

Report to District Development Control Committee

Date of meeting: 16 January 2006

Subject: Roughtalleys Wood, Theydon Garnon - Planning application for Woodland Burial Site - EPF/1900/05

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**Epping Forest
District Council**

This application is placed before the District Development Control Committee as it directly affects two parishes (North Weald and Theydon Garnon) that are within different Area Plans Sub Committees. The site is within Theydon Garnon but all access is from within North Weald.

Recommended Decision:

That Planning Application EPF/1900/05 (Roughtalleys Wood, Theydon Garnon - Planning application for Woodland Burial Site) be granted permission subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the first use of the site hereby approved and maintained in the agreed positions.
3. The burial use hereby permitted shall not be open outside the hours of 08.00am to 16.00pm on any day of the week.
4. Prior to the commencement of the development details of the proposed surface materials for the access, driveway, and footpaths shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
5. The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of staff and visitors vehicles.
6. A 5 metre buffer zone shall be provided alongside the full length of the watercourse that runs along the western and southwestern boundary of the site. This buffer zone shall be measured from the top of the watercourse bank, and shall be free of cemeteries, structures, hard standing and fences. Formal landscaping shall not be incorporated into the buffer zone. The buffer zone shall be left as a natural area for wildlife.
7. Burials shall not take place within 30m of any watercourse, within 10m of any field or land drains and there should be at least 1m unsaturated zone.

8. The development hereby approved shall take place in accordance with the timings, working practises, and mitigation measures contained within the Ecological Assessment for the site as carried out by ECCOS dated 28 Oct 2005.

9. No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the LPA and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the LPA has given its prior written consent to and variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall also include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The AMS shall also indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendation for Tree Works (BS.3998: 1989).

The AMS shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the LPA has been given in writing.

10. No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

11. No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

12. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

13. No marker, headstone or other monument shall be erected unless made entirely out of biodegradable materials.

14. The development authorised by this permission shall not begin until the Local Planning Authority has approved in writing a full scheme of works for improvement to:

- (i) The highway from the railway bridge to the new access to the site; and
- (ii) Installation of a new footway from the access to the site to the existing one in Kiln Road.

The occupation of the development shall not begin until those works have been completed in accordance with the Local Planning Authority's approval and have been certified in writing as complete by or on behalf of the Local Planning Authority.

15. No importing of materials for the purpose earth filling from outside the application site before or during the development hereby approved.

16. No means of external lighting shall be installed on the land or buildings without the prior written consent of the Local Planning Authority.

Report:

Applicant

Colney Memorial Parks Ltd

Description of Proposal:

It is proposed to create a woodland burial site, with associated buildings and car parking. The scheme would see the 24ha area of Roughtalleys Wood used as a burial site for all denominations.

A number of single storey buildings would be erected on the site consisting of a reception centre (a eight sided spiral structure with a maximum 18m diameter, some 6.9m high), a gathering hall (a seven sided, 12m diameter structure, some 5.3m high) and a woodland hall (a seven sided, 18m diameter structure, some 6.1m high) both accommodating funeral services, two woodland sanctuaries (both seven sided, 6m diameter structure, some 3.9m high) to provide shelter for visitors to the site, and a maintenance barn (measuring 6m x 1.5m, some 5m high) and yard. A boundary fence would be erected around the site. The woodland sanctuaries would be positioned to the southeast and south west of the site, and the rest of the buildings would be in the northeastern corner of the site.

Burials and interments of ashes would take place in the wood, which would be accessed via existing and new tracks. Non-biodegradable markers, monuments and caskets would not be permitted on the site. No cremations will occur on site.

An access road would be built from Kiln Road to the site, and would have gates installed at the Kiln Road end. This would run along the south side of the railway embankment at the northern boundary of the site for some 500m and have a post and rail fence with a new hedgerow. Car parking for 80 cars and 2 coaches will be provided within the tree line at the northeastern edge of the site.

Improvements would be made to Kiln Road from the railway bridge to the site (a distance of about 60m). This would include the widening of the road to 4.8m, the provision of a pedestrian footpath to join with the existing footpath in Kiln Road and new street lighting.

Description of Site:

An area of woodland in the right angle formed by the intersection of the M11 Motorway and the embankment of the Epping to Ongar railway line. The whole site is within the Metropolitan Green Belt. It is bounded to the south and east by open rolling fields. Kiln Road is some 500m to the east and runs north to south. There is some scattered residential development along this road. There are number of water courses close to the site (at the north western edge and along the south western boundary) and a watercourse runs under Kiln Road close to the new access to the site. Kiln Road passes under the railway embankment, and there is a gas pumping station to the immediate south of the embankment in Kiln Road.

Relevant History:

Nothing relevant for this area.

Policies Applied:

Structure Plan

C2 Development in the Green Belt
CS2 Natural Environment

Local Plan

GB2 Green Belt Policy
RP3 Water Contamination
U3 Flooding
DBE 1 Design of new buildings
DBE 4 Design in Green Belt
DBE9 Excessive loss of amenity to neighbours
LL 2 Landscape character
LL10 Landscaping
LL11 Provision of Landscaping
LL13 Roads
NC2 County Wildlife Site
T14 Parking
T17 Highways

Issues and Considerations:

The main issues are whether the proposed use is appropriate in the Green Belt, design, the effect on amenities of neighbours, effect on groundwater, parking and traffic generation.

Green Belt

The use of Green Belt land for cemeteries is one which is generally considered appropriate if they maintain the openness of the Green Belt. In this case whilst there will be buildings these will be within the wooded area, as will the parking facilities. The new road will be viewed against a backdrop of the railway embankment, which is several metres high at this location. Therefore it is considered that this use will not harm the openness of the Green Belt.

Design

The site buildings and structures have been designed in a manner sympathetic both to the rural nature and the role of the site. They are low key and screened by the existing woodland. They are of a high quality and energy efficient.

The entrance gates are set back 13m from the edge of Kiln Road and will consist of a steel frame with wooden cladding. A round signboard, 3.5m high, will be erected next to the gates. Whilst it is accepted that the sign is fairly high, both it and the gates are sympathetically designed and integrate well within this rural area.

The overall design of the structures and buildings are acceptable and appropriate to this scheme and the rural area.

BLDESCRIP

Landscaping

Roughtalleys Wood consists of broadleaf and conifer woodland. It is in a poor state due to a lack of maintenance and the effects of the 1987 hurricane which destroyed part of the centre of the site. The applicant intends to manage the site to regenerate the woodland to encourage a richer range of ground flora, shrub and trees. This will include proactive management of the woodland, new planting, and protection against deer and rabbits. The management plans includes the sustainable use of wood on the site for fuel to heat the buildings (with a carbon neutral result). This will result in a faster restoration of the wood to a native species-rich woodland. Due to the relative isolation of the site a full close boarded fence for security is not needed, but a post and rail fence will be erected around the boundary to prevent the ingress of deer to the site. This fence will have no adverse effect on the area or the woodland.

Burials & interment of ashes will be between the root systems of trees in biodegradable coffins/containers and will be managed to avoid damage to the trees. The burials will be randomly arranged throughout the woodland and usually no more than five interments will be allowed around one tree in any five year period to avoid root loss and allow the tree time to restore any deficiency in the root system.

It is considered that this proposal has a very positive effect on the woodland and will result in a more attractive and sustainable area.

Water and Flooding

There are no watercourses running through the site, although there are some on the boundaries and nearby. A full flood risk assessment has been provided regarding the risk of flooding, as has a ground water assessment. The Environment Agency and Council Land Drainage Section have no objections to the scheme subject to the appropriate conditions. Neighbours have expressed concerns over flooding at the railway bridge. However it is the case that this area will not be adversely affected by the scheme, and indeed as road works at this site will require land drainage consent, it is the case that the scheme will have a positive effect on the drainage at this point.

Effect on Neighbours

The nearest neighbours are the properties to the north of the site. However, as they are the other side of the railway embankment they will not be affected by this scheme. The properties in Kiln Road south of the railway (1 and 2 Kiln Road, Carrisbrook Farm, Cold Hall Farm and Lodge) are a minimum of 530m from the wood. Nos.1 and 2 Kiln Road are some 60m to the south from the new access.

It is considered that, due to the likely level of activity of the site, its hours of operation, and the distances involved, that there would be little adverse effect on the amenities of the neighbours.

Traffic and Parking

The applicants have stated that the facility will be open from 9.30am to 4pm (occasionally later in the Summer months) seven days a week. Based on their experiences of a similar sized facility in Norfolk they have estimated that most funerals occur at 10am and 2pm, with an average of 14 vehicles attending. The average day will see 3-4 burials or interments occurring.

This level of activity would not put undue strain on the local road networks. In addition the applicant proposes to provide a transport facility for persons arriving in North Weald by public transport. This would be advertised in the promotional material.

Extensive works will be carried out to this part of Kiln Road to widen it and make it suitable for the increase in traffic. This will include a new footpath from the site access to the existing footpath in Kiln Road. This will need to be secured by the appropriate conditions and will make the use of Kiln Road (to the site access) by pedestrians much safer.

The County Highways Department have raised no objections to the scheme. Any additional recommended conditions will be reported orally to the committee.

Other Issues

The site will be opened (at the hours indicated above) to public access as a result of this scheme. This is to be welcomed and will have a positive effect on the area. One neighbour has commented that there are a number of elderly people living in Kiln Road (to the north of the railway bridge) who would be disturbed by funeral cortèges passing. However, it is the case that this is likely to occur in any site near to a cemetery or church, and at the level of activity proposed, this is not going to generate a continuous stream of funerals.

Up to 12 jobs will be created for local people in the running and management of the site which is to be welcomed. It is also their case that there is a shortage of burial space within London and the South East and this scheme will assist with meeting that need.

Nature

The sites biodiversity will be encouraged by the scheme including the provision of bat and bird nesting boxes, and the creation of wildlife ponds. English Nature have raised no objections to the scheme.

Representations

Theydon Garnon Parish Council – No objections, although we have concerns regarding traffic from the bridge to the site, and it was considered that this should be wide enough to accommodate two way traffic.

North Weald Parish Council – No objections

1 Kiln Road Cottages – Object, this road regularly floods and this development will make it worse. This scheme will increase traffic problems along Kiln Road. This scheme fails to take into account the damage Deer can do to trees, and it would concern us if a fence were to be erected.

Cold Hall Lodge – Object, this road is used by dog walkers, horses and pedestrians with children, and is only a single tracked road, and this use will result in traffic danger. This is one of the highest points in Essex, and with heavy rain the water floods under the railway bridge. The design and material of the entrance gates are not in keeping with this area.

11 Pike Way – Object, this is a Green Belt site and no development should be allowed, plus the increase in traffic is not safe or appropriate as most of the traffic will be outside sheltered housing and an old peoples home, has anyone thought of the impact line after line of funeral processions will have?

Conclusion

This is an appropriate use of the Green Belt in policy terms. The few buildings are small scale and well designed, and will not have any adverse effect on the openness of the Green Belt; given that they are located within the wooded area. The new access has been sympathetically designed to be as unobtrusive as possible and the improvements of Kiln Road will facilitate access to the site. There are no objections to the use in terms of flooding or pollution, subject to the appropriate conditions. The projected traffic generation is acceptable on this site, especially with the measures to be put in place to encourage other means of transport other than the car.

Officers consider this is an opportunity to improve public access to the woodland, as well as restoring the area and improving the bio-diversity. This is no a speculative application, and the applicants have experience of implementing and managing a similar natural and sustainable alternative to conventional burial options at a site in Norfolk.

The application is therefore recommended for approval.