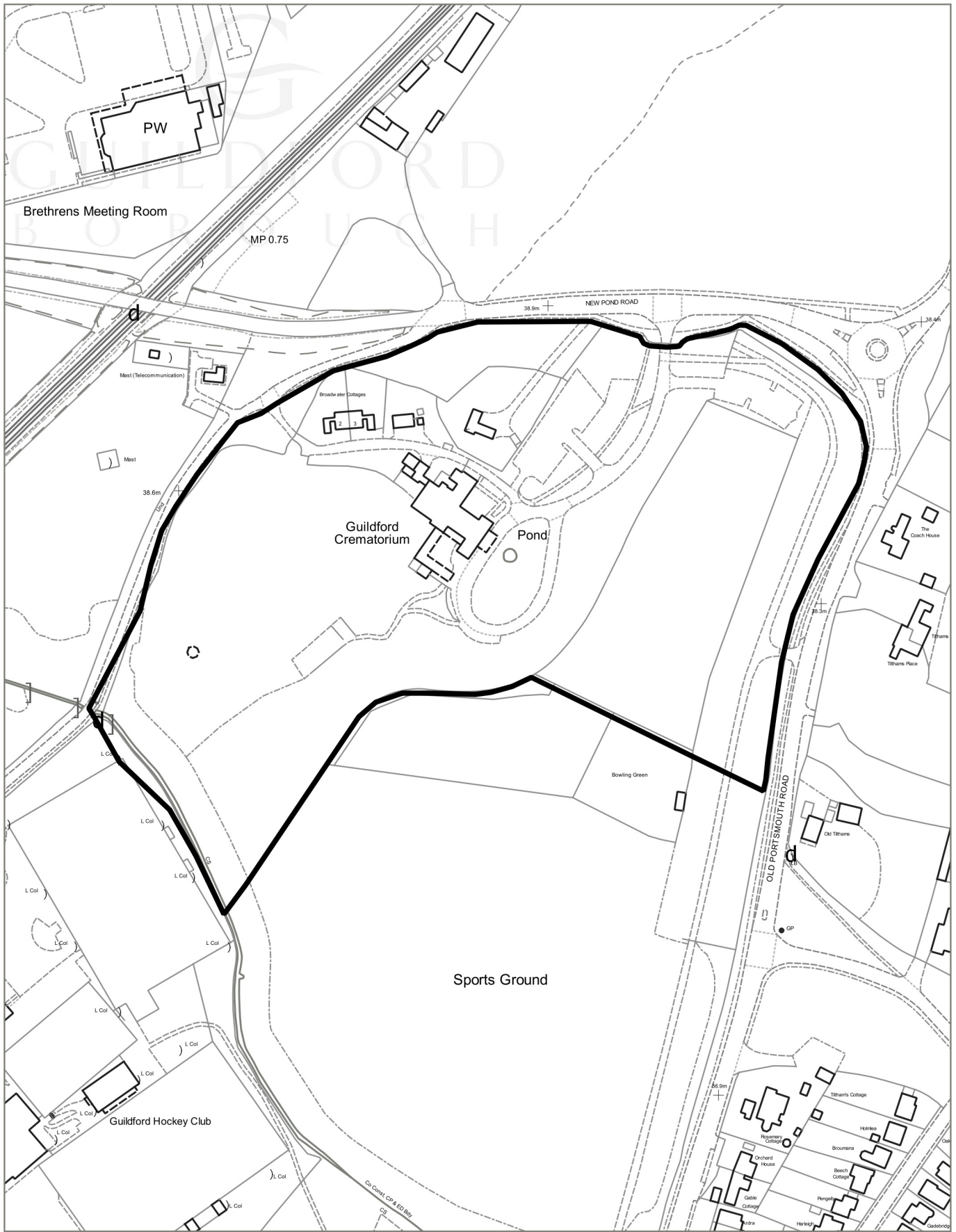


20/P/01026 - Guildford Crematorium, New Pond Road, Peasmarsh



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Print Date: 08/09/2020



Not to Scale



GUILDFORD
BOROUGH

App No: 20/P/01026
Appn Type: Full Application
Case Officer: Carolyn Preskett

8 Wk Deadline: 24/09/2020

Parish: Shalford
Agent : Mr Woods
Haverstock
Studio 10
Cliff Road Studios
Cliff Road
London
NW1 9AN

Ward: Shalford
Applicant: Mr Stacey
Guildford Borough Council
Parks and Leisure Services
Stoke Park Nursery
Nightingale Road
Guildford
GU1 1ER

Location: Guildford Crematorium, New Pond Road, Peasmarsh, Guildford
Proposal: Variation of condition 2 (approved plans) of planning permission 17/P/01389, approved on 05/10/2017, to allow changes to the approved scheme.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee as the applicant is Guildford Borough Council.

Key information

Variation of Condition 2 of planning permission 17/P/01389 to allow changes to the approved chimney.

Summary of considerations and constraints

This proposal would provide a taller cremator stack to ensure pollutants emitted are sufficiently dispersed and diluted in the atmosphere so that they ground at concentrations that are deemed harmless. The development falls within the exceptions to inappropriate development in the Green Belt listed at paragraph 145 of the NPPF 2019. The proposal is considered to be acceptable in principle, and subject to suitable conditions there is considered to be no demonstrable harm to the Green Belt, character and scale of the site and surrounding area.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be carried out in accordance with the, following approved plans 2433/4038, 1100-1000, 1100-1001, 1100-1002, 1100-1003-PI.A, 1100-1004-PI.A, 1100-1005-PI.A, 1100-1006 PI.A, 1100-2002, 1100-2003, 5001 C4, 5002 P1, 5003 C2, 0364-PLI-00-ZZ-DR-L- 00022 PL05 and 0364-PLI-00-ZZ-DR-L-00023 PL04 received 30 June 2017 and amended plan 1100-2001-PI.E received 25 June 2020.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

2. The proposed development shall take place in accordance with the material schedule document 1100_D109 submitted and approved in writing by the local planning authority 12 April 2018. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the building is satisfactory.

3. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

4. The proposed development shall take place in accordance with the details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels as shown on drawing numbers 0364-PLI-00-ZZ-DR-L-00021 REV PL01, 0364-PLI-00-ZZ-DR-L-00027 REV PL01 and 0364-PLI-00-ZZ-DR-L-00028 REV PL01 submitted to and approved in writing by the Local Planning Authority on 12 April 2018. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to ensure the height of the development is appropriate to the character of the area.

5. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

6. The proposed development shall be carried out in accordance with the Landscape Management Plan prepared by Henriette Westergaard Ecology and Land Management dated November 2019 (which included the long term design objectives, management responsibilities and maintenance schedules for all landscape areas) and was submitted to and approved in writing by the local planning authority on 14 April 2018 prior to the occupation of the development or any completed phase of the development, whichever is the sooner.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public,

nature conservation or historical significance.

7. The areas shown for hard and soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.

Reason: In the interests of the visual amenities of the locality.

8. The proposed development shall be in accordance with the Arboricultural Method Statement prepared by Treework Environmental Practice dated 28 February 2018, reference 180228-1.0-GC-AMS-CH, submitted to and approved in writing by the local planning authority on 2 May 2018. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

9. The proposed development shall take place on site in accordance with the Construction Transport Management Plan prepared by Buxton Building Contractors Ltd submitted to, and approved in writing by the local planning authority on 20 April 2020. The approved statement shall be adhered to throughout the construction period and shall include: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials used in constructing the development (d) programme of works (including measures for traffic management) (e) provision of boundary security hoarding behind any visibility zones (f) wheel washing facilities (g) measures to control the emissions of dust and dirt during construction (h) a scheme for the recycling/disposing of waste resulting from demolition and construction works.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

10. The development shall take place in accordance with Schedule of Luminaires reference 3928/DH/SA and Drawings numbers E3101 Rev T2, E3102 Rev T1 and E3401 Rev T2 which includes: (a) details of floodlighting or other form of external lighting scheme submitted to and approved in writing by the local planning authority in writing on 12 April 2018 and (b) the floodlight or external lighting scheme has been installed, maintained and operated in accordance with the approved details. Any lighting, which is so installed, shall thereafter be maintained and operated and shall not be altered other than for routine maintenance that does not involve changing the approved details.

Reason: In the interests of visual and residential amenity.

11. The development hereby permitted shall be carried out in accordance with the details of the design of a surface water drainage, the technical information provided by 'elliottwood' on 07 June 2018 submitted to and approved in writing by the local planning authority on 13 June 2018. These details include:
- a) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
 - b) Evidence that the proposed solution will effectively manage the 1 in 1 in 30 & 1 in 100 +20% and sensitivity for 1 in 100+40% allowance for climate change storm events, during all stages of the development (Pre, Post and during) following the principles of "Technical note Elliott Wood Partnership Ltd Guildford Crematorium - Surface Water Run-Off date 20/03/2017" discharging from the site at a rate no greater than 22l/s.
 - c) Evidence that the base of the crates attenuation tank is above the ground water table
 - d) Details of management and maintenance regimes and responsibilities
 - e) Details of how exceedance flows will be managed
 - f) A construction phase plan that details how the SuDS elements will be protected during construction
 - g) Drawings ready for construction to include long and cross sections of each SuDS element, a labelled drainage layout detailing pipe levels and diameters

Reason: To ensure the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site.

12. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures detailed in the following documents:
- precautionary method of works
 - preliminary ecological appraisal and preliminary roost assessment
 - dusk emergence and dawn re-entry to roost survey
 - winter hibernation surveys for Bats

All mitigation measures shall be in place in accordance with the specific timescales detailed in the relevant assessment.

Reason: To mitigate against the loss of existing biodiversity and nature habitats.

13. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicle parking and for the loading and unloading of vehicles, with the exception of those areas used for the siting of the temporary buildings proposed under application 17/P/01391.

The parking area used for the siting of temporary buildings under application 17/P/01391 shall be put in place within four months from the first use of the development hereby approved.

The parking and turning areas shall be permanently retained exclusively for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

14. The development hereby approved shall not be first operated until the proposed modified access to New Pond Road has been constructed and provided with visibility zones in accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

15. The proposed development shall be carried out in accordance with SuDS Verification Report, Elliot Wood, March 2020, revision P1, document reference: 2160090; submitted to and approved by the Local Planning Authority on 21 April 2018 to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System is designed to the technical standards

16. The proposed development shall be carried out in accordance with Drawing 1100_1003 PIC (GA Ground Floor Plan - Main Building) which details the exact location and size of the courtyard(s) on the north western corner of building (labelled 'protected view' on the approved plans) submitted to and approved in writing by the local planning authority on 12 April 2018. The approved scheme shall be implemented prior to the occupation of the development hereby approved and retained.

Reason: In the interests of good design and the visual amenities of the locality.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed potential issues, the application has been submitted in accordance with that advice and no further issues have arisen.

3. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

Officer's Report

Site description.

The application site comprises Guildford Crematorium and Gardens of Remembrance which encompasses a total land ownership of approximately 5.9 hectares. The site is located south of New Pond Road and between Summers Road and the Old Portsmouth Road (A3100) to the west and east respectively. The topography of the site is broadly flat and due to its designated use it is heavily landscaped with trees and plants. There is a small memorial pond at the entrance to the main building but no other established bodies of water within the site boundary. There is an existing unnamed stream that runs along the southern boundary of the site, which discharges towards the River Wey. Surface Water from the existing site discharges into this stream. The boundaries are well screened by established hedgerows.

Proposal.

Variation of condition 2 (approved plans) of planning permission 17/P/01389, approved on 05/10/2017, to allow changes to the approved scheme.

Relevant planning history.

17/P/01389 Erection of a single chapel crematorium on the site of the existing crematorium, with associated services including congregation, crematory, administration and staff spaces. Development also includes a separate pavilion with memorial and WC facilities. Landscape works include car parking, courtyards and entrance forecourt, with amendments to existing main access gate, main access road and car park. APPC 5/10/2017

Consultations.

Statutory consultees

County Highway Authority: No comments received

SUDS: As there is no change to the drainage strategy or Surface Water Drainage System we would have no further comments.

Internal consultees

Head of Environmental Health and Licensing: The details of the application are known to this service, as the variation is to facilitate the need to meet the requirements of the Environmental Permitting (England and Wales) Regulations 2016.

Shalford Parish Council: Objection on the following grounds

- Whilst recognising the need to amend the chimney to the new cremator it is disappointing that no thought has been given to the design of this change particularly with regard to the rest of the building and in terms of making it anything less than prominent on the building.
- The design is incongruous and out of keeping with the rest of the building and definitely requires some screening to make it less prominent
- Screening should be added or the chimney located further to the rear of the building to make it less prominent in the overall visual impression of the building.

Amenity groups/Residents associations

Guildford Society: Objection on the following grounds:

- the additional height to the chimney in tubular steel, clashes with the existing chimney design and makes the chimney more prominent
- consideration should be given to continuing the chimney cladding to the full height of the chimney to match the existing proposed chimney cladding
- consideration should also be given to continuing the roof slope towards the chimney so that the chimney becomes disguised in the roof form.

Third party comments:

2 letters of representation have been received raising the following objections and concerns:

- the present solution seems to ignore all aesthetic considerations and simply bolts on an extra length of stainless steel conduit, leaving exposed this naked structural element, proudly signifying the real, crude function of the building
- design solution is remarkably inelegant and pays no regard to visual amenity

Planning policies.

National Planning Policy Framework 2019 (NPPF)

Chapter 1 Introduction
Chapter 4 Decision Making
Chapter 13 Protecting Green Belt land

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment

Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019)

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

- D1 Place Shaping
P1 Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value
P2 Green Belt

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007)

- G1 General standards of development
G5 Design code

Planning considerations.

The main planning considerations in this case are:

- background to this application
- the principle of development
- the impact on the Green Belt
- the impact on the character of the area
- the impact on neighbouring amenity
- the impact on trees
- highway/parking considerations
- ecological issues
- flooding and drainage

Background to this application

This application is submitted under Section 73 of the Town and Country Planning Act (as amended). The provisions of Section 73 relate to the variation or removal of planning conditions attached to a grant of planning permission. The intention is that such matters would represent a minor material change to the original grant of planning permission.

The application must be determined on the basis of the effect of varying/removing the specified conditions. No other matters can be taken into account for example the principle of the original permission cannot be re-visited. Additionally it is not appropriate to dismiss a proposal simply on the grounds that conditions were originally proposed and therefore by default should be retained. The local planning authority must consider whether any planning harm would result from the variation.

Section 73, gives two options when considering such applications:

- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Under Section 73(a) officers should not limit themselves to assessing just the specific variation or removal suggested by the applicant. If an alternative change to the conditions would be acceptable then permission should be granted to that effect.

Part of the assessment under Section 73(b) should also be whether this would cause more than a minor material change to the original permission. In such cases permission should also be refused.

In this instance the application suggests the variation of condition 2 of planning permission which states:

The development hereby permitted shall be carried out in accordance with the following approved plans 2433/4038, 1100-1000, 1100-1001, 1100-1002, 1100-1003-PI.A, 1100-1004-PI.A, 1100-1005-PI.A, 1100-1006 PI.A, 1100-2001-PI.A, 1100-2002, 1100-2003, 5001 P1, 5002 P1, 5003 P1, 0364-PLI-00-ZZ-DR-L-00022 PL01, 0364-PLI-00-ZZ-DR-L-00023 PL01, 0364-PLI-00-ZZ-DR-L-00024 PL01 and 0364-PLI-00-ZZ-DR-L-00025 PL01 received on 30 June 2017.

Reason: *To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.*

The proposed rewording of the condition is as follows:

The development hereby permitted shall be carried out in accordance with the, following approved plans 2433/4038, 1100-1000, 1100-1001, 1100-1002, 1100-1003-PI.A, 1100-1004-PI.A, 1100-1005-PI.A, 1100-1006 PI.A, 1100-2002, 1100-2003, 5001 C4, 5002 P1, 5003 C2, 0364-PLI-00-ZZ-DR-L- 00022 PL05 and 0364-PLI-00-ZZ-DR-L-00023 PL04 received 30 June 2017 and amended plan 1100-2001-PI.E received 25 June 2020.

Reason: *To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.*

The primary considerations resulting from this change would be:

- The height of the cremator stack is to increase to 9m from 8.1 m to ensure pollutants emitted are sufficiently dispersed and diluted in the atmosphere so that they ground at concentrations that are deemed harmless. The necessary stack height has been revised and recalculated using HMIP Technical Guidance Note (dispersion) D1 as a requirement of the sites permit to cremate which has recently been approved by Guildford Borough Council's Regulatory Services Team. A variation of condition 2 is required to revise drawing 1100-2001 PI.E to show the altered stack height.

Principle of development and the impact on the Green Belt

The NPPF attaches great importance to the designation of the Green Belt , and the construction of new buildings is generally regarded as inappropriate development, unless the development falls within one of the exceptions listed in paragraph 145 of the NPPF. One of the listed exceptions is the '*provision of appropriate facilities for outdoor sport, outdoor recreation and 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*'. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015:2034 (adopted 25 April 2019) accords with the NPPF where it relates to developments in association with cemeteries. Paragraph 145 of the NPPF also states that the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, may be an appropriate form of development within the Green Belt.

The principle of development was accepted with the approval of extant planning application 17/P/01389. The current proposals are for changes to that extant planning permission which amount to the increase of the height of the chimney only. Given the modest increase in the height of the chimney it is held that the proposals would have no greater impact on the openness

of the Green Belt than the extant permission.

Impact on the character of the area

The site is well screened and the proposed development would not be visible from the surrounding area and as such it is not considered there is a need for additional planting or screening. The proposed development would result in a tubular steel addition to the chimney with the overall height of the chimney being increased by 90cm over the height of the chimney approved under extant permission 17/P/01389. The proposed increase in the height of the chimney and the tubular steel addition would not alter the conclusions reached in the consideration of extant planning permission 17/P/01389 that the development would be sympathetic in scale and design with the character of the site as a crematorium. Whilst the concerns of the Parish Council, Guildford Society and third parties are noted the changes to the chimney are modest and are required due to technical reasons. As such it is considered that the development complies with policy D1 of the new local plan and policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007). The development would also be consistent with the intention of protecting the distinctive landscape character of the area in compliance with policy P1.

Impact on neighbouring amenity

The proposed development would be partially visible from the residential properties within the site however the development would not appear overbearing or unneighbourly. The development would not be visible from any of the properties in the surrounding area and would not impact on the amenities the occupants of these properties currently enjoy. The emissions from the cremator are controlled under environmental health legislation and as such it is not for the planning process to consider this impact. Accordingly, the proposal is able to comply with policy G1(3) of the Guildford Borough Local Plan (as saved by CLG Direction 24/07/2007).

Impact on Trees

The changes to extant planning permission 17/P/01389 will not impact on trees.

Highway / Parking Consideration

No changes are proposed to the parking and highway arrangements approved under planning reference 17/P/01389.

Ecological issues

The applicant has submitted extensive ecological surveys identifying suitable habitats for reptiles and breeding birds. Surveys have also identified suitable habitats for small mammals along with maternity bat roosts. Mitigation measures are proposed through these surveys which are appropriate and planning conditions will be imposed to ensure the recommendations of these surveys are followed.

Flooding and drainage

The applicant has submitted a flood risk assessment and surface water drainage strategy. The changes proposed have no implications on flooding and drainage.

Conclusion.

The proposal is for a variation of Condition 2 of planning permission 17/P/01389 to allow for the increase in height of the chimney from 8.1 metres to 9 metres to ensure pollutants are sufficiently dispersed and diluted in the atmosphere so that they ground at concentrations that are deemed harmless. The changes made to the proposals approved under extant planning permission would not result in any harmful impact on the openness of the Green Belt. Therefore, the development does not represent inappropriate development as set out in paragraph 145 of the NPPF. Accordingly, approval is recommended subject to the conditions set out in this report.

