

**Application Number:** 16/10780 Outline Planning Permission

**Site:** Land east of STEM LANE & north of GREAT WOAR COPSE,  
NEW MILTON

**Development:** Single chapel crematorium; parking; landscaping (Outline  
application with details only of access)

**Applicant:** New Forest Crematorium Company Ltd

**Target Date:** 16/09/2016 **Extension Date:** 16/09/2016

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## 1 REASON FOR COMMITTEE CONSIDERATION

The application constitutes a departure from the provisions of the Development Plan, which seek to protect Green Belt.

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Countryside outside the New Forest  
Green Belt  
Great Woor Copse Site of Importance for Nature Conservation (SINC)

## 3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Core Strategy

CS1: Sustainable development principles  
CS2: Design quality  
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)  
CS4: Energy and resource use  
CS5: Safe and healthy communities  
CS6: Flood risk  
CS8: Community services and infrastructure  
CS9: Settlement hierarchy  
CS10: The spatial strategy

### Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1: National Planning Policy Framework – Presumption in favour of sustainable development  
DM2: Nature conservation, biodiversity and geodiversity

### National Planning Policy Framework

NPPF Ch. 4 - Promoting sustainable transport  
NPPF Ch. 9 - Protecting Green Belt Land  
NPPF Ch. 11 – Conserving and enhancing the natural environment

#### **4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004  
National Planning Policy Framework

#### **5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

Parking Standards Supplementary Planning Document (SPD)

#### **6 RELEVANT PLANNING HISTORY**

No relevant history, although the applicant sought the Council's pre-application advice on the form of development proposed here. An Environmental Impact Assessment (EIA) Screening Opinion was also provided by the Council on the proposal.

#### **7 PARISH / TOWN COUNCIL COMMENTS**

NEW MILTON TOWN COUNCIL - Acceptable subject to comments made by the Highways Authority.

#### **8 COUNCILLOR COMMENTS**

Councillor Steve Davies: supports this application as local Councillor and also as a resident of Bashley Ward. This part of the New Forest will benefit hugely from this development and provide a service to our community. Concerns over possible impact on local residents have been mitigated.

#### **9 CONSULTEE COMMENTS**

- 9.1 Hampshire County Council Highway Authority – no objection subject to conditions and a Section 278 Agreement to secure the right turn lane.
- 9.2 Land Drainage Section – As a Major Development the lead local authority (Hampshire County Council) should see it, as well as the Environment Agency.
- 9.3 Hampshire County Council Drainage Authority – Having reviewed the Revised Drainage Strategy are satisfied that the general principles for the surface water drainage proposals are acceptable, subject to further information being submitted as part of a more detailed design phase. Also give informatives.
- 9.4 Environment Agency – No objections, but give informatives.
- 9.5 Environmental Health (Pollution) - Following discussions with the supplier of the proposed cremator equipment, there should not be any adverse impact on noise sensitive premises in the vicinity. However, it should be noted that the Noise Rating Level from the site must not exceed +5dB above the Background Level (LA90) at the boundary of the nearest noise sensitive premises in accordance with BS4142:2014 during the daytime period to avoid adverse impact. If the applicant is considering operating during night-time hours, further consideration and assessment would be required. The submitted Air Quality Assessment is based on emission data with the 'cremators' operating 7 hours a day, 5 days per week. Should the cremator's

operating hours (not to be confused with the Crematorium operating hours) exceed these times, then the Air Quality Assessment requires updating to take into account any extended hours and the likely impact on local air quality. Furthermore, the operation of a crematorium will be subject to an Environmental Permit issued by the Local Authority in addition to the agreed planning permission, which will regulate the emissions to atmosphere in accordance with Statutory Guidance issued by DEFRA. Section 5 of the Cremation Act 1902 requires that: 'No crematorium shall be constructed nearer to any dwelling-house than two hundred yards, except with the consent, in writing of the owner, lessee and occupier of such house, nor within fifty yards of any public highway, nor in the consecrated part of the burial ground of any burial authority.'

- 9.6 Tree Officer – The site is an agricultural field with an area of Ancient Woodland to the South and boundary trees and hedgerow around the remainder. The new driveway is situated along the existing field boundary trees and hedgerow to the north. The root protection of these trees/hedge has been taken into account by creating a naturalised grass verge next to the driveway. The landscape masterplan (ref 613-03) shows the development at a suitable distance from the ancient woodland, hedgerows and field boundary trees and illustrates the root protection area for all trees to be retained. Tree work specified for the completion of the development is minor, limited to pruning/felling to install the new access driveway and will be mitigated through further tree planting. The overall layout of the development works well with the shape of the site and the proposed layout will not have any major arboricultural impact. The proposed tree planting would increase current tree cover in the interior of the site while expanding the woodland further into the site. The exact specifications of this planting should be provided, detailing the size, species and location of the trees, which may be secured by condition. No objection subject to condition.
- 9.7 Ecologist - The submitted ecology report establishes the likely habitat value of the area and makes recommendations for protected species surveys to inform further design stages as their presence cannot be ruled out. It is likely it would be possible to use layout or method statements to avoid harm and provide the mitigation and enhancement to ensure accordance with local and national planning policy and law. Further survey work and associated details of mitigation and enhancement can be adequately addressed through a suitable condition or reserved matters. No objection subject to condition.
- 9.8 New Forest National Park Authority - Comments awaited
- 9.9 Southern Electricity – No objections, but give informative.
- 9.10 Southern Water – No objections, but give informatives.
- 9.11 Southern Gas Networks - No objections, but give informatives.

## 10 REPRESENTATIONS RECEIVED

One hundred and three representations and a petition bearing the names of one hundred and twenty five individuals have been received objecting to the proposal on the following grounds:

- Restrictions imposed by the National Park should not result in inappropriate

development within New Forest District.

- The proposal will result in an unacceptable level of traffic generation
- The proposal will detract from use of the surrounding land for walking and cycling
- The proposal is too close to existing housing and a school
- Existing crematoria are sufficient to meet current needs
- Detriment to wildlife
- Loss of green space
- Inappropriate development in the Green Belt
- Harmful visual impact
- Alternative sites are available, such as Hinton Woodland Burial Ground
- Noise pollution
- Increased air pollution and associated health risks
- Odour nuisance
- The Council's notification procedure is criticised
- Loss of property value
- Increased flood risk
- Proposals for 300 homes on land to the west of Stem Lane need to be considered in conjunction with this proposal
- Precedent raises concern that the grounds will eventually be used for burials
- The landowner should make some formal agreement to continue permissive use of Great Woar Copse.
- The financial viability of a scheme based on six daily services is queried
- If the number of cars for each funeral is estimated to be 14, it is queried why a main car park for 100 cars is proposed with an overflow for 50 cars
- The number of daily services should be conditioned
- Alternative methods of disposal should be utilised
- The proposal will be a dis-benefit to existing local businesses
- The applicant intends to operate the facility as a commercial concern

Twenty six representations have been received in support of the proposal on the following grounds:

- Funerals in the area have to make the long journey to Bournemouth or Southampton Crematoria.
- The majority of local residents who will benefit from this community facility, for which there is demand.
- Crematorium funerals are often rushed as a half hour time slot only affords 22 minutes for the whole service. The proposed one hour slots are better.
- The development will secure the area between the "Crest estate" and Bashley Cross Road from any further development.
- The proposal is an imaginative and well thought out plan which is a justifiable and worthwhile use of Green Belt given that other sites have been considered and found unsuitable.
- The proposal will benefit existing local businesses

#### **11 CRIME & DISORDER IMPLICATIONS**

None

#### **12 LOCAL FINANCE CONSIDERATIONS**

Local financial considerations are not material to the decision on this application

#### **13 WORKING WITH THE APPLICANT/AGENT**

In accordance with paragraphs 186 and 187 of the National Planning Policy

Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

The applicant sought the Council's pre-application advice on the form of development proposed and has submitted the requisite documents and plans in respect of this outline application. The applicant was requested to provide additional information in respect of traffic and flood risk impacts from the proposed development, in light of the comments of consultees and notified parties, but otherwise the application was acceptable as submitted and no specific further actions were required.

## **14 ASSESSMENT**

### **14.1 The Site and Proposal**

- 14.1.1 The site of this application is to the east of Stem Lane, New Milton, located immediately west of Great War Copse, bounded to the north by open fields and Bashley Wild Ground before meeting Sway Road, and to the south, woodland that provides a buffer to residential development at Chatsworth Estate. It is separated from Stem Lane by a woodland strip containing the route of the original road, now a cycle/foot path, and a field bounded by hedges and trees that are representative of the assessed landscape character type, including the historic pattern of fields and boundaries.
- 14.1.2 The site comprises agricultural land extending to approximately 4.69 hectares and is completely bound by mature hedgerows and

woodland. It lies within the countryside outside the built up area and is within designated Green Belt and the setting of the New Forest National Park which lies to the north of Bashley Cross Road. Great Woar Copse is an Ancient Woodland and Site of Importance for Nature Conservation.

- 14.1.3 The application is made in outline for a single chapel crematorium and associated access, parking and landscape arrangements. All matters are reserved for later consideration with the exception of access, which is proposed directly from a newly formed point off Stem Lane. The access would follow a route along the northern boundary of the site, crossing over the existing Stem Lane cycle route heading east to the main site of the crematorium, parking area and grounds.
- 14.1.4 The application is accompanied by a Design and Access statement and a landscape masterplan which illustrate one way that the site could be developed. The illustrative plans show a single storey building of contemporary design with large glazed areas, faced in brick and chestnut shingles, and having a conical roof feature with a glazed oculus which would enclose the crematorium's flue. The plans suggest an open parkland landscape with a garden of remembrance, a cherry orchard, a garden of reflection and a landscaped car park for up to 100 vehicles. The crematorium would be designed as a secular space but capable of accommodating temporary religious symbolism

## **14.2 Main Considerations**

- 14.2.1 The principle issues to consider, having regard to relevant development plan policies, the National Planning Policy Framework and all other material considerations are as follows:
- i. Is the development appropriate in the Green Belt by definition?
  - ii. What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?
  - iii. Would there be any other non-Green Belt harm?
  - iv. Are there any considerations which weigh in favour of the development?
  - v. Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?
  - vi. Are there 'very special circumstances' to justify allowing inappropriate development in the Green Belt?

### **14.2.2 i) Is the development appropriate in the Green Belt by definition?**

National Policy (NPPF) attaches great importance to Green Belts, designated in order to keep land permanently open. This site lies within the Green Belt where national policy states that the construction of new buildings, save for a few exceptions, should be regarded as inappropriate. Inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances.

The development of a crematorium does not fall within any of the exceptions to the general policy presumption against the construction of new buildings in the Green Belt and is therefore inappropriate development and harmful by definition. The NPPF at paragraph 88 urges Local Planning Authorities to ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

The applicant accepts that the proposal is inappropriate development in terms of the NPPF. The applicant has submitted a series of considerations in the Planning Statement and Need Statement, outlining the applicant's case as to why very special circumstances exist in this case. These are referred to later in this report.

**14.2.3 ii) What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?**

The proposed development would undoubtedly change the appearance of this land with the provision of a building, access road, car parking area and landscaping, which would impact on the openness of the Green Belt. However, the site is not elevated and is not prominent within the Green Belt, being set well back from Stem Lane, surrounded by Great Woar Copse to the south and east, with hedgerows on the other boundaries and a substantial level of proposed new tree and hedgerow planting. The impact of the proposal upon the landscape and visual receptors is examined in the following section, but due to the site's lack of prominence, the proposal will not impact significantly upon the openness of the Green Belt, which weighs in favour of the proposal.

**14.2.4 iii) Would there be any other non-Green Belt harm?**

**14.2.4.1 a) Landscape and visual impacts**

The Council's Landscape Team consider that the submitted Landscape and Visual Impact Assessment (LVIA) has accurately recorded the baseline information and identified a fair zone of theoretical visual influence. The comparative photographs illustrate the fundamental screening effect of existing vegetation, particularly the field boundary hedges, and the sense of enclosure provided by Great War Copse, in both winter and summer, demonstrating the lack of intervisibility between the site, Stem Lane, Sway Road and the residential area to the south. There are a number of informal footpath routes through the woodland where views of open agricultural land are lost, and details of the woodland boundary will be important to get right in this respect.

The proposed access point would result in the loss of vegetation to Stem Lane, and the enclosure created by the woodland strip that contains the site from this modern, wide highway, should be maintained in the long term with suitable forest sized tree species,

such as oak. The precise location should be such as to avoid the unnecessary loss of existing trees that achieve this sense of separation, and firmly place the proposed site in the countryside.

The illustrative layout demonstrates a commitment to maintaining and enhancing landscape character, together with the introduction of a more formal arrangement of gardens and parkland planting, which reflect a necessary formality associated with the proposed site use, and has used well known and recognised references to historic parks and gardens.

The site is visually well contained, due to the surrounding mature trees and vegetation. There are no private views of the site that would be considered significant (such as views from private homes/gardens). It is considered that, subject to the use of appropriate design, materials, colours and landscaping (all to be dealt with under the reserved matters), the proposal is unlikely to impact significantly or harmfully upon the character of the area or setting of the National Park. The proposal complies with the relevant provisions of Policies CS2 and CS10.

#### 14.2.4.2 b) Air Quality

The nature of the development proposed would involve emission of the products of combustion and many of the representations received raise this as a concern. A full air quality impact assessment has been submitted, which explains that emissions would be very low, based on the type of cremators to be installed and in the region of six cremations daily. The Council's Environmental Protection Section has reviewed the air quality assessment and concur with the applicant's view in respect of emissions.

Paragraph 122 of the NPPF states that local planning authorities should focus on whether the development itself is an acceptable use of land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The Planning Authority should not seek to duplicate the role of other statutory authorities and in this respect Appeal Decision: APP/M0933/W/15/3135605 for a crematorium on land to the North of Junction 36 of the M6, is pertinent to consideration of this application. Paragraph 36 of that appeal decision is set out below:

*“ Concerns have been raised by interested parties over the potential impact of pollution and emissions from the crematorium, to the detriment of local residents and wildlife in the vicinity of the adjacent canal. In this respect, I have noted the absence of any technical representations from the Council's Environmental Health/Protection team, and also the conclusion that there would be a negligible impact on air quality. I am also mindful that any emissions from the crematorium would be controlled by an Environmental Permit. Furthermore, in this respect I have also had regard to paragraph 122 of the Framework, which requires local planning authorities to assume that where the control of processes or emissions themselves are subject to approval under pollution control regimes, that those regimes will operate effectively.”*



We are in a parallel situation with this proposal, as the Council's Environmental Health Team raise no objections to the proposal, the level of emissions produced by this proposal (based on 6-7 cremations daily) having a negligible impact on air quality. The Environmental Health Team also state that operation of a crematorium would be subject to an Environmental Permit issued under the Environmental Permitting (England and Wales) Regulations 2010 (as Amended) by the Local Authority in addition to the agreed planning permission, which would regulate the emissions to atmosphere. With this safeguard in place, and the advice in the NPPF, a reason for refusal based on air quality cannot be substantiated.

#### 14.2.4.3 c) Ecology and Tree Impacts

The site is in agricultural use, being improved pasture, so the ecological impacts of the proposal on the site itself would be low. The submitted ecological survey and tree survey demonstrate the development would have no trans boundary impacts upon adjoining natural resources, notably Great Woar Copse SINC. It is considered that further survey work and associated details of mitigation and enhancement can be adequately addressed through a suitable condition or reserved matters. The Ecologist and Tree Officer have raised no objections to the proposed development subject to conditions.

#### 14.2.4.4 d) Highway Impacts

The submission is supported by a Transport Assessment and includes details of specific access arrangements, which the County Highway Authority have raised some concerns over.

Stem Lane is derestricted at the location of the proposed new access, the speed limit is consequently 60 mph where the required visibility at the access would be 2.4 metres ('x' distance) by 215 metres ('y' distance) in both directions. The applicant has stated within the Transport Statement that visibility splays will be provided in both directions at the proposed new access, but these were not indicated on the initial plans.

The Transport Statement states that there should be a minimal overlap in vehicle movements between those leaving one service and those arriving for the next one, the Highway Authority have concerns that operation of the crematorium could give rise to conflict at the access onto the highway between cars arriving from the south and those leaving the site towards the north. This might result in the possibility of cars wishing to enter the site being stacked within the northbound lane of Stem Lane which raises the concern that the forward bend visibility for cars and motorcycles approaching from this direction may not be sufficient for such vehicles travelling at speeds of up to 60 mph to stop safely should they encounter any vehicle waiting within the carriageway. The applicant should therefore provide details of the forward bend visibility available for all vehicles approaching the proposed new access from the south so that the Highway Authority may fully evaluate the proposals. Consideration should also be given to the provision of a suitable right hand turn lane facility which might be executed by way of a Section 278 agreement with the Highway

The Transport Statement also provides details of the site entrance and arrangements for where the proposed new access road crosses the existing cycle route. These arrangements give priority to users of the cycleway. It is the Highway Authority's view that the priorities should be reversed at this point and suitable road markings and cycle barriers provided on the cycleway to prevent users from crossing the access road at speed or without due care and attention.

The application states that 100 car parking spaces would be provided at the site with a further 50 spaces being available if required within an overspill car park. Given the extent of the development and limitations to its use together with the information contained within the Transport Statement, the Highway Authority consider that the proposals would provide an appropriate level of on site parking provision.

In respect of traffic movements generated by the development the Highway Authority consider that the level of trip generation outlined in the Transport Statement, based on a similar operation in Trowbridge, provides an appropriate assessment of the likely movements at the site. It is considered that the local highway network is capable of safely accommodating the additional vehicular movements that might be generated by the proposals, although the Highway Authority would however wish to see the hours of operation limited by condition to those stated within Transport Statement to avoid the possibility of increased traffic within the local highway network during peak periods.

Amended plans have been submitted which provide a right turn lane in Stem Lane which overcomes the concerns of the Highway Engineer in respect of vehicles wishing to turn right from blocking the carriageway. This would need to be secured by condition, as would the visibility splays. The Highway Engineer recognises the public concerns raised but is of the view that this proposal would now be acceptable. Your officers believe that the provision of a right turn lane will address some of the concerns raised by the public in respect of the safety of users of the access into the site and other road users.

#### 14.2.4.5 e) Site Drainage

Where possible development proposals should include improvements to existing habitats, and/or creation of new areas of wildlife value for example ponds etc associated with sustainable drainage schemes. Given the location of the site in a rural landscape, and the amount of land available, a comprehensive approach to dealing with water on site could be achieved, meeting Policies CS2 and CS4, which state that all new buildings should be designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) wherever feasible. Other sustainable features that should be considered for a scheme such as this are green roofs (which reduce energy costs and provide biodiversity benefits), or rainwater harvesting.

A revised Drainage Strategy was submitted to address initial concerns raised by the County Drainage Authority. Having reviewed the revised strategy, the County Council are satisfied that the general principles for the disposal of surface water are acceptable and that detailed

drainage matters may be addressed at the reserved matters stage.

#### 14.2.4.6 f) Residential Amenity Impacts

The application is made in outline, with only indicative plans of the appearance and scale of structures to be erected following any reserved matters submission. The site is set sufficiently distant from any residential properties to avoid any adverse effect on residential amenities by reason of visual intrusion, overlooking or shading, considered under the amenity related provisions of Policy CS2.

Concerns regarding air quality and noise have been addressed by the Environmental Health Section in the consultee's section and by the air quality section above. Critically, it is confirmed that no residential property is within 210m of the proposed location of the flue, where Section 5 of the Cremation Act 1902 requires that: 'no crematorium shall be constructed nearer to any dwelling-house than two hundred yards' (183m). No part of the crematorium building would be within 200m of any dwelling. The impacts of the proposal comply with the amenity related provisions of Policy CS2 of the Core Strategy.

#### 14.2.4.7 g) Other Matters

With regard to the comments of notified parties, which are not addressed above:

- The Council notified neighbours immediately adjoining Great Woar Copse by letter, advertised the proposal in the local newspaper and posted a site notice for 21 days in the locality. The applicant engaged with the Town Council, local newspaper, other interested parties and held a public consultation event in April 2016 to publicise their proposals. A significant number of representations have been received to the proposals, both for and against, and it is not considered that the proposal has suffered from any significant lack of publicity.
- Loss of property value is not material to consideration of any planning application.
- Proposals for 300 homes on land to the west of Stem Lane are at an early stage in the Local Plan Review 2016-2036. A planning application is likely to be some years off. However, any planning application will need to be considered on its own merits, including proximity to the crematorium proposed here.
- Concern is raised that the grounds will eventually be used for burials. If this is the case, then a planning application will need to be made and considered on its own merits.
- The landowner intends to bolster native planting immediately adjoining Great Woar Copse in order to prevent views from permissive paths within the Copse. There are no proposals to restrict public use of the Copse.
- The financial viability of a scheme based on the number of daily services proposed is queried. The viability of this development proposal is not a consideration to be made by this Authority. Similarly the fact that the applicant intends to operate the facility as a commercial concern is not a matter

for consideration here.

- It is queried that if the number of cars for each funeral is estimated to be 14, then why a main car park for 100 cars is proposed with an overflow for 50? In this respect it is likely that two funerals will overlap resulting in a average requirement for 28 parking spaces, however, some funerals will undoubtedly be better attended than others, so an over provision is necessary for those occasions. The Highway Authority raises no objections on the basis of any over or under provision of parking.
- On the basis that the air quality and transport submissions made with this application are based on a limited number of daily services, it is recommended that the number of daily services be restricted to eight by condition.
- The Planning Authority is not in a position to assess alternative methods of body disposal, the Council is required to assess a proposal for a crematorium on its own merits.

#### **14.2.5 iv) Are there any considerations which weigh in favour of the development?**

##### **14.2.5.1 Consideration 1: The Quantitative need for the crematorium on this site**

The applicant has provided the following details in relation to 'need' as part of his submission that very special circumstances exist which justify allowing inappropriate development in the Green Belt.

The quantitative need for the crematorium on this site is based on a number of factors:

- 1. the proposed facility's catchment area** based on a reasonable drive-time of 30 minutes.
- 2. the location of other facilities** - Bournemouth and Southampton
- 3. population, death and cremation rates** and
- 4. usage of facilities** whether there is a sufficient population with cremation needs based on projected mortality rates in that catchment area to support the proposed new crematorium.

The applicant's quantitative need assessment identifies that death rates are projected to rise in the future in line with population increases and the demographic of the catchment area, which extends from Christchurch in the west to Fawley in the east and Ringwood and Lyndhurst to the north, all of which being within a 30 minute drive. The assessment goes on to state that capacity at existing local crematoria is limited now and unlikely to be able to cope satisfactorily with projected death rates, without sacrificing the qualitative experience. The proposed New Milton Crematorium will support other crematoria to meet the quantitative need that exists currently and which will increase in line with projected increases in the number of deaths. Even with 60 minute service intervals, the new crematorium offering eight funeral slots will add over 2,000 potential funeral slots per year to those already available.

In their assessment of need the applicants acknowledge that there is no 'standard' methodology for assessing need, such as there is when dealing with retail proposals or in relation to housing need. However, the applicants have considered 12 appeal decisions in which assessment of need for crematoria were part of the evidence base taken into account by the Secretary of State and have used common features of these decisions in producing a need assessment in this case. This is considered to be an entirely reasonable approach to take. The applicants have used information produced by the Cremation Society of Great Britain and statistics produced by the Office of National Statistics to inform the assessment.

A clear picture emerges, having regard to the four factors mentioned above, that there is currently a significant level of need for a new crematorium in this area. Some of the existing crematoria in the area are close to their maximum capacity (i.e. Wessex Vale and Porchester) whilst Poole is operating above its 'factored' capacity. Southampton operates at a 75% 'factored' capacity, but only does so by limiting the time slots for each cremation to 30 mins. The applicants' statistical projections demonstrate that existing capacity issues will have become more acute by 2024, having regard to increases in population and consequently, increases in deaths.

Having examined the need assessment in detail, there would appear to be a significant need for a new crematorium in this area and there is no compelling evidenced to counter the applicant's quantitative needs assessment. This weighs in favour of the proposal.

#### 14.2.5.2 Consideration 2: The Qualitative need for the crematorium on this site

The applicant's assessment of qualitative need for the crematorium on this site is based on:

1. **travel time / proximity of facility** – users within, or within reasonable proximity to their community;
2. **service length / congestion** – most people value the opportunity to have an un-rushed service
3. **scheduling** – where there is insufficient capacity in the existing system to accommodate people's needs, increasing delays between death and cremation will be experienced.
4. **religious and cultural flexibility** – the availability of specialist or flexible facilities to meet the needs of religious, non-religious or ethnic groups over and above the 'standard' facilities that one would expect to find in a crematorium;
5. **memorial facilities** – the availability of sufficient space to offer a choice of memorial options (gardens, floral areas, plaques, books of remembrance and so on); and
6. **up-to-date facilities**

A key factor in establishing the catchment population is by reference to the relative time it takes for funeral cortèges to travel to available crematoria. While there are factors that may influence a family to choose to hold their funeral at a more distant crematorium, the general and well established pattern is that people select the crematorium that is located closest to them. Minimising travel time has qualitative impacts upon those attending funerals, exemplified by

some responses of notified parties.

The applicants advise that New Milton Crematorium would offer 60 minute funeral intervals, minimising the possibility of congestion occurring. People will be able to arrive, park, enter the building, experience the funeral and leave the site with a sense that they are un-rushed. Similarly the applicants consider that the ability of the bereaved to schedule funerals to a date and time of their choosing would be enhanced by this proposal. The proposal will also offer up-to-date facilities of exceptional quality for all sectors of society. These issues will have a positive impact on the qualitative experience of mourners.

Your officers consider that a new crematorium facility at this site would be very likely to add to the qualitative experience of bereaved people and Funeral Directors in the area, for the reasons put forward by the applicants. Moreover, by relieving capacity issues at existing crematoria in the area, the choice of times and days available for cremations at these facilities will be improved, reducing the anxiety and discomfort that occurs when cremations are held 'back to back' in a queue. Again, there would not appear to be any evidence to counter the applicant's qualitative needs assessment which weighs in favour of the proposal.

#### 14.2.5.3 Consideration 3: That there are no alternative sites that meet the requirements of the development outside of the Green Belt

The applicant contends that there are no alternative sites that meet the requirements of the development outside of the Green Belt, that lie in a location central to the catchment area. Opportunities for a crematorium in the locality are constrained by the proximity of the National Park boundary to the north and by the urban areas to the south, south east and west, where crematoria cannot be introduced within 183m of any dwelling. There is a requirement to be sustainably located in relation to its catchment, with adequate access to infrastructure and services.

The Council engaged with the applicant during the pre-application process in assessing nine alternative sites for a crematorium, which are outlined in Sections 4.5 to 4.9 of the Planning Statement. These sites were discounted for the reasons outlined in the Planning Statement. Parallels can clearly be drawn with a recent appeal case in Connah's Quay, Flintshire, where a new crematorium has been allowed in open countryside after the inspector was satisfied there was no alternative site. The Council was concerned that the countryside site had not been demonstrated to be the best option. The requirements of the Cremation Act 1902 and government advice on the Siting and Planning of Crematoria clearly suggested a relatively large and attractive area of land was needed away from existing dwellings, inevitably restricting the availability of sites within settlements. The inspector concluded the assessment showed there were no preferable alternative sites. The inspector was also satisfied by the evidence that the site lay in a location central to the catchment area and could be reached within a 30 minute travel time, noting also it was close to bus routes and was sustainable.

From the evidence provided, it is considered that a process of

elimination has taken place to the satisfaction of the Council to establish that there are no alternative sites for this proposal. The demonstrated lack of alternative sites weighs in favour of the proposal.

#### 14.2.5.4 Consideration 4: Community benefits arising from the development

The population in this area is growing and the demographic suggests there will be demand for the facility. While people living nearby have aired their concerns over the proposal, these concerns are not echoed by statutory consultees, subject to resolution of the concerns raised by the County Highway Authority. A not insignificant level of support has been received from residents of New Milton for the proposal and it is local residents who would derive the most benefit from this facility. It is considered that the proposal would be of benefit to the community, which weighs in favour of the proposal.

#### 14.2.6 **v) Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?**

As set out above, the proposed development amounts to inappropriate development in the Green Belt, which by definition is harmful to the Green Belt. Substantial weight attaches to any harm to the Green Belt. Moreover, while the majority of the site would remain open, the crematorium building and the parking areas would lead to some loss of openness and would be an encroachment into the countryside, which adds to the harm to the Green Belt, albeit to a limited extent.

With respect to 'any other harm', the site would be visually enclosed and the landscape strategy proposed is likely to lead to an enhanced landscape value for the site. The use is likely to have a negligible impact on air quality which in any event would be subject to other controls. The ecological value of the site would not be harmed by the proposals, provided that suitable conditions relating to the translocation of wildlife were imposed. Precise details concerning site drainage can be addressed at the reserved matters stage.

With regard to highway matters, while the issue of traffic generation and parking is regarded as satisfactory by the Highway Authority, the Authority has concerns about the geometry of the access into the site, forward visibility and vehicle/cycle priorities at the junction of the access with Stem Lane. As matters stand, these matters are considered to be harmful to highway safety and weigh against the proposal. This issue may be capable of resolution through the submission of revised plans and an update will be presented to Members at the meeting.

With regards to residential amenity impacts, the proposal is not considered likely to have any harmful impact on residential amenity which would weigh against the scheme.

Your officers are not aware of any other matters raised in representations that would weigh against the scheme.

In respect of those matters which weigh in favour of the scheme, the

applicant has provided substantial evidence in relation to need, both qualitative and quantitative. The proposed development is likely to make a very positive contribution to families and individuals dealing with bereavement and this is considered to weigh heavily in favour of the development.

In your officers' view, subject to the resolution of the concerns relating to highway matters, the matters which weigh in favour of the development clearly outweigh the harm to the Green Belt and all other harm identified above.

**14.2.7 vi) Are there 'very special circumstances' to justify allowing inappropriate development in the Green Belt?**

In light of the above, it is concluded that 'very special circumstances' do exist, in the form of quantitative and qualitative need, lack of alternative sites and benefits to the local community to warrant a departure from established and adopted Green Belt policies. The principle of the proposed development within Green Belt is therefore considered to be acceptable in this instance

**14.3 Conclusion**

14.3.1 The proposed development is inappropriate development within the Green Belt, although the applicant has demonstrated very special circumstances to warrant a departure from Green Belt Policy. Subject to conditions the proposal would have no significant adverse impact upon the character and appearance of the area, adjoining amenity or nature conservation interests and subject to resolving the concerns of the County Highway Authority outlined above, it is recommended for approval.

14.3.2 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

**15. RECOMMENDATION**

**Grant Subject to Conditions**

**Proposed Conditions:**

1. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the 'reserved matters' to be approved.



Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Approval of the details of the layout, scale, appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority before any of the development is commenced. The development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development permitted shall be carried out in accordance with the following approved plans: SK01 and 1612-1001

Reason: To ensure satisfactory provision of the development.

5. Prior to development commencing including site clearance, a biodiversity mitigation and enhancement plan, based on suitable ecological survey shall be submitted to and agreed in writing by the local planning Authority. Development should proceed and measures be maintained thereafter in accordance with the agreed details.

Reason: To safeguard protected species in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park.

6. No development or site clearance shall take place until exact specifications of proposed tree planting, detailing the size, species and location of all trees to be planted are submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park.

7. The development hereby approved shall be used for crematorium purposes only and provide no more than eight daily services, without express planning permission first being obtained.

Reason: The application has been determined on the basis of a limited number of daily services, in relation to air quality and highway impacts, and it is considered appropriate to limit the number

of services to the prescribed number in order to ensure these issues are maintained within acceptable tolerances, in the interests of pollution control and highway safety, in accordance with Policies CS2 of the Core Strategy for the New Forest District outside the National Park.

8. No activity shall take place on the site in connection with the approved use for conducting crematorium services other than between the hours applied for, being 09:00 to 17:00 Monday to Saturday.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

9. The development hereby permitted shall not be occupied until the right turn lane and visibility splays shown on plan number SK01 have been constructed and made available for use at all times.

Reason: In the interests of highway safety and in accordance with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.

#### **Notes for inclusion on certificate:**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The applicant sought the Council's pre-application advice on the form of development proposed and has submitted the requisite documents and plans in respect of this outline application. The applicant was requested to provide additional information in respect of traffic and flood risk impacts from the proposed development, in light of the comments of consultees and notified parties, but otherwise the application was acceptable as submitted and no specific further actions were required.

2. In respect of condition no. 5, the New Forest Ecologist advises that the applicant should note that it will be important to facilitate appropriate liaison between the Ecologist advising on the scheme and other professionals such as landscape architect in order to ensure coordination and delivery of mitigation and enhancement measures for later planning stages.
3. The Council's Environmental Health Section advise that Section 5 of the Cremation Act 1902 requires that: 'No crematorium shall be constructed nearer to any dwelling-house than two hundred yards, except with the consent, in writing of the owner, lessee and occupier of such house, nor

within fifty yards of any public highway, nor in the consecrated part of the burial ground of any burial authority.' Significant penalties can be incurred for any contraventions of the above section.

4. Southern Electricity advise of the presence of two overhead High Voltage electricity lines that cross this proposed development site. There are various pieces of apparatus present along the route of the lines. The applicant must be aware of this apparatus. Plans of the position of the lines and apparatus are available from their mapping services department [mapping.services@sse.com](mailto:mapping.services@sse.com) If the lines and apparatus were required to be diverted, then Southern Electricity would expect the developer to pay for all costs incurred.
5. The County Drainage Authority advise that while the general principles for the surface water drainage proposals are acceptable, further information must be submitted as part of the reserved matters including:
  - Detailed sizings and design for swales
  - Detailed designs and sizes for the underground storage, in relation to storage calculations
  - Details and sizes of piped drain leading to ditch D3

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

6. **Environment Agency Advice to Applicant:**

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

7. Southern Water advise the applicant to contact them on 0330 3030119 or [www.southernwater.co.uk](http://www.southernwater.co.uk) for information regarding connection to public sewers.
8. Southern Gas Networks advise that an extract from their mains records of the proposed work area is available on the Council's website your guidance. This plan only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days. On the mains record you can see our low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes. A colour copy of these plans and the gas safety advice booklet should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation. Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant

people (direct labour or contractors) working for you on or near gas plant. Damage to our pipes can be extremely dangerous for both your employees and the general public. The cost to repair our pipelines following direct or consequential damage will be charged to your organisation. Please ensure we are able to gain access to our pipeline throughout the duration of your operations.

If you require any further information please contact the Plant Protection Team on 0800 912 1722

**Further Information:**

Major Team

Telephone: 023 8028 5345 (Option 1)



# New Forest DISTRICT COUNCIL

Tel: 023 8028 5000  
www.newforest.gov.uk

David Groom  
Service Manager  
Planning and Building Control  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

**Planning Development  
Control Committee  
September 2016**

**Item No: 3i**

East of Stem Lane  
& North of Wear Copse  
New Milton  
16/10780  
SZ2396

Scale 1:3000

N.B. If printing this plan from  
the internet, it will not be to  
scale.

