

REGULATORY SERVICES COMMITTEE

REPORT

25 August 2011

Subject Heading:

**P0980.11 – South Essex Crematorium,
Ockendon Road, Upminster**

**Single storey garage/workshop and
single storey demountable building for
use of staff office/mess room
(Application received 28th June 2011)**

Report Author and contact details:

**Helen Oakerbee (Planning Control
Manager) 01708 432800**

Policy context:

Local Development Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	[x]
Excellence in education and learning	[]
Opportunities for all through economic, social and cultural activity	[]
Value and enhance the life of every individual	[]
High customer satisfaction and a stable council tax	[]

SUMMARY

This application is a resubmission of a previously approved scheme, P0906.09, for the erection of two single storey buildings within the grounds of the South Essex Crematorium. The buildings are to be used for the storage of ground maintenance vehicles and as welfare/office accommodation for staff. The planning issues are set out in the report below, which focuses on the differences between the current proposal and the previous application as well as issues relating to the principle of development, impact on the character and appearance of the Green Belt, impact on amenity and parking/highway issues. Staff are of the view that the proposal is

acceptable and it is recommended that permission be granted subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

1. Time Limit – The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

3. Restricted use - Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the buildings hereby permitted shall be used as welfare accommodation, offices and for storage purposes only and shall be used for no other purpose(s) whatsoever including any other use in Class B1 or B8 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from

the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. Storage of refuse - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. Cycle storage - Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

7. Contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A - Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a "Validation Report" must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, "Land Contamination and the Planning Process".

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC31, DC32, DC33, DC35, DC36, DC61 and DC63 of the LDF Development Control Policies Development Plan Document. Other material considerations, namely that the existing buildings on the site have been removed and the need for such a facility in this location, justify exception in this case to the strict application of Policy DC45 and are considered to constitute the very special circumstances necessary to comply with PPG2.

REPORT DETAIL

1. Site Description

- 1.1 The application site is located on the northern side of Ockendon Road within the grounds of the South Essex Crematorium. The site is situated towards the centre of the Crematorium site approximately 150 metres north of Ockendon Road and to the west of the existing Crematorium Chapel building. The site is presently utilised as a compound for the storage of vehicles and materials required for the maintenance of the Crematorium grounds. The ground area within the compound is presently uneven and covered with a mixture of concrete and tarmac. There are no trees within the compound area. The compound is bounded by a dense hedge with an average height of 2 metres.

- 1.2 The application site and surrounding open fields is designated as being Metropolitan Green Belt land in the Local Development Framework. The area surrounding the site is characterised by the gardens.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 2 No. single storey buildings for the storage of ground maintenance vehicles and welfare/office accommodation for crematorium staff. The ground surrounding the proposed buildings would also be resurfaced with tarmac.
- 2.2 The proposal would see the construction of two single storey buildings. One of the buildings would be situated to the northern end of the compound area and measure 28.3 metres in width by 4.3 metres in depth and have a mono-pitched roof 3.8 metres in height. The building would be used for the storage of ground maintenance vehicles and a workshop. The second building would be situated towards the southern end of the site and measure 9.5 metres in width by 7.6 metres in depth and have a flat roof 3.5 metres in height. The building would be used for office and welfare purposes.
- 2.3 The garage/workshop building would be brick built with a sheet steel roof. The office/mess room building would be a prefabricated building with rendered walls and a timber fascia board roof. The proposal would not result in a change to the existing parking and access arrangements.

3. Relevant History

P0906.09 – Erection of 2 No. single storey buildings for the storage of ground maintenance vehicles and welfare/office accommodation for crematorium staff – Approved.

4. Consultations/Representations

- 4.1 The application has been advertised and a site notice was displayed. Neighbour notification letters have also been sent to adjoining occupiers. No letters of representation were received.

5. Staff Comments

- 5.1 The main differences between this proposal and the previously approved application, P0906.09, are summarised as follows:
- The use of the two buildings has alternated. The building at the northern end of the compound area will be used for the storage of ground maintenance vehicles and a workshop. The building towards the southern end of the site will now be used for office and welfare purposes.
 - The dimensions and roof of the garage/workshop building have changed. Its width has increased from 24m to 28.3m, its depth has reduced from 6m to 4.3m and its flat roof with a height of 3.1m has changed to a mono-pitch roof with a height of 3.8m.

- The dimensions of the office/mess room have changed. Its width has increased from 9m to 9.5m and its depth has reduced from 9m to 7.6m. (Its height remains the same at 3.5m).
- The garage/workshop building has changed from a modular construction to a higher quality traditional brick built building.

5.2 The issues raised by this application are: the impact on the Green Belt, design and visual impact, impact upon amenity, and parking and highways issues. Policies DC31, DC32, DC33, DC35, DC36, DC45, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant to the determination of the application as are policies 7.16 (Green Belt) and 7.23 (Burial spaces) of the London Plan July 2011 and Government guidance contained within PPS1 (Delivering Sustainable Development) and PPG2 (Green Belts) are also material considerations.

5.3 Impact on the Green Belt

5.3.1 Policy DC45 of the LDF states a presumption against new development unless it is for one of a range of uses specified by the Policy as appropriate. The proposed development does not fall within one of the range of uses identified by Policy DC45 as acceptable in principle within the Green Belt.

5.3.2 PPG2 (Green Belts) also states a general presumption against inappropriate development within the Green Belt, both in respect of "in principle" harm and any other resultant harm to the character and openness of the Green Belt. Paragraph 3.4 of PPG2 states that the construction of new buildings within the Green Belt is inappropriate development unless it falls within the categories of development specified within the PPG. The proposed development does not fall within any of these specified categories and is therefore unacceptable in principle within the Green Belt.

5.3.3 PPG2 provides that where inappropriate development is proposed within the Green Belt planning permission should not be granted unless the applicant can demonstrate very special circumstances exist that outweigh the harm resulting from the development. It therefore falls to be considered whether such very special circumstances exist in respect of this application, failing which it should be refused.

5.3.4 The applicants have submitted a statement setting out the very special circumstances they consider weigh in favour of the proposals. The applicant has advised that the Environmental Protection Act has introduced a legislative requirement which dictates that all crematoriums are to install new filtration equipment by 2012. The filtration equipment to be installed is of a large size and will completely fill up the workshop area in the proposed garage/workshop building. The applicant has advised that failure to comply with the legislation would result in the Crematorium being prosecuted and ultimately forced to close. The Crematorium has a number of ground maintenance, vehicles, machines, equipment and materials which are used for ground maintenance purposes. In order to implement the requirements

of the Environmental Protection Act there is an urgent need to develop secure storage for these.

- 5.3.5 The Crematorium currently employs eighteen gardeners who carry out ground maintenance to the Upminster Cemetery and the Crematorium's grounds through out the year. The gardeners are currently using staff welfare facilities in the Crematorium. The new office/mess room building needs to comply with current legislation for Health and Safety at Work.
- 5.3.6 Members may agree that the demonstrated need for new welfare and workshop/garaging facilities as a result of new legislative requirements amounts to very special circumstances that outweigh the degree of harm that the proposed development would cause to the Green Belt.
- 5.3.7 The Crematorium compound area has been previously developed with various buildings and is predominantly hard surfaced. The site does not therefore display the usual characteristics of an undeveloped "Greenfield" site within the Green Belt. Although the width of the garage/workshop has increased from 24m to 28.3m, this is partly mitigated by a reduction in depth from 6m to 4.3m. Although the flat roof of the garage/workshop building has changed to a mono-pitched roof with a height of 3.8m, its design and appearance is deemed to be an improvement when comparing the modular construction to a higher quality traditional brick built building. Although the width of the office/mess room building has increased from 9m to 9.5m, this is partly mitigated by a reduction in depth from 9m to 7.6m. The proposed buildings would occupy a large proportion of the compound area, although the size of the buildings has been dictated by the necessary space required to provide modern welfare facilities and suitable storage space for the Crematorium's vehicles. The proposed buildings have been designed to be as low as possible with a maximum height of 3.8 metres. The perimeter of the compound is presently bounded by a substantial evergreen hedge with an average height of 2 metres. It is intended that the hedge would be retained thus screening a significant proportion of the proposed buildings. Beyond the compound area the Crematorium grounds are extensively landscaped with gardens and mature planting. As a matter of judgement Members may agree that the proposal would not materially harm the character of this part of the Green Belt.
- 5.3.8 The proposal would also see the resurfacing of the existing compound area with tarmac. Staff are of the view that the extent of hard surfacing would not be materially harmful in the context of the overall site.
- 5.3.9 Having regard to these factors, whilst it is acknowledged that there will be some impact on the existing character of the site, staff do not consider that material harm to the character and openness of the Green Belt will arise from these proposals. Furthermore the proposal is not considered to be a material departure from LDF policies relating to the Green Belt or PPG2, and it is not considered that referral to the Secretary of State is necessary in this case.

5.4 Design/Street scene

5.4.1 The proposed buildings are considered to be acceptable in terms of siting and design. The buildings would be sited a significant distance from Ockendon Road and, as such, would not be visible from the street scene.

5.5 Impact on Amenity

5.5.1 The proposed buildings would not have an adverse impact on the amenity of adjoining occupiers taking into account the alternation of their use. The nearest residential property to the compound area is situated at Redcrofts Farm to the south of the Crematorium at a distance in excess of 155 metres. Given the location of the proposed buildings and the existing screening afforded to the site boundaries, it is unlikely that the proposed buildings would be visible from outside of the Crematorium site.

5.6 Highway/Parking

5.6.1 In considering the car parking and highways implications of the application, Policy DC33 seeks to ensure all new developments make adequate provision for car parking. The proposed buildings would provide welfare accommodation for staff and a garage/workshop for Crematorium vehicles. No additional car parking is proposed as part of this application, with staff continuing to utilise the existing Crematorium car park which is situated to the south of the compound area. Access into the compound area would remain unaffected by this proposal. The proposal is considered to be acceptable in respect of parking and highways issues.

5.7 Other matters

5.7.1 A large area of the Crematorium's land is consecrated grass land. The location of the proposed buildings within the existing compound is not on consecrated ground.

6. Conclusion

6.1 Having regard to all relevant factors, material planning considerations and revisions to the previously approved application, P0906.09, staff are of the view that this proposal to provide new welfare facilities and a storage building for Crematorium vehicles is acceptable. Staff are of the view that the proposal would not be harmful to the character and appearance of the Green Belt, the street scene or residential amenity. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as owner of the site.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application form and plans received on 28th June 2011.