

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 30 MARCH 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND
GOVERNANCE)

6/2016/2623/MAJ

THE CEMETERY HOUSE, SOUTH WAY, HATFIELD AL10 8HS

ERECTION OF A NEW CHAPEL, MACHINERY STORE AND CREMATORY, TO
INCLUDE NEW CAR PARKING PROVISION AND ENHANCED LANDSCAPING
FOLLOWING DEMOLITION OF EXISTING CHAPEL, MACHINERY STORE, LODGE
HOUSE AND CENTRAL COLONNADE

APPLICANT: Welwyn Hatfield Borough Council

AGENT: Cemetery Development Services Ltd

(Hatfield East)

1 Site Description

- 1.1 Welwyn Hatfield Cemetery is a 4.24 hectare (42,454Sq.m) Green Belt site located on South Way, just off junction two of the A1(M1) It borders South Hatfield, with Welham Green to the west. The University of Hertfordshire Park & Ride is on the adjacent site. The Lawn Cemetery was opened in 1984 and provides services for burials and memorialisation. Both burial and cremation plots are available at the cemetery. The site also has a recently built mausoleum for above ground interment.
- 1.2 Existing buildings are located near the entrance off the South Way. These consist of a former gate lodge (now disused and in a poor state of disrepair), a chapel which holds around 50 people, and facilities for ground staff, including equipment storage, staff area, public health services and a work's yard.
- 1.3 The cemetery has an undulating topography, from the highest point near the existing buildings, sloping down to the south western corner of the site. A backdrop of trees to the western boundary hides views of the park & ride, which is separated from the cemetery site by a bridleway and occasional watercourse.
- 1.4 Over half of the cemetery site has been utilised for burials to date, with capacity for more burials in the future. There are a number of existing built structures in addition to the chapel and administrative building, including mausoleum, machinery store and large brick pergola feature. The land identified to accommodate the future crematorium is located towards the southwestern corner of the site, an area currently laid to grass.
- 1.5 The cemetery itself is on the edge of open countryside with fields extending to the south and east. Hertfordshire University Park and Ride facility is located to the west and residential development to the north. A public footpath extends

close to the eastern site boundary, connecting South Way and the residential area to the north, to Bush Wood / Welham Green to the south. Dellsome Lane restricted byway is located 300m to the south of the site, which connects Roestock in the west, to Dellsome Bottom in the east and a third footpath extends along the western boundary, connecting the restricted byway to South Way (A1001) to the north.

2 The Proposal

- 2.1 Full planning permission is sought for the demolition of the existing chapel, machinery store, lodge house and central colonnade and the erection of a building comprising a chapel, machinery store and crematorium and the establishment of car parking area and associated landscape on the south-western end of the site. The building would be predominantly single-storey built with the chapel parapet rising to 8m and to 10m at the catafalque end. The new building would have a footprint of 921.5Sq.m and overall develop the land area (including porte-cochere, flower green and compound) of 1850sq.m and would be T-shaped in form measuring approximately 38m wide and 50m wide.
- 2.2 Access to the site would be as existing via a route along the northern boundary from South Way. Visitors by car or on foot, will use the existing entrance and proceed around the site in a counter clockwise direction, using the existing road alignments.
- 2.3 The application is accompanied by a Design and Access statement and a landscape plan describes the building as single storey building of contemporary design with glazed areas, faced in brick with trabeated structures (column & beam) and having a porte cochere feature supported on light column and the brick skin of the chapel volume is accented by a panel of translucent onyx. The chimney is subservient to the chapel volume, as opposed to being designed as a significant vertical statement. The plans suggest an open parkland landscape with a garden of remembrance, additional trees, and two ponds (water gardens) planted with rushes and weeping willows presenting a bucolic view and also a practical way of attenuating flood water. The crematorium would be designed as a secular space but capable of accommodating temporary religious symbolism.
- 2.4 A landscaped car park for 65 vehicles is proposed. The proposed car parking area would cover an area of approximately 2,089sq.m measuring approximately 62.5m wide and 33.5m long providing 65 parking spaces and a further 29 in-line space are proposed around the cemetery for parking near burial ground.

3 Reason for Committee Consideration

- 3.1 The application constitutes a departure from the provisions of the Development Plan, which seek to protect Green Belt.
- 3.2 Welwyn Hatfield Borough Council is the applicant.

4 Relevant Planning History

- 4.1 S6/2015/0268/FP - Extension to existing colonnade and alterations to form a mausoleum. Granted

- 4.2 S6/1983/0436/DC - Gardens of remembrance, pergola and covered shelter. Granted.
- 4.3 S6/1983/0437/DC - Cemetery including caretakers lodge. Granted.
- 4.4 S6/1980/0722/DC - Use of land as cemetery. Granted

5 Relevant Planning Policy

5.1 National Planning Policy Framework

Presumption in favour of sustainable development
NPPF Ch. 4 – Promoting sustainable transport
NPPF Ch. 9 – Protecting Green Belt Land
NPPF Ch. 10 – Meeting the challenge of climate change, flooding and coastal change
NPPF Ch. 11 – Conserving and enhancing the natural environment

5.2 Welwyn Hatfield District Plan 2005

SD1: Sustainable Development principles
GBSP1 – Definition of the Green Belt
GBSP2 – Towns and Specified Settlements
R3 – Energy Efficiency
R7 – Protection of Ground and Surface Water
R11 – Biodiversity and Development
R18 – Air quality
R28 – Historic Parks and Gardens
M2 – Transport assessments
M5 – Pedestrian Facilities
M6 – Cycle Routes and Facilities
M14 – Parking Standards
D1 – Quality of Design
D2 – Character and Context
D8 – Landscaping
D9 – Access and Design for people with disabilities
RA9 – Cemeteries and Memorial Gardens
RA10 – Landscape Regions and Character Areas
RA11 – Watling Chase Community Forest

5.3 Supplementary Design Guidance, February 2005 (Statement of Council Policy)

5.4 Supplementary Planning Guidance, Parking Standards, January 2004

5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

6 Site Designation

6.1 The site lies within Hatfield, within the Metropolitan Green Belt and Watling Chase Community Forest, as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

- 7.1 The application was advertised by means of neighbour notification letters, press and site notice. 3 neighbouring institutions were consulted. No response has been received. It should be noted there are no residential properties adjoining the application site; only institutions.

8 Consultations Received

- 8.1 The following have responded advising that they have no principle objections to the proposal:
- 8.2 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS)** – Highway Authority has raised no objection to the scheme subject to conditions.
- 8.3 **Welwyn Hatfield Borough Council Environmental Health Department (EH)** – No objection subject to conditions and informatives.
- 8.4 **Hertfordshire County Council Archaeology (HCCA)** – The proposal will not have an impact on significant heritage assets.
- 8.5 **Welwyn Hatfield Borough Council Landscape Department** – There is a small area of level changes within the Root Protection Area of some oak trees approximately half way down the western side of the site, where a depression in the ground is to be topped up to surrounding ground level. In this particular site and location this is reasonable, in respect of the trees, but needs a short methodology as to how this is going to be undertaken. Several existing trees are to be removed from the site to facilitate the design. There are no objections to this subject to condition requiring submission of additional detail and amendments.
- 8.6 **Hertfordshire County Council Flood Authority** – Following a review of the additional information submitted in support of the above application, we can confirm we are in position to remove our objection on flood risk grounds subject to condition.
- 8.7 **Hertfordshire County Council Ecology** – The Local Planning Authority has sufficient information to deal adequately with protected species (including European Protected Species) from a planning perspective. No objection subject to informatives.
- 8.8 **Hertfordshire County Council Right of Way (RoW)** – Drainage in this area and on the public footpath is currently an issue and due to mounding on the University Park and Ride side, correct water drainage from the footpath is not always happening. Therefore in recent years old ponds within the cemetery site have been used for water storage and drainage of water from the footpath. If drainage issues cannot be resolved with the University, then we would ask that this storage and drainage of water is allowed to continue on the cemetery site.
- 8.9 **Hertfordshire County Council Development Services** – Based on the information to date for the development of this particular development we will not be seeking financial contributions at this point in time.

8.10 **Environment Agency (EA)** – No objection to these proposals

9 Town / Parish Council Representations

9.1 The North Mymms Parish Council raise “*No comment*”.

9.2 Hatfield Town Council object “The Committee wished to express their full support of this application”.

10 Analysis

10.1 The main planning issues to be considered are: 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:

- 1. Is the development appropriate in the Green Belt by definition?**
- 2. 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?**
- 3. Would there be any other non-Green Belt harm?**
- 4. Are there any considerations which weigh in favour of the development?**
- 5. Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?**
- 6. Are there ‘very special circumstances’ to justify allowing inappropriate development in the Green Belt?**

1. Is the development appropriate in the Green Belt by definition?

10.2 The National Planning Policy Framework 2012(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.

10.3 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.

10.4 Paragraph 89 of the NPPF states that the construction of new buildings in the Green Belt is inappropriate unless it is for the following purposes:

1. buildings for agriculture and forestry
2. 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

3. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
4. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
5. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan
6. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development

10.5 The site is an established and operating cemetery that has an established infrastructure consisting of buildings, pathways and memorialisation. Notwithstanding the current use of the site, the proposals are not within the purposes set out in the second indent in paragraph 89 of the NPPF (i.e. appropriate facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it), and are therefore inappropriate development that are, by definition, harmful to the Green Belt. It is therefore considered necessary for the applicant to demonstrate very special circumstances sufficient to outweigh the harm to the Green Belt. 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.

Very Special Circumstances

10.6 There have been a few decisions, both determined by Local Planning Authorities and by the Planning Inspectorate relating to the provision of crematoria in the green belt. It is clear that very special circumstances can exist that outweigh harm, such that permission has been granted for new crematoria in the green belt. This is considered in more detail below.

10.7 The applicant refers to the following list of matters that comprise their very special circumstances:

- Impact upon openness of the green belt / Demolition of existing lawful buildings and structures that would 'offset' the new floorspace proposed
- Quantitative need assessment
- Qualitative need assessment
- Existing crematoria provision
- Capacity issues within the existing crematoria network
- Availability of alternative sites
- Landscape and visual impact
- Balancing material considerations

10.8 An assessment of whether these circumstances clearly outweigh the harm in principle and any other harm will be carried out later in this report.

2. 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?

Openness and purposes

- 10.9 Openness is one of the essential characteristics of the Green Belt. It is the absence of buildings or development. Hence openness is epitomised by the lack of buildings rather than those that are unobtrusive or screened in some way. As such, there is a clear distinction between openness and visual impact.
- 10.10 The A1001 South Way adjoins the northern boundary of the cemetery site, however due to the significant road embankment the existing cemetery cannot be viewed. Only the roof of the existing chapel building is visible from this road. The proposals seek to demolish these buildings and so from this vantage point a positive visual impact would result from the development as proposed.
- 10.11 The existing cemetery is elevated approximately 5 – 6m above the A1001 South Way road embankment. The land gently slopes in a westerly direction from the highest point, located towards the eastern boundary at approximately 102m above sea level and falls towards the western boundary where the lowest point is located in the southwestern corner of the cemetery site, at approximately 94m above sea level. It is at this lower point the crematorium building is proposed, approximately 6m lower than the existing chapel building.
- 10.12 The current buildings are located at the entrance to the cemetery and are on the highest focal point of the site, this has a significant visual impact and conflicts with the openness of the site by obscuring the expansive views looking southwards. Further the apex of the building can be seen from locations to the east and west. Funeral corteges block access for general visitors on arrival and for the duration of the service in the chapel. This results in visitors driving down the egress route or not being able to access the grounds at all.
- 10.13 The combination of the removal of the existing buildings and the central brick colonnade, are equivalent in footprint to the proposals- an existing footprint of approx. 1800sq.m compared to a proposed footprint of 1850sq.m including those areas beneath the flower garden and porte cochere. The footprint breakdown of the buildings/structures to be demolished are as follows:
- Existing chapel/office building – 341.2sq.m
 - Existing Colonade – 713sq.m
 - Developed land footprint – 744sq.m
 - The overall footprint of structures to be demolished is approximately 1,054.2sq.m while that of the proposed structure is approximately 1,465sq.m (including outside covered and partially covered areas excluding developed land footprint) an **overall increase in footprint of 411sq.m, representing an increase of 28%.**
- 10.14 The existing volume enclosed by development, including the colonnade, is approx. 3670 cubic metres, compared with a proposed volume of 4,390 cubic

metres an **overall increase in volume of 720 cubic metres, representing an increase of 16%**. This is a slight increase; however the perceived sense of openness will be enhanced with the removal of the existing building structure and given the design and location of the proposed crematorium building, its impact on the openness of the green belt is considered to be significantly less than the current development.

- 10.15 Also, the chapel aspect of the proposed building would be its highest element measuring approximately between 8m to 10m taken from public floor level while that of the existing building is approximately 7m. However, taking into account the existing built form and the topography of the site, the right height of the existing is +106.1m above sea level while that of the proposed building is +104.8. The new building, though taller and larger than the existing development, is situated in a low lying area at the far corner of the site. This means that the ridge height above sea level is over a metre lower than the existing. The design of the proposal, reduces the perceived mass of the building, locating it within the surrounding landscape.
- 10.16 According to paragraph 80 of the NPPF the Green Belt serves 5 purposes. Having regard to the urban setting of the current cemetery in the context of its use, the development would be constrained within the confines of the existing cemetery and as a result there would be no further encroachment into the surrounding countryside and therefore safeguard it.

Character and appearance

- 10.17 The proposed building would have a compact layout in a crisp style of contemporary design with glazed areas, faced in brick with trabeated structures (column & beam) and having a porte cochere feature supported on light column and the brick skin of the chapel volume is accented by a panel of translucent onyx and intensive green roof commensurate with its function. Hard surfacing for the parking areas would be permeable rather than tarmac. In this way the proposal has been designed to minimise its impact and the NPPF confirms that the Government attaches great importance to the design of the built environment. Nevertheless, the proposal would introduce a new building, hard surfacing and a relatively large car park which would bring about a significant change to the existing countryside character of the application site.
- 10.18 These consequences would be mitigated, to a degree, by the removal of the buildings and colonnade referred to earlier. However, whatever their original purposes none of these are so substantial or unsightly as to outweigh the overall harm to the character of the countryside.
- 10.19 The proposed development would undoubtedly change the appearance of this land with the provision of a new building albeit a replacement, car parking area and landscaping, which would impact on the openness of the Green Belt. However, the siting of the proposed building within the existing cemetery land is not elevated in comparison to that existing. The site is enclosed by mature hedgerow planting to the majority of its boundaries, with a number of large mature trees / tree belts located nearby. The eastern boundary of the site is elevated and as a consequence the site has glimpse distant views of countryside to the southwest. It is possible therefore that the site can be viewed from a distance, this in itself is not necessarily objectionable. Also, due to the significant

vegetation to the western site boundary, it is unlikely that the crematorium proposals would impact on any distant view of the site.

- 10.20 As previously described the immediate surrounding area is open country side and park and ride with sporadic buildings and the proposal would be compatible with that pattern. Moreover, because of its size and the amount of surrounding land that would remain free from buildings it would not have a dominant or overbearing visual impact. In view of this and as the effect of the proposed development would be localised the overall implications for the appearance of the area would be minimal.
- 10.21 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.

3. Would there be any other non-Green Belt harm?

a) Landscape and visual impacts

- 10.22 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 matured trees, in both winter and summer, demonstrating the lack of intervisibility between the site, South Way, the residential area to the north and the countryside beyond. It is possible the proposed crematorium may be visible from the restricted byway to the south, particularly during the winter months. There are no views from residential dwellings, commercial developments or roads. There are a number of public footpaths on the western side of the site with significant vegetation, and details of the tree belt boundary and the extent to which the existing vegetation on site is to be removed is important to get right in this respect.
- 10.23 Although several existing trees are to be removed from the site to facilitate the design, 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.
- 10.24 Notwithstanding the above, the Landscaping Officer has advised that the maintenance regime to successfully establish the trees and other landscaping on this site will be key, mostly in relation to watering and rabbit control and that more detailed establishment methodology will be required for approval, however the Outline Specification does cover most of the absolute basics. The establishment methodology should include definitions of what constitutes as dead, dying or otherwise defective for replacement planting in the first twelve months. For example: "All foliage should be free of significant abnormal discolouration. The crown or plant should be free of any die back. Foliar density and size should be typical of the species and or cultivar. Extension growth should be compared to the growth of the previous year where it is apparent." Relevant

landscaping conditions to address the concerns raised by the Landscaping Officer have been included with this recommendation.

- 10.25 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, the proposal is unlikely to impact significantly or harmfully upon the character of the area and the Metropolitan Green Belt. The proposal complies with the relevant provisions of Policies D2 and D8.

b) Air Quality

- 10.26 The nature of the development proposed would involve emission of the products of combustion. 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 3 cremations daily. The Council's Environmental Health Team has reviewed the air quality assessment and concur with the applicant's view in respect of emissions
- 10.27 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.”

- 10.28 Having regard to the above, it should be noted that the Council's Environmental Health Team raise no objections to the proposal, the level of emissions produced by this proposal (based on 3-4 cremations daily) having a negligible impact on air quality. The Environmental Health officer has advised also 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.

c) Lighting

- 10.29 Due to the topography of the site and distance to residential properties, issues with lighting impacting residential amenity are unlikely.

d) Ecology and Tree Impacts

- 10.30 The NPPF states that “the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible.
- 10.31 Policy R11 seeks to conserve the biodiversity of the borough and seek opportunities for enhancement to ensure no net loss of bio diversity.
- 10.32 Policy R14 refers to areas of nature conservation interest and the need to ensure that a loss of wildlife habitats and other features of nature conservation interest are not permitted.
- 10.33 One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity in and around developments should be encouraged”. The site is not agricultural use, being a cemetery, 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 the Great crested newts breeding site 330m from the application site and a Local Wildlife Site neutral grassland which starts to the east of the Cemetery and runs eastwards for 560m. The likelihood of them being present and affected by the proposals to be low due to the site being of predominantly short mown amenity grass and hardstanding.
- 10.34 Although some trees are proposed to be removed; those present in and adjacent to the site will be protected during construction. There is a proposal for new species to be provided; rich wildflower areas, creation of two new ponds, native planting within the site and within boundary hedgerows, installation of habitats features (bat and bird boxes, log piles), and construction of a green roof. The Ecologist and Tree Officer advised that sufficient information to deal adequately with protected species (including European Protected Species) from a planning perspective has been submitted and have raised no objections to the proposed development subject to conditions and informative.

e) Highway Impacts

- 10.35 The submission is supported by a Transport Statement (TS) and includes details of specific access arrangements, which the Hertfordshire Highway Authority have not raised any fundamental concerns over.
- 10.36 The site takes its access from South Way, a 60mph main distributor road in the south of Hatfield. The site has an existing simple junction, ghosted from the eastbound approach that will not be amended. The TS states a visibility splay of 2.4 by 85 metres, taken from Manual for Streets calculations currently exist. Further from the Manual for Streets calculation, taking an 85th percentile of the

roads maximum speed limit of 60mph, a 50mph visibility splay via the Design Manual for Roads and Bridges would be 160 metres, which is currently achieved at the junction. Ultimately visibility at the site is acceptable for the site's development and use, evidenced further by there being no accidents reported in the previous five years that the access.

- 10.37 Whilst a crematorium is proposed on the site, the use of the site will not change; whilst this is the case the proposal would increase vehicle parking on the site significantly from 12 to 94 visitor spaces. Whilst this is a large amount of parking, any impact on the highway is limited by the conditional working hours of the site. The TS notes that the trip generation from the current services result in a maximum of 23 trips per service. This figure has then been used to calculate the impact on South Way and the surrounding highway. The resulting trip forecast does not result in a severe impact on the surrounding highway, notably due to the arrangement of the services being set outside of peak traffic times of between 09:00 and 18:00. The use of the site between these times ensures the impact to the highway is not severe, and as such is conditioned to those operating times.
- 10.38 The Highway Authority consider the internal layout of the site suitable to the use. One way systems are to be implemented, and by the nature of the site vehicle speeds are likely to be low. Parking spaces are suitably laid out and useable. All ingress and egress to/from the site can be made in a forward gear.
- 10.39 No aspect of the design prevents the use of sustainable travel, with the site being well served by the bus network. Due to the nature of the development (demolition and landscaping), the risk of materials being transferred from the site onto the highway is a concern. The Highways Authority have included a condition in their advice so as to mitigate the safety concerns this would create. The Design and Access Statement states that the creation of a separate road (within the existing site curtilage), is considered as part of the construction plan. It is assumed this additional road will use the existing access from the highway.
- 10.40 The trips generated and impact on highway capacity is acceptable in highways terms and is unlikely the development will have any capacity/safety impact on the highway

f) Site Drainage

- 10.41 The NPPF deals with issues of climate change and flooding and by means of the sequential test seeks to steer new development to areas with the lowest probability of flooding. The flood zones are the starting point for this approach. The Environment Agency identifies Flood Zones 2 & 3 and all land outside those zones is in flood Zone 1. This site is in Flood zone 1 i.e. a low probability of flooding. In such an area all land uses are considered appropriate and the technical guidance advises that the overall aim of the sequential approach should be to steer development to Flood Zone 1. This guidance also advises that the overall aim of developers and local authorities should be to seek opportunities to reduce the overall level of flood risk in an area through the layout and form of the development and the appropriate application of sustainable drainage systems. Such systems are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. As a result of the proposed conditions it is not considered that the proposed new development would make

the current situation any worse since the main part of the development lies outside the area that is identified as at risk. With an appropriate scheme however the position with regard to surface water run-off could be improved such that no water runs off the site.

10.42 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 an urban landscape, and the amount of land available, a comprehensive approach to dealing with water on site has been proposed; meeting Policy SD1. The new building has been designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) over the whole site, with permeable surfaces where appropriate and well managed water runoff. Furthermore, the site itself is in Flood Zone 1 where the probability of flooding is low.

10.43 A revised Drainage Strategy was submitted to address initial concerns raised by the Lead Local Flood Authority. Having reviewed the revised strategy, the County Council are satisfied that the general principles for the disposal of surface water are acceptable stating the following:

“The drainage strategy is based upon attenuation and discharge. The drainage on-site will be attenuated on-site for 1 in 100 plus climate change and discharge into existing ditch at Greenfield rates. However due to blockages downstream, it is proposed to connect into the drainage system for the Park & Ride which eventually discharges into Thames surface water sewer. We acknowledge that University of Hertfordshire have no objection in principle to the proposed connection.”

10.44 The Flood Authority has therefore removed its initial objection on flood risk grounds subject to conditions. Likewise, the Environment Agency has raised no objection to the proposed scheme.

g) Residential Amenity Impacts

10.45 The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. We should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

10.46 Policies D1 and R19 seek to ensure that no new development would adversely affect the existing area either in terms of any built form or in terms of the operation of any uses from noise and vibration pollution.

10.47 The 1902 Cremation Act sets out parameters for the location of the crematorium in relation to existing dwellings and the public highway. At present this scheme complies with those parameters.

10.48 Concerns regarding air quality has been addressed by the Environmental Health Section and by the air quality section above. However it must be recognised that the increased level of activity associated with this use could still adversely affect nearby residents and occupiers.

- 10.49 In this instance however the application site abuts a Park and Ride site of the University of Hertfordshire to the west which use is commercial in nature and creates some degree of noise and disturbance. The nearest residential properties are to the north and are at approximately 187 metres away. In this regard it is considered that occupiers would be sufficiently distanced from the car park so they would not be adversely affected by noise generated by that use. The general levels of activity anticipated on the adjacent highways are likewise not considered to be so severe as to justify a refusal on the basis of harm to either local residents or local businesses.
- 10.50 Due to noise levels needing to be at a level which does not interfere with users of the site noise is unlikely to be an issue.
- 10.51 Further to this, information supplied shows that noise levels for external plant (air blast cooler) is given as 36dB at 1m, which is a very low noise level and would be inaudible at the nearest residential property.
- 10.52 Critically, it is confirmed that no residential property is within 185m 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 183m of any dwelling.
- 10.53 It is considered in summary that the scheme would be compliant with the aforementioned relevant policies and would not harm the amenities of nearby residents or occupiers of commercial premises and institution.

4. Are there any considerations which weigh in favour of the development?

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

- 10.54 Qualitative need is concerned with matching the demographic evidence of death in the local population, its distribution, the number likely to require cremation and the capacity and distribution of existing facilities in the area concerned. An assessment is required regarding the ability of existing crematoria to copy with the need for their services, taking account of the standard of service that is expected. It should be noted that the Inspector, in the recent Orchard Barn, Kent decision, concluded that *there is clear evidence of quantitative and qualitative need for the proposed crematorium.*
- 10.55 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.
- 10.56 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** – Stevenage, Luton, Broxbourne and Watford
 - 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.

- 10.57 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 Welwyn and Hatfield in the north to Welham Green and Potters Bar to the south, 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 Welwyn Hatfield 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 800 potential funeral slots per year to those already available.
- 10.58 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 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.
- 10.59 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. Harwood Park in Stevenage, which is the nearest and other regional crematorium namely Garston in Watford, Enfield Crematorium, New Southgate Crematorium, Hendon Crematorium, Luton Vale Crematorium and the new crematorium in Broxbourne) whilst Harwood Park which is within 30minutes drive is operating at near full capacity. The other regional ones are operating at above capacity with waiting list of up to 2-3weeks in some cases. The applicants' statistical projections demonstrate that existing capacity issues will have become more acute by 2029, having regard to increases in population and consequently, increases in deaths.
- 10.60 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.

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

- 10.61 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**

10.62 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 from the survey of funeral directors in the locality.

10.63 The applicants advice that New Welwyn Hatfield 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.

10.64 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.

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

10.65 The applicants contend 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 highly sensitive areas; these areas include SSSI (Site of Special Scientific Interest), SNCI (Site of Nature Conservation Importance), (SPNCI) Site of Potential Nature Conservation Importance, priority habitats and Areas of Great Landscape value and by the urban areas to the north and north 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.

- 10.66 In the supporting Planning Statement, the applicants carried out a sequential test reviewing alternative site options for both future cemetery and crematorium provision within the borough of Welwyn Hatfield. The test considered a range of criteria that would be weighted for the use of the land for cemetery and crematorium application. These criteria scored included environmental implications, public transport and access, sustainability, logistical benefits and operational value. The site proposed had the highest score.
- 10.67 It concluded that it is not evident that a superior alternative exists that might reduce the weight to be given to the proposal in meeting the established need for a crematorium.
- 10.68 Notwithstanding the above, Planning a sequential approach to development goes to the heart of the planning system. Essentially it means going through a sequence of tests when considering the location of new development. This is to ensure that development is located in the most sustainable location first, before other, less sustainable locations are chosen.
- 10.69 Government planning policy, contained in the National Planning Policy Framework, sets out two formal uses of the Sequential Test:
- In relation to the location of retail development, and
 - In relation to the location of development in areas at risk from flooding
- 10.70 During 2014 the Council's Environmental Services team commissioned, a specialist study looking at the area of new burial space provision and the feasibility of using one or more of a range of identified sites across the borough. The study indicated that a size range from 10 hectares to 15 hectares should be able to provide for burials for a 100 year period. Within this study the type and location of site would have to consider the possibility of a crematorium and the minimum requirements that such a development would require with regard to legislation. E.g. 200 yards from residential properties 50 yards from highways.
- 10.71 These sites were scored against a range of suitability criteria including proximity to water courses, flood risk, ground water conditions, soil types, accessibility (including by public transport), neighbouring uses, nature conservation interest and landscape features distance from residential properties. No suitable sites of 10 to 15 hectares were found within the existing built-up areas of the towns and larger villages in the borough.
- 10.72 The identified two highest-scoring sites, from the range considered, as land adjoining the existing Lawn Cemetery at South Way, south of Hatfield (Site CEM01), and land between the B653 Marford Road and Cromer Hyde Lane between Welwyn Garden City and Wheathampstead (Site CEM02).
- 10.73 In weighting of practical and reduced impact on greater infrastructure developments, the site selected as being most suitable for development as a centre for bereavement services was Site CEM01, the application site.
- 10.74 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.

- 10.75 From the evidence provided, it is considered that a process of elimination has taken place to the satisfaction of the Local Planning Authority to establish that there are no alternative sites for this proposal. The demonstrated lack of alternative sites weighs in favour of the proposal.

Consideration 4: Community benefits arising from the development

- 10.76 The population in this area is growing and the demographics suggest there will be demand for the facility. No fundamental objection has been raised by statutory consultees, subject to conditions and informatives. Also, the proposal was publicised by way of press advert and site notice; no objection has been received from 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.

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

- 10.77 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.
- 10.78 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. Strategy for site drainage has been found acceptable by the statutory authorities.
- 10.79 With regard to highway matters, the issue of traffic generation and parking is regarded as satisfactory by the Highway Authority. As matters stand, the proposal and the resulting traffic generation are not considered to be harmful to highway safety which in favour of the proposal.
- 10.80 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.
- 10.81 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.

10.82 Therefore officers are of the view that the matters which weigh in favour of the development clearly outweigh the harm to the Green Belt and all other harm identified above.

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

10.83 In light of the above, it is concluded that 'very special circumstances' outweighing the harm 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.

Conditions

10.84 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

11 Conclusion

11.1 Although the proposal would be inappropriate development in the Green Belt this is a case where very special circumstances exist as demonstrated by the applicants 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. Accordingly and for the reasons given, the proposal is recommended for approval.

12 Recommendation

12.1 It is recommended that planning permission is granted subject to a) and b) :-

a) That the application be referred to the Secretary of State as a departure from the provisions of the Development Plan.

b) That if the application is not called-in by the Secretary of State for decision, the application is determined to the following conditions:

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. This shall include details of any existing trees or shrubs to be retained, measures for their protection in the course of development and a programme of implementation of those measures. All approved planting shall be carried out in the first planting season following the first use of the crematorium or the memorial garden. Any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. A more detailed establishment methodology will be required for approval, however the Outline Specification does cover most of the absolute basics. Tree planting should be undertaken to BS 8545: 2014 (Trees - From Nursery to Independence in the Landscape - Recommendations) and BS 4428: 1989 (Code of practice for general landscape operations (excluding hard surfaces)).

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP1, D2 and D8 of the Welwyn Hatfield District Plan 2005.

3. No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This shall include a description of the features to be managed; aims and objectives; preparation of an annual work schedule; details of the body or organisation responsible for implementation and on-going monitoring and remedial measures. The landscape management plan shall be carried out as approved. Tree planting should be undertaken to BS 8545: 2014 (Trees - From Nursery to Independence in the Landscape - Recommendations) and BS 4428: 1989 (Code of practice for general landscape operations (excluding hard surfaces)).

REASON: To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policies R11 and D8 of the Welwyn Hatfield District Plan 2005.

4. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by Cemetery Development Services reference D1.0 dated August 2016, and the following mitigation measures:

1. Implementing appropriate Sustainable Drainage Systems measures as indicated on drainage drawing CDS_WHF_CEM_10 Rev 4.0.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To comply with Policies R5 and R7 of the Welwyn Hatfield District Plan 2005 and in accordance with the National Planning Policy Framework.

5. No development shall take place until a detailed surface water drainage scheme for the site based on sustainable drainage (SuDS) principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Details of how the scheme shall be maintained and managed after completion.
2. Details of the proposed drainage plan showing the location of any proposed SuDS and detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
3. Detailed surface water calculations and modelling for all rainfall events up to and including the 1 in 100 year + climate change event to ensure the proposed system and connection in Park & Ride System has capacity.
4. Routes of exceedance to be identified for rainfall events that exceed the 1 in 100 year + climate change event.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To comply with Policies R5 and R7 of the Welwyn Hatfield District Plan 2005 and in accordance with the National Planning Policy Framework.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

REASON: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account in compliance with Policy R2 of the Welwyn Hatfield District Plan 2005

7. Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

REASON: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account in compliance with Policy R2 of the Welwyn Hatfield District Plan 2005

8. No development shall take place until an environmental management plan for the construction period has been submitted to and approved in writing by the Local Planning Authority. This shall include a review of any ecological impacts; risk assessment of potentially damaging construction activities; identification of any biodiversity protection zones; practical measures to reduce impacts during construction; location and timing of works to avoid harm to any biodiversity features; any times when specialist ecologists need to be present to oversee work and use of protective fences, exclusion barriers and warning signs. The approved plan shall be adhered to throughout the construction period

REASON: To make appropriate provision for natural habitat within the approved development and to provide a reliable process for implementation and aftercare in accordance with the National Planning Policy Framework and Policies R11 and R16 of the Welwyn Hatfield District Plan 2005.

9. The vehicular access and parking spaces shall be provided in accordance with the approved drawings prior to the first use of the crematorium or the memorial garden.

REASON: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians including people with disabilities. To comply with Policies M14 and D9 of the Welwyn Hatfield District Plan 2005.

10. The crematorium hereby permitted shall not be operated outside of 0900 to 1800 hours Mondays to Sunday including Public Holidays. The memorial garden shall not be open outside of 0900 to 1700 hours on any day.

REASON: In the interest of free flow of traffic on the principle road network (A1001). To comply with Policy M14 of the Welwyn Hatfield District Plan 2005.

11. The use of the crematorium or the memorial garden shall not commence until the chapel/office building and Colonnade have been demolished as shown on drawing no 143 100_revA and any resulting materials removed from the site or re-used in accordance with a scheme submitted to and previously agreed in writing by the Local Planning Authority.

REASON: To protect the Green Belt and ensure its openness in accordance with the National Planning Policy Framework and Policy GBSP1 of the Welwyn Hatfield District Plan 2005.

12. No ashes shall be scattered within 50 metres of the public right of way or public highway (South Way (A1001)).

REASON: To protect the residential amenity of adjoining occupiers and the environment in accordance with the National Planning Policy Framework and Policies D1 and R5 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

13. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
I		Topographic Survey	12 December 2016
CDS_WHF_CEM_10	4	Surface water and foul drainage Plan	16 March 2017
CDS_WHF_CEM_08		Block Plan	12 December 2016
143_112		Proposed Roof Plan	22 December 2016
143_150		Proposed North East Elevation	22 December 2016
143_151	A	Proposed North West Elevation	22 December 2016
143_152	A	Proposed South West Elevation	22 December 2016
143_153	A	Proposed South East Elevation	22 December 2016
143_154		Proposed South East Elevation	22 December 2016
143_001		Location Plan	22 December 2016
143_010		Existing Site Plan	22 December 2016
143_011		Existing Site Sections	22 December 2016
143_100	A	Proposed Site Plan	22 December 2016
143_101		Existing & Proposed Site Sections	22 December 2016
143_110	A	Proposed Ground Floor	22 December 2016

143_110	A	Plan Proposed Ground Floor Plan II	22 December 2016
143_111		Proposed First Floor Plan	22 December 2016
CDS_WELHAT_SB_01	03	Outline Landscape Proposals	22 December 2016
CDS_WELHAT_SB_02	03	Landscape Proposals	22 December 2016
143_115_		Proposed Internal Floorspace	13 March 2017

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. Noise control
 1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

8.00am and 6.00pm on Mondays to Fridays 8.00am and 1.00pm Saturdays
and at no time on Sundays and Bank Holidays
 2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
 3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
 4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
 5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic

enclosures.

6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

7. All pile driving shall be carried out by a recognised noise reducing system.

8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material

9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub-contractors.

11. Any emergency deviation from these conditions shall be notified to the Council without delay

12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

13. Permissible noise levels are not specified at this stage.

Dust control

1. All efforts shall be made to reduce dust generation to a minimum

2. Stock piles of materials for use on the site or disposal that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

3. Ecology

1. It is an offence to take or disturb the breeding or resting location of protected species, which include: all Bats, Badger, Otter, Hazel dormouse, Water vole, Reptiles (Common lizard, Slow-worm, Grass snake), Great crested newt, wild birds and Roman snail. Precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately and advice sought as to how to proceed. This may be obtained from Natural England: 0300 060 3900 or an appropriately qualified and experienced Ecologist.

2. Toolbox talk - Before any works commencing, a bat expert / suitably experienced Ecologist shall brief any site contractors on the legal implications of the presence of protected species and the appropriate procedures and control measures are to be put in place.

3. The removal of trees & shrubs should be avoided during the bird breeding season (March to September inclusive) to protect breeding birds, their nests, eggs and young. If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the last chick has fledged.

4. Keep any areas of grass as short as possible up to, and including, the time when construction works take place so that it remains / becomes unsuitable for Great crested newts to cross.

5. Clearance of existing boundary habitats (ruderal and scrub) and pond boundaries vegetation should be undertaken progressively towards boundaries to allow any animals present to escape to contiguous areas of retained habitat.

6. Stored materials (that might act as temporary resting places) should be raised off the ground e.g. on pallets or batons. Caution should be taken when moving composting heaps, debris piles or building materials as any sheltering animals could be impacted on. No materials are to be stored adjacent to hedgerows on site.

7. Trenches should be provided with a means of escape for any animals (from Great crested newts to badgers) that may have become trapped. This is particularly important if the trench fills with water.

8. Any external lighting scheme, including security lighting, should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

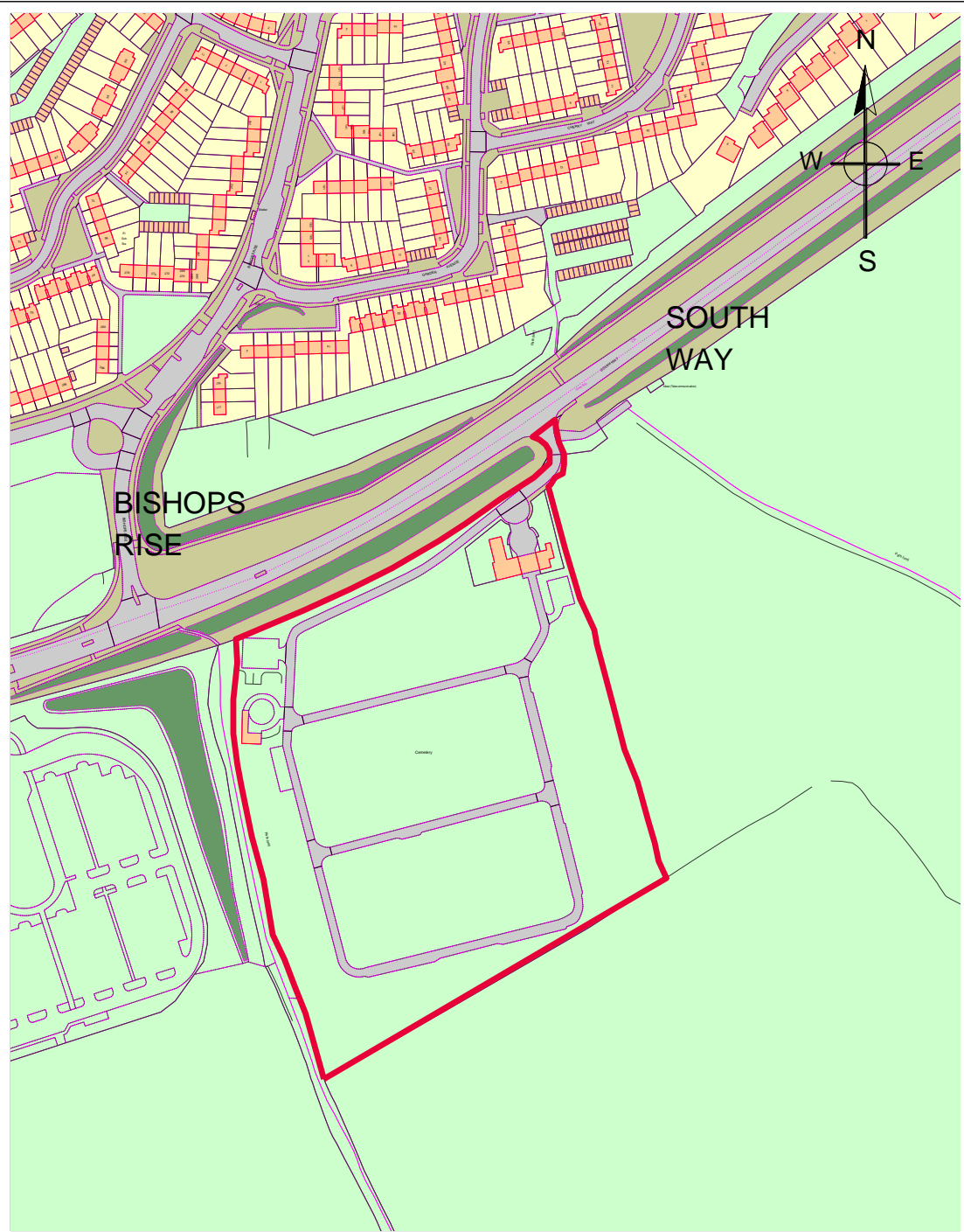
4. Highways


Mud on highway AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Raphael Adenegan, (Development Management)

Date: 16/03/2017

Application Expiry Date: .23/03/2017



 <p>Council Offices, The Campus, Welwyn Garden City, Herts. AL8 6AE</p>	Title: The Cemetery House, South Way, Hatfield		Scale: DNS
	Project: DMC Meeting		Date: 2017
	Drawing Number: 6/2016/2623/MAJ		Drawn: Andrew Windscheffel
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