development Management Plan and policy SP11 of the Council's Core Strategy.

4) Unless in accordance with the badger survey and mitigation approved under reference 18/00144/DETAIL approved 6 March 2018, no further development shall take place until an updated badger survey has been undertaken and any potential impact from the proposals considered. Details of the results of the survey and any proposed mitigation and timetable for implementation as necessary shall be submitted to the District Planning Authority for approval in writing. Any necessary mitigation shall be undertaken in accordance with the approved details within the agreed timescale.

In the interests of the impact on protected species as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy.

5) Unless in accordance with the details approved under reference 18/00145/DETAIL approved 3 August 2018 no external lighting shall be installed on site until a "lighting design strategy for biodiversity" for the site has been submitted to and approved in writing by the local planning authority. The lighting strategy shall: a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory. No external lighting shall be installed on the building or within the site other than in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the approved details.

In the interests of the impact on protected species as supported by Government advice in the form of the National Planning Policy framework, policy SP11 of the Council's Core Strategy.

6) Any further measures required in regard to the control and mitigation of Japanese Knotweed on the site shall be carried out in accordance with the details approved under reference 18/00146/DETAIL dated 6 March 2018.

In the interests of the ecology of the site as supported by Government advice in the form of the National Planning Policy Framework, policy SP11 of the Council's Core Strategy.

7) The Construction Management Plan approved under reference 18/00149/DETAIL dated 31 May 2018 shall be adhered to throughout the remaining construction period.

In the interests of convenient access and highway safety as supported by policies EN1 and T1 of the Allocations and Development Management Plan.

8) The 2.4m by 120m sightline indicated on drawing 3917\_PL\_04 approved under reference 16/03186/FUL dated 27 January 2017 shall be provided and maintained in accordance with the approved drawing and there shall at no time be any obstructions over 1m above the carriageway within the splays.

In the interests of convenient access and highway safety as supported by policies EN1 and T1 of the Allocations and Development Management Plan.

9) Prior to occupation of the development details of the size, design and materials of the bin storage shall be submitted to the District Planning Authority for approval in writing. No bin storage shall be provided other than in accordance with the approved details.

To ensure the provision satisfactory design and appearance of the refuse stores as supported by policy EN1 of the Allocations and Development Management Plan.

10) The details relating to minimising the risk of crime on the site shall be implemented in accordance with the details approved under reference 18/00150/DETAIL dated 31 May 2018.

In the interest of Security, Crime Prevention and Community Safety as supported by the National Planning Policy Framework and Policy EN1 of the Allocations and Development Management Plan.

11) For the avoidance of doubt the information to which this decision relates is as follows: Drawing Nos.: 3917\_PL\_02 C, PL\_10 D, PL\_13 C; Willow Town & Country Planning Ltd. Planning Statement and BHD Supporting Statement.

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

### **Informatives**

1) The applicant is advised that no removal of hedgerows, trees or shrubs should take place between 1st March and 31st August inclusive to avoid any damage or disturbance to nesting birds.

### **National Planning Policy Framework**

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report

## Description of site

- 1 The wider site is located to the north-east of Badgers Mount, with the boundary to the east formed by London Road and the boundary to the north-west formed by Watercroft Road. It occupies a relatively rural location.
- 2 The site as a whole has a total area of some 12 hectares, although the current application relates only to a small portion of the wider area (very approximately 0.7ha). The larger part of the site comprises dense ancient woodland (roughly western 2/3<sup>rd</sup>'s), the remaining portion to the south-east is more open though with some self-sown trees. The ancient woodland to the west is also subject to a Woodland Tree Preservation Order. The land generally rises steeply from south-east to north-west towards Watercroft Road. The site has access to London Road and Knockholt rail station is located approximately 750m to the north. To the south the site lies adjacent to open fields.
- 3 The area to which this application relates roughly comprises an access driveway serving a chapel, which is set within a clearing to the west of the driveway, and a southerly strip of land for car parking.
- 4 Planning permission has recently been granted for an access, chapel and parking area and works are nearing completion.

## Description of proposal

- 5 As outlined above, planning permission was granted on 26<sup>th</sup> January 2017 for a new chapel and maintenance store together with associated access and parking.
- 6 The approved chapel, which is sited roughly centrally within the open flat clearing has a rectangular form, orientated along a north-south axis. There would be a smaller projecting wing to the front (north-eastern corner) and extending centrally from the west elevation. The chapel would be of modern design, incorporating a mono-pitched sloping, sedum (natural green) roof containing several centrally located rooflights. The “wings” would be lower level, but of similar design. There would be a projecting canopy to the front (north) to provide a covered entrance. The interior would contain the chapel itself, together with entrance/waiting areas, toilets and an associated office.
- 7 Details have been discharged relating to this permission and work has commenced on site and is nearing completion.
- 8 The present application is a variation on that approved under 16/03186/FUL. The key changes are summarised below:
  - Enlargement to footprint of western wing of the building by 2m to provide a staff rest area (and omission of extending wall).
  - Increase in the depth of the building by 2.4m.

- Infill of rear (south-western corner of building to “square-off” rear) to create 4m<sup>2</sup> of additional floorspace to improve coffin access to the building.
  - Changes to the window arrangement to the eastern elevation to replace small window openings with larger aluminium sliding doors to provide access to the area to the east of the chapel. Change to window design to waiting area. Some changes to the window design to the west elevation and introduction of a second set of doors to the coffin access area.
- 9 The increase in floorspace totals approximately 46m<sup>2</sup> and represents an approximately increase of 17-20% over that originally approved.
- 10 Following a visit to the site, it became apparent that the area immediately to the north of the chapel had been laid out in a slightly different arrangement to that approved, with hardsurfacing extending slightly further to the north and landscaped strip containing the entrance canopy supports slightly reduced in size.
- 11 Also the trees to the immediate east of the chapel, which were originally intended to be retained, had been removed and an enlarged area of hardstanding provided. It should be noted that the supporting statement explains that five of these were required to be removed by the Statutory Undertaker as part of their programme to dismantle the existing electricity pylons and re-siting the cables underground.
- 12 A revised plan has been submitted which incorporates the changes made and those proposed. There is a revised layout to the area to the immediate east of the chapel with extended hardsurfacing, which includes planted beds and some visitor seating. The plan also included details of replacement planting, including shrubs and a number of new Cherry and Apple trees (7no) to replace those removed. New tree and shrub planting is now also proposed to the south of the building. The hearse access road and footpath access to the building will be in shingle tarmac. There is no change proposed to the asphalt access driveway or parking spaces which would be formed in Golpa reinforced gravel (permeable). However, it would appear that the access road has been very slightly re-aligned eastwards and widened adjacent to the hearse access and east of the chapel.
- 13 The revised plan has been subject to re-consultation.
- 14 Apart from the amendments sought, the siting, layout and general arrangement of the site remain as previously approved.
- 15 In support of the application, the Cemetery Manager has made the following comment, in summary:
- (a) Increased space in the foyer is intended to provide better accommodation for early arrival for a ceremony whilst providing segregation from the preceding ceremony.

- (b) The increased size of the hall is more efficient and would provide some increase in capacity and is considered ideally suited for the majority of funerals.
- (c) The increase in the right hand “wing of the building is to improve facilities for attending staff and separate toilet facilities.
- (d) The larger doors are to improve access to the building and provide an overflow area.
- (e) Extension of minister’s area at the rear of the building to provide space for the minister and for audio visual controls and equipment.
- (f) See Appendix A for full contents of supporting letter.

16 It should also be noted that, as with the previous permission, this application relates solely to the access road, chapel and associated parking area and not to the wider extent of the site or the woodland to the west.

### Relevant planning history

- 17 93/01575/OUT: Erection of chapel and provision of car park with new vehicular access. Refused but ALLOWED at appeal 10.5.1995.
- 93/01576/FUL: Use of land as a cemetery with new vehicular access. Refused but ALLOWED at appeal 10.5.1995.
- 94/00377/OUT: Erection of crematorium, chapel and provision of car park together with ancillary facilities and new vehicular access. Refused 1.6.1994.
- 97/01988/REM: Details of siting, design and external appearance pursuant to Condition 1 of SE/93/01575. Refused but ALLOWED at appeal 28.10.1998.
- 97/02070/FUL: Erection of woodman’s store and maintenance shed.
- 03/02138/FUL: Retention of permission for erection of woodman’s storage/maintenance shed. Granted 5.12.2003.
- 03/02139/FUL: Erection of chapel & provision of car park and cesspool. Granted 5.12.2003.
- 08/02894/LDCEX: Lawful Development Certificate for existing use - to establish that planning permission 93/01576 (Use of land as cemetery with new access) was implemented. Granted 10.11.2009.
- 10/00079/FUL: Erection of a chapel and maintenance shed, car park and ancillary facilities. Granted 30.4.2010. (Details subsequently approved).
- 14/02003/FUL; Erection of chapel/crematorium, provision of ancillary car park and erection of a woodman’s shed. Refused 10.6.15.
- 15/01235/LDCPR: Erection of entrance walls and timber gates (900mm-1000mm). Erection of separate entrance gates and piers no higher than 2000mm. Granted 10.6.15.

15/01244/LDCEX: To establish that planning permission SE/10/00079/FUL (Erection of a chapel and maintenance shed, car park and ancillary facilities. Refused but ALLOWED at appeal 9.5.16.

16/03186/FUL: Proposed chapel, maintenance store, car parking and associated landscaping. Granted 26.1.2017.

Conditions pursuant to the above permission have been discharged.

18/02164/MMA: Minor material amendment to application 16/03186/FUL for the (Proposed chapel, maintenance store, access, car parking and associated landscaping) to re-position some external windows and doors, open canopy and introduction of resomation burial system equipment.

Refused on 26.9.2018 on the grounds that the proposals involved a change of use and thus did not fall to be considered as a minor material amendment.

## Policies

### 18 Sevenoaks Core Strategy

- LO1 Distribution of Development
- LO8 The Countryside and the Rural Economy
- SP1 Design of new Development and conservation
- SP2 Sustainable Development and Low Carbon Energy Generation
- SP11 Biodiversity

### 19 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- T1 Mitigating Travel Impact
- T2 Vehicle Parking

### 20 Other

National Planning Policy Framework 2019

## Constraints

### 21 The site lies within:

- Green Belt
- Tree Preservation Orders/Area of Ancient Woodland
- Biodiversity Opportunity Area

## Consultations

### Halstead Parish Council

### 22 Object for the following reasons:

- “The development is contrary to Policy EN1 in that the form of the proposed development does not respond to the scale, height and materials of the area. The light pollution cast from this development would also be wholly inappropriate in the Green Belt area it sits within and, contrary to policy EN4, does not enhance the Heritage Asset of Ancient Woodland and an AONB that make up this land.
- This council do not believe that this development meets the exceptional circumstances deemed necessary by both GB policies and the NPPF for developments in the Green Belt. Aside from the fact that this area has permission for 2 burial grounds within extremely proximity - the application does not respect the rural nature of this area and we believe constitutes urbanisation of the Green Belt.
- The NPPF Section 145b states that the provision of the appropriate facilities such as burial grounds should be considered as an exception to the limitations of developing in the Green Belt so ‘long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it’
- Halstead Parish Council also believe that numerous trees have been removed from this site without prior consent despite a blanket TPO (TPO No: 18 of 1975 - W1) in place. This site contains area of Ancient Woodland which is obviously irreplaceable but also a number of native flora and fauna which would struggle to flourish without this woodland.”

Badgers Mount Parish Council: (In summary)

- 23 This application is an attempt to enlarge the building (by 20%) by stealth and should not be treated as a minor amendment. The proposals would be detrimental to the Green Belt and adjacent ancient woodland. Building would allow for larger funerals with highway implications. Chapel should be built to the approved size.

Arboricultural Officer:

- 24 With regard to the amended Proposed Site Layout Plan:

“The proposed landscaping as shown upon drawing number 3917\_PL\_10 appears acceptable. I would like to see specific details of tree species, varieties and where planted and sizes please.”

Environmental Health: (In summary)

- 25 No adverse comments or observations.

Natural England: (In summary)

- 26 No objection.

KCC Ecology: (In summary)

- 27 No comments on application.

## Environment Agency:

28 No comments.

## **Representations**

29 In response to proposals as originally submitted:

Seventeen representations have been received raising the following points:

- A 20% increase in the size of the building impacts the green belt.
- Proposals would have substantial negative impact on traffic in the area.
- Object to more woodland being built on.
- Increase in size would increase the capacity of the site.
- Object to removal of trees across the site.
- Application should not be a minor material amendment because of the increase in size.

30 Response to amended plan:

Six responses have been received in response to the amended plan.

- One raises no objections to the changes to windows and doors, but raises concerns regarding works to the wider woodland.
- Several letters object to further removal of trees on the application site but one letter also considers the hearse layout and extended hardsurfacing to be an improvement.

## **Chief Planning Officer's Appraisal**

31 The main planning considerations are:

- Principle of Development
- Impact on Green Belt
- Impact on Ancient Woodland
- Impact on landscape
- Impact on ecology
- Other matters

## **Background:**

32 There are several applications listed above which are material considerations of significant weight in the consideration of the current application. There are several which relate to the use of the wider site as a cemetery, however, the present application does not relate to the whole site, only a portion within the centre. In summary, the most relevant applications to this are as follows:

- 33 In 2009 a Lawful Development Certificate established the use of the (wider) site *including the creation of the access* (Ref: SE/08/02894/LDCEX). Planning permission was then granted for the erection of a chapel, maintenance shed, car park and ancillary facilities in 2010 (Ref: SE/10/00079/FUL) with the relevant details subsequently discharged. In 2015 a Lawful Development Certificate was granted at appeal confirming that this permission for the chapel (and works associated) had been lawfully implemented (Ref: SE/15/01244/LDCEX). In 2015 a Lawful Development Certificate was granted for the erection of walls, and 2 sets of entrance gates (Ref: SE.15/01235/LDCPR).
- 34 Most recently is the grant of planning permission for a chapel, parking, landscaping and associated works. This is being implemented, but is not in accordance with the approved plans. In summary the amendments seek an 11% increase in the size of the approved building, more extensive hardsurfacing to the immediate north and east of the chapel and new landscaping proposals. This submission seeks to formalise the situation.

Presumption in favour of sustainable development:

- 35 Paragraph 8 of the NPPF states that achieving sustainable development means the planning system has three overarching objectives...; economic, social and environmental.
- 36 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 37 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
  - Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

Principle of Development:

- 38 The development which this application seeks to amend has by definition been judged to be acceptable in principle. On this basis an assessment under section 73 should be focussed on whether any national or local policies or other material considerations have changed significantly since the original grant of planning permission, as well as the changes sought. In this regard the most significant material change in policy since the original

grant of planning permission at appeal some 10 months ago is the introduction of the revised National Planning Policy Framework (July 2018).

- 39 This report should be read in conjunction with the earlier report and decision for permission (16/03186/FUL) which addresses the principle of the development. The increased size in the building warrants further consideration as there may be implications for the Green Belt. The revised hard and soft landscaping also requires consideration. However, the implications with regard to impact on highways and ecology are little different to the approved scheme.
- 40 The fact that there is permission for a similar form of development is a material consideration of considerable weight. Thus, it would not be reasonable to reconsider the principle of the development. Were this application to be refused, the applicant could lawfully implement that approved under 16/03186/FUL.
- 41 This report will therefore focus on the differences to the approved scheme and whether or not these differences are harmful to such a degree that they would warrant refusal of this application.
- 42 For convenience, this report will follow the format of 16/03186/FUL, which sets out the main considerations under the following headings.

Principle of Development in Green Belt and impact on openness:

- 43 Government advice, in the form of the National Planning Policy Framework, supports the protection of the Green Belts and seeks to restrict development. However, exceptions to the general presumption against inappropriate development include the provision of appropriate facilities for...cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 44 In granting permission for application 16/03186/FUL, the principle of this development was accepted.
- 45 The key consideration now is whether the chapel as proposed (and now in situ) results in greater harm to the openness of the Green Belt than that approved.
- 46 The siting and footprint of the chapel is very largely as approved. As approved, the chapel would be approximately 19m in length. As proposed, it would be just over 21m. The western “wing” was approved with a depth of 7m. As proposed this would increase by 2m. The overall increase in floorspace would be 46m<sup>2</sup>, which equates to approximate 17% increase. As the sloped roof form would extend slightly greater in depth, the highest point of the building would also increase by approximately 0.4m.
- 47 I would note that in granting the original permission for a chapel on the site (at appeal), the Planning Inspector concluded that such a facility was essential in connection with the use of the land and thus appropriate in the

Green Belt. The extant chapel was considered to result in no greater harm to the openness of the Green Belt.

- 48 Though inevitably the increase in floorspace has some implication on the overall scale and massing of the building, compared to the approved chapel I consider this to be relatively modest. The design of the building remains as approved. I consider the increased size to have only a modest impact on the overall quantum of development already approved. As such, I consider the impact on the openness of the Green Belt would not be significant.
- 49 There is no significant change to the access or car parking arrangements. The alterations to the hearse access, which slightly increases the area of hardsurfacing and slightly reduces the landscaped “island” to the front of the building would have no significant impact on the openness of the Green Belt, in my view.
- 50 In light of the above, in view of the particular circumstances, it is my conclusion that the proposals would have only a very modest impact on the openness of the Green Belt over and above that of the extant scheme.
- 51 Overall the development would represent appropriate development within the Green Belt.

Layout and design and impact on character of area/landscape:

- 52 Policy SP1 of the Core Strategy is clear that new development should be designed to a high quality and respond to the distinctive local character of the area in which it is situated. Outside settlements priority will be given to the protection of the countryside (Policy L08) and any distinctive features that contribute to the special character of the landscape and its biodiversity will be protected and enhanced where possible.
- 53 Policy L08 advises that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible.
- 54 The contemporary design approach with grass roof to the chapel benefits from planning permission and thus I have no objection to the proposals in this regard. The layout and design largely follows that approved. However, more extensive hardsurfacing has been provided to the east of the chapel, with new landscaping proposed and the hearse access has been slightly extended.
- 55 Because of the raised nature of the site of the chapel relative to the land to the east and south of the site, the hardsurfacing area would not be readily visible outside the site. In my view, the key issue is whether the eastern elevation of the building would be more exposed to wider view because the small tree belt immediately to the east of the chapel has been removed contrary to the approved plans.
- 56 This does expose the site to longer distance views. However, the proposals as amended propose replacement tree planting. In my view, once

established, this planting would provide a good screen to the building and the resultant visual impact would be little different to the approved scheme. I consider it would be advantageous to require this planting to comprise established trees, so that their benefit would be more immediate. This could be adequately covered by condition.

- 57 The Arboricultural Officer has noted the removal of the trees to the east of the chapel. However, he has not raised objections to the extended hardsurfacing and considers the proposed landscaping to be acceptable in principle, subject to clarification of the details. In my view the extended areas of hardstanding are not readily visible outside the site and any adverse visual impact would be addressed by replacement planting as proposed.
- 58 A condition could also include additional tree planting on the eastern side of the access road opposite the chapel, which would provide a second “belt” of tree planting to further screen and soften the impact of the chapel.
- 59 On this basis, I consider the proposals would preserve the visual amenities of the immediate locality and the wider landscape in general and to be policy compliant in this regard.

#### Impact on trees/ancient woodland:

- 60 The trees which cover the western part of the wide site are designated as Ancient Woodland. *This* is woodland that has had a continuous woodland cover since at least 1600AD and has only been cleared for underwood or timber production. The importance of these woodlands is not just related to the trees themselves, but also that they have had a long time to acquire species and to form flora and fauna communities, and that their soils have remained largely undisturbed. As at 1994 it was estimated that approximately 10% of the county area was made up of both ancient and secondary woodland. The woodland is also protected by a Tree Preservation Order.
- 61 As detailed above the NPPF recognises the importance of the countryside’s differing intrinsic character and beauty and seeks to ensure that planning contributes to conserving and enhancing the natural environment. Policy SP11 seeks to ensure no net loss of biodiversity.
- 62 Third parties have raised objections to more extensive works which have been undertaken within the wider area of Ancient Woodland, including tree removal and laying of footpaths. However, the majority of these works fall outside the application site and have very recently been subject to separate legal action by the Council, with an injunction presently restricting further works to the woodland.
- 63 This application does not include the greater extent of the woodland and is restricted to a much smaller area relating to the access, parking area and siting of the chapel.

- 64 It should be noted the access road and parking areas fall *outside* the Ancient Woodland. Whilst the chapel is located within the woodland, this largely occupies an existing clearing. The hardsurfacing adjacent to the extended hearse access to the north of the chapel is close to a number of retained trees. However, the Council's Arboricultural Officer has not raised an objection to these works. There were also a number of (poorer quality) trees on the site which had consent to be removed as part of the approved scheme. Since the original submission of this application however, eight further trees to the east of the chapel, which were originally intended to be retained, have been removed. Whilst I consider the removal of these trees most unfortunate, as the retention of these trees would have provided an established screen, the consideration for this application is whether replacement planting would help re-dress the loss of the trees. The amended plan indicated new planting to the east of the chapel, as referred to in the section above. The Arboricultural Officer raises no objection in principle to new planting proposed, subject to details of sizes etc., which it would be appropriate to seek via condition, in the event that permission were to be granted.
- 65 Bearing in mind the wider site is subject to separate legal control, I consider replacement planting would enhance the character and appearance of the site.

#### Ecology:

- 66 Section 15 of the NPPF relates to conserving and enhancing the natural environment and includes discussion relating to biodiversity. Paragraph 170 explains that the planning system should protect and enhance valued landscapes, minimise impacts on biodiversity and provide net gains in biodiversity where possible. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity and if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 67 Policy SP11 seeks to conserve the biodiversity of the district and seek opportunities for enhancement to ensure no net loss of biodiversity.
- 68 The proposals do not impact the ecology of the site beyond that approved and hence the County Ecologists have no comment on the current submission. A number of conditions have previously been approved relating to the ecology of the site. It would be appropriate to ensure any previously approved enhancements are implemented.
- 69 In light of the above, I consider the proposals would preserve the ecology of the site and thus consider them acceptable in this regard.

#### **Other issues**

- 70 With regard to the impact on residential amenity, policy EN2 of the ADMP requires that any development should not have an adverse impact on the amenities of neighbours.

- 71 Policy T1 of the ADMP states that new developments will be required to mitigate any adverse travel impacts, including on congestions and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health.
- 72 The nearest neighbours in any direction are set approximately 200m from the application site and would be screened by intervening foliage. Thus, the direct impact from the physical works would be limited.
- 73 Though the proposed use would have implications for traffic visiting the site, the increase in floorspace would be modest compared to the approved scheme. The Highway Authority previously considered that the approved chapel scheme would be unlikely to result in any material increase in traffic movements from the originally consented scheme and I do not consider the impact of the present proposals would materially differ from that approved most recently.
- 74 In the circumstances, bearing in mind the authorised use of the site, I consider the impact on highway conditions and the related noise and disturbance to local residents because of traffic movements would not be materially different to that approved.

### **Conclusion**

- 75 Planning permission has already been granted for essentially the same proposals. I do not consider the relatively modest increase in the floor area of the chapel or related increase in scale, bulk and massing would have a materially greater impact than that already approved. I therefore consider the proposals to represent appropriate development within the Green Belt. Subject to enhancement landscaping, I consider the proposals would preserve the visual amenities of the wider area. I do not consider there to be any material difference in terms of the impact on highway or ecological conditions to the approved scheme and therefore consider the proposals acceptable in this regard.

### **Background papers**

Site and block plans.

Contact Officer(s): Mr J Sperryn Contact: 01732 227000

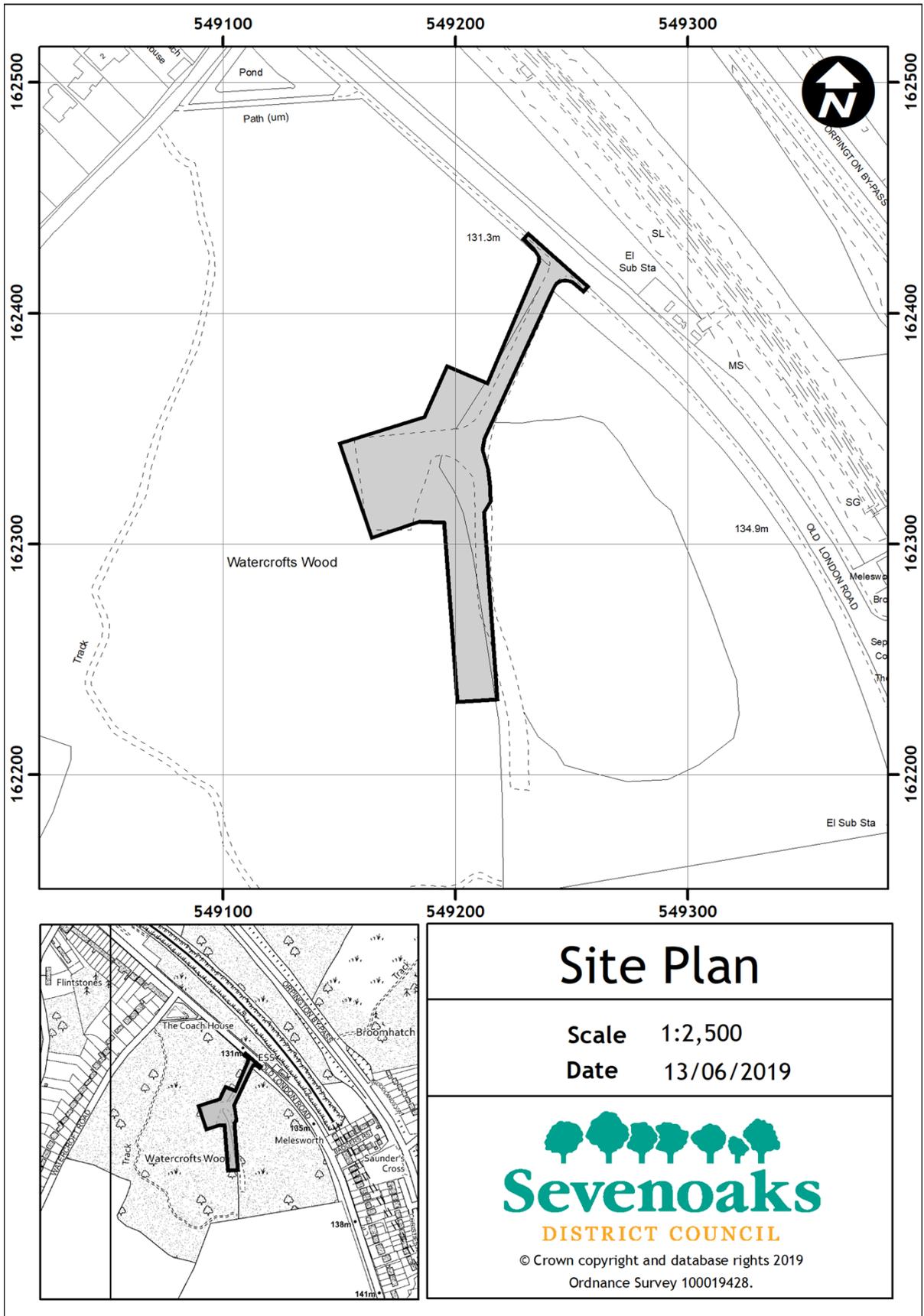
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PK3JC4BKH9X00>

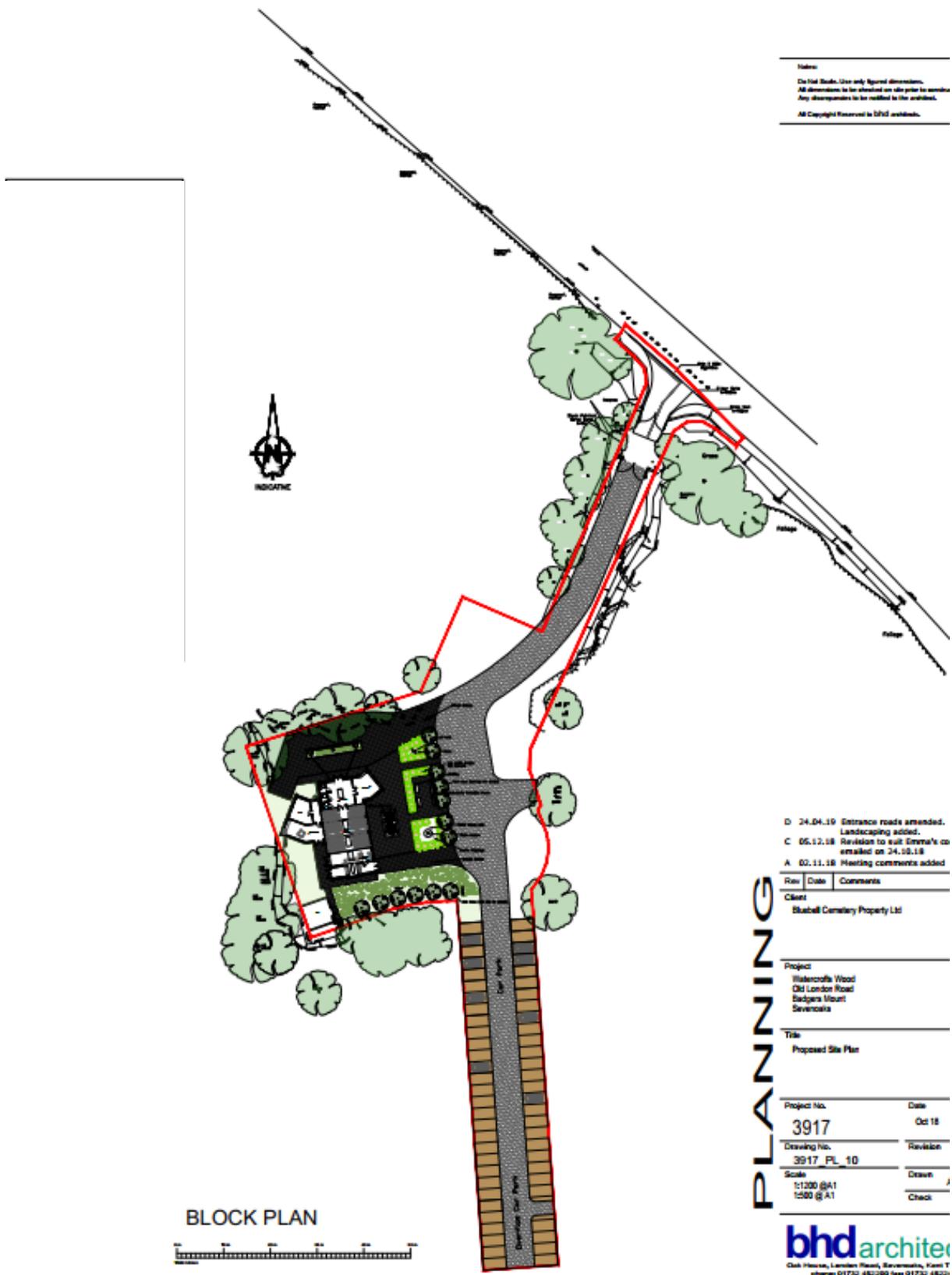
Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PK3JC4BKH9X00>



Block Plan

Notes  
 Do not Scale. Use only agreed dimensions.  
 All dimensions to be checked on site prior to works.  
 Any discrepancies to be notified to the architect.  
 All Copyright Reserved to bhd architects.



- D 24.04.19 Entrance roads amended. Landscaping added.
- C 05.12.18 Revision to suit Emma's email on 24.10.18
- A 02.11.18 Meeting comments added

| Rev   | Date     | Comments |
|---|----------|----------|
| Client<br>Bluebell Cemetery Property Ltd                                    |          |          |
| Project<br>Watercraze Wood<br>Old London Road<br>Badgers Mount<br>Sevensoia |          |          |
| Title<br>Proposed Site Plan   |          |          |
| Project No.   | Date     |          |
| 3917  | Oct 18   |          |
| Drawing No.   | Revision |          |
| 3917_PL_10  |          |          |
| Scale   | Drawn    |          |
| 1:100 (A1)<br>1:500 (A1)  | Check    |          |

PLANNING

**bhd**architects  
 Oak House, London Road, Sevensoia, Kent T  
 phone 01752 482200 fax 01752 482211

BLOCK PLAN

