

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0533/LA 22.06.2016	CCBC Community And Leisure Services Mr M Headington New Road Tiryberth Hengoed	Develop a new cemetery for the provision of approximately 2000 burial plots and 1800 mini graves, a new building comprising offices and welfare facilities together with public toilets, site infrastructure and car parking Land Adj To Old Nantgarw Road Groeswen Cardiff CF15 7UN

**APPLICATION TYPE:** Local Authority Application

**SITE AND DEVELOPMENT**

**Location:** Land adjacent to Old Nantgarw Road, Groeswen, Cardiff, CF15 7UN.

**Site description:** The site is located outside of the settlement boundary. The site slopes in a south-easterly direction towards the existing highway and is lined with trees on the north eastern and north western boundaries. A hedgerow runs along the boundary adjacent to the highway for the length of the site. In addition there are a number of trees through the middle of the site, near the existing field gates. Old Nantgarw Road, from which the proposed cemetery will be accessed, runs along the south eastern boundary of the site, with open farmland immediately adjacent to the other boundaries. Old Nantgarw Road is situated within Rhondda Cynon Taff ownership.

**Development:** Full planning permission is sought in respect of the development of a proposed new cemetery to provide 2000 burial plots and 1800 mini graves used for cremations; a new building comprising offices and welfare facilities together with public toilets; site infrastructure comprising single lane/2 lane carriageway with pedestrian provision, car parking adjacent to the new access road and building and two new vehicular points onto Old Nantgarw Road.

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The access road into the cemetery is intended to partially operate on a one way system, with entry location off Old Nantgarw Road at the midpoint of the site and a one way circulatory to the planned exit location to the eastern end of the site. This section of road will be one-way single carriageway 3.65m wide at entry and exit. The western half of the cemetery will be served by a 7.3m wide two-way carriageway linked to the proposed access road.

Internal footpaths / footways are 1.8m wide.

The proposed building comprising offices and welfare facilities together with public toilets measures is 9m x 18m and 4m high. The building is to be finished using grey face bricks with a grey slate tile roof and upvc double glazed windows and doors.

A DDA compliant access ramp is to be provided to both the disabled toilets and main entrance of the building. The internal layout of the building comprises an office, canteen, drying room, toilets and store room.

A compound area, measuring 10m x 22.4m will be provided at the rear of the building with a vehicular access link around the proposed building. The compound will be enclosed with 1.8m high steel palisade fencing and gates.

Foul sewage to be via a cess pit installed slightly north of the building.

Public toilets are to be locked outside of operational hours.

Parking is to be provided in close proximity to the new cemetery building, 2 spaces of which are allocated for disabled users. In addition parking is also provided to the north and east of the site.

Opening times 08:00 to 19:30 Monday to Saturday and 09:00 to 17:30 on Sundays.

Dimensions: Site area is 3.67 hectares - see also details above.

Materials:

1.8m high steel palisade fence to compound area and site boundary adjacent Old Nantgarw Road, 1.4m high bow top fence to all other boundaries of the site i.e. adjacent to open farm land.

The building comprises alternative slate roof in grey, facing brick walls and all external doors and windows to be upvc; macadam to access roads and parking areas

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Ancillary development, e.g. parking: Fifteen car parking spaces and two disability spaces.

#### PLANNING HISTORY 2005 TO PRESENT

None.

#### POLICY

##### LOCAL DEVELOPMENT PLAN

Site Allocation: Outside of the settlement boundary, within the Mynydd Eglwysilan Special Landscape area (SLA) (Policy NH1.3) and also identified as a new cemetery (Policy CF1.31).

##### Policies:

Strategic Policies

SP3 - Development Strategy in the Southern Connections Corridor, SP6 - Place making, SP21 - Parking Standards.

Countywide Policies

CW2 - Amenity, CW3 - Design considerations - highways, CW5- Protection of the Water Environment, CW6 - Trees, Woodlands and Hedgerow Protection, CW15 - General locational constraints, supplementary planning guidance contained in LDP5 - Parking Standards.

##### NATIONAL POLICY

Planning Policy Wales, 8th Edition, January 2016, TAN 12 - Design.

##### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No. The site falls within Schedule 2, 10 (b) - Urban Development Projects but does not exceed the threshold of 5 hectares in terms of the requirement to provide an Environmental Impact Assessment.

Was an EIA required? No.

##### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is not an issue in respect of this application but an advisory note will be forwarded to the developer.

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## CONSULTATION

Natural Resources Wales - Have significant concerns with the proposed development and recommend that should planning permission be granted conditions are attached to any consent to address foul drainage requirements, restriction on burial locations and the provision of an ecological assessment.

Senior Arboricultural Officer (Trees) - Notes that the Tree Protection Plan (TPP) (superimposed over the proposed layout at that time) dates from July 2015, and the separate diagram from Engineering Consultancy (Tree Requirements (Planning Application)) is dated April 2016. The additional plan titled General Arrangement (Planning Application), also dated April 2016 indicates a revised layout that incorporates some of the trees that the tree consultant had earlier suggested in their TPP would be removed, and therefore not require any protection measures. Consequently, the Tree Protection Plan needs to be updated to reflect clearly which of those trees previously proposed for removal, are now being shown to be retained. This may be addressed by attaching a condition to any consent.

Overall, there are a number of trees and hedgerow sections which are to be removed if the proposed development is approved. If the retained trees are appropriately protected as detailed specifically in the Broadway tree report, then he is satisfied that the other trees' unavoidable loss will be sufficiently mitigated in the long-term by that proper protection.

The Coal Authority - Provides advice to be conveyed to the developer.

Transportation Engineering Manager - No objection subject to a condition being attached to any consent requiring the proposed access be completed in permanent materials to be approved by the LPA before the development is brought into beneficial use.

Countryside And Landscape Services - The current LDP has identified this site for the location of a new cemetery and as such there is no objection to the principle of this application.

However the LDP also identifies the area as being outside the settlement boundary and within the Mynydd Eglwysilian SLA. High standards of design are therefore required to maintain the SLA's Primary Landscape Qualities and Features, and address the Key Policy, Management and Development Control issues of the SLA, identified within the LDP.

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Whilst the principle of the development is considered acceptable, it is considered that the materials proposed in respect of the proposed building, fencing and gates are not in keeping with the rural character of this area. It is recommended that the details of the site layout, fencing, trip rails, gates, CCTV, Building Design and landscaping are addressed by conditions to be attached to any consent.

A General Arrangement Plan PL02 and a Tree Requirements Plan PL04 have been submitted with tree application but no Landscape Proposals or details of the CCTV cameras to be installed.

Senior Engineer (Land Drainage) - Requests a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. Advice is provided to be conveyed to the developer.

Dwr Cymru - The site is crossed by a trunk water main and Dwr Cymru/Welsh Water provides advice to be conveyed to the developer in respect of the same.

As the applicant intends utilising a cesspit facility they advise that the applicant seeks the appropriate advice from the Building Regulations Authority or an Approved Inspector. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred they provide advice to be conveyed to the developer.

## ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and ten neighbouring properties have been consulted.

Response: Three.

### Summary of observations:

- no drainage details provided;
- the burial of corpses and their subsequent degradation pollute ground water and any receiving surface water;
- no reference is made to the height limit of grave headstones;
- visual impact of the development and screening of the site;
- the site is not readily accessible by public transport;
- highway safety issues including increased traffic and lack of pedestrian footpaths;
- suggest traffic lights be introduced on the Penrhos roundabout;
- suggest the development should be subject to an environmental assessment to assess the visual impact of the development upon the agricultural area, an area of scientific significance, traffic.

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### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

There are no specific crime and disorder implications relative to the determination of this planning application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance.

The main issues to be considered in the determination of this application are the impact of the development on amenity, highway safety and on the interests of nature conservation, and the water environment.

Policy SP6 of the LDP requires development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural historic and built environment and its special features through various criteria including an appropriate mix of uses that reflect the role and function of settlements, a high standard of design, a location and layout that reflects sustainable transport and accessibility principles and provides full and easy access for all, the efficient use of land and the incorporation and enhancement of existing natural heritage features.

The site is identified for a new cemetery by Policy CF1.31 in the LDP. Cemetery land is needed across the County Borough but the most acute pressure is in the Caerphilly Basin area. With such tight constraints on the space available to extend the existing facilities, it has been necessary to identify a wholly new site for a cemetery.

It is considered the proposed site meets most criteria - accessibility through good transport links, close to the major centres of population, and environmental issues. The site is well located for main transport routes and is on gently undulating land opposite the General Electric Aircraft Engine Services (GEAES) plant.

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### Design

The Design and Access Statement and drawing PL02, submitted with the application state that the boundary fence to Old Nantgarw Road and to the secure compound at the rear of the cemetery building will be a steel palisade. This is a heavy industrial fence and is not considered suitable for either a cemetery or a rural location within a Special Landscape Area. The chosen fence for the remainder of the cemetery perimeter is a Bow top fence. This is a fence style commonly associated with urban parks and is not considered suitable for a rural location within the SLA.

No details of the proposed Cemetery gates, location of the CCTV camera have been submitted and no details of the proposed trip rail have been submitted.

The proposed cemetery building is utilitarian in appearance, more suited in design to a temporary school classroom or industrial estate. It adds nothing to sense of place, reflection and remembrance one associates with cemeteries.

Consequently, in terms of design, whilst the principle of this development is acceptable it is considered appropriate to attach conditions to any consent requiring further details in respect of fencing, trip rails, gates, CCTV, and building design in order that the development has more regard to its rural context.

It is considered the use of this land for a cemetery is compatible in land use terms and will not have an adverse impact on the character or amenity of the surrounding area subject to further details being submitted as discussed above.

Policy CW2 of the LDP considers amenity. The nearest dwelling to the proposed application site is Gwaun Gledyr Uchaf, some 127metres to the north, which will be separated from the application site by a field parcel. Another dwelling located to the east of the site is Ty-fry, which is located some 159metres away and separated from the site by an intervening field. In this respect it is considered the proposed development will not have an adverse impact upon the amenity or privacy of the occupants of nearby neighbouring properties.

Policy CW3 of the LDP considers highway requirements.

Objection has been raised regarding the lack of pedestrian access to the site. There are no public transport links directly to the site however the site is well located for main transport routes. There are bus stops located on the A468, Nantgarw Road, opposite GEAES and whilst there is a pedestrian footpath running along the eastern boundary of Nantgarw Road, there is no pedestrian link to the proposed cemetery access. However, many of the cemeteries within the borough do not have pedestrian access and it is considered that generally people would drive to the cemetery but if they wished to walk it would include a walk along Old Nantgarw Road, which whilst able to accommodate two-way traffic has no footpaths.

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It is not anticipated that there will be significant pedestrian movement to and from this site.

Pedestrian movement through the proposed cemetery will be via a series of footpaths.

A 2.4m x 70m vision splay in accordance with highway requirements will be provided at the entrance to the site following minor alterations to hedges and trees.

Policies SP10 and CW4 of the LDP is concerned with the protection of natural heritage and Policy CW6 considers trees, woodland and hedgerow protection. The impact of the proposed development has been considered above and concerns raised may be addressed by attaching appropriate conditions.

#### Landscaping

Objection has been raised that due consideration has not been given to the rural setting in terms of this proposed development.

The LDP identifies the area as being outside the settlement boundary and within the Mynydd Eglwysilian SLA. High standards of design are therefore required to maintain the SLA's Primary Landscape Qualities and Features, and address the Key Policy, Management and Development Control issues of the SLA, identified within the LDP.

The development has been designed to have as little effect on the surrounding countryside as possible; the majority of existing planting, including trees and hedges will be retained to maintain the natural screening but will include the removal of some trees and hedgerows in order to facilitate the development. In this respect protective fencing will be erected in respect of tree protection zones. This aspect of the development may be controlled by attaching appropriate conditions to any consent.

The hedge to Nantgarw Road is to be retained though short sections are to be lost to achieve visibility splays at the site entrance and exit. It is not known whether these sections of hedge will be replanted on a new alignment? No mention is made of the quality of the remaining hedgerows on the site boundary or whether it is proposed to strengthen or enhance them as part of the development. The retention of the hedgerow trees and the retention / strengthening of the remaining hedgerows would be welcomed as this would fit with the Key Policy and management objectives of the SLA identified with in the LDP. However, no landscape proposals have been received and in this respect it is considered appropriate to attach a condition to any consent requiring a landscaping scheme to address these issues.

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#### Ecology.

Natural Resources Wales (NRW) require a condition is attached to any consent requiring an ecological assessment, which demonstrates the proposed development will avoid any adverse impact upon the special interests of the Gwaun Gledyr Site of Special Scientific Interest, (which is located 300m to the north east), through any hydrological links.

Policy CW5 deals with the protection of the water environment. Objection has been raised regarding the suitability of the site in terms of drainage, both surface water and land drainage flows.

The burial of corpses and their subsequent degradation may potentially pollute groundwater and any receiving surface waters. In order to protect these water resources, the potential pollution risks must be assessed and mitigation measures proposed to deal with any unacceptable risks.

WYG Environment (WYG) was commissioned by Caerphilly County Borough Council to carry out a phased assessment of the application site.

Following a site investigation carried out by the developer, an area with a seasonally high water table was indicated in part of the site rendering it unsuitable for burials. These areas have been used to locate the building and cremation areas to maximise the burial plots for the remainder of the site.

Details of surface water run-off has been provided. It is to be directed to filter drains constructed adjacent to the carriageway areas which will act as soakaways in addition to other highlighted areas. Filter drains and soakaways are to be provided to allow the additional surface water to be drained naturally into surrounding ground and not put any greater impact on any existing drainage in the area. Notwithstanding the drainage information submitted the Senior Engineer (Land Drainage) has requested a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with.

Natural Resources Wales (NRW) require conditions are attached to any consent restricting the location of burials as identified in the recommended zonation map prepared by WYG dated August 2013. They also require a revised foul drainage scheme because a cess pit is not a long term viable option for non-mains foul drainage and consideration should be given to a more sustainable method of foul drainage either through connection to the foul sewer or the installation of a package treatment plant or septic tank where this is not available. Again, this may be addressed by attaching appropriate conditions to any consent.

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A Dwr Cymru/Welsh Water Main runs through the north of the site and the layout of the proposed development has given consideration to this constraint as discussed above. Dwr Cymru/Welsh Water provides advice to be conveyed to the developer.

Comments from Consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public:

- no drainage details provided; (this aspect of the development has been discussed above and may be addressed by attaching appropriate conditions to any consent);
- the burial of corpses and their subsequent degradation pollute ground water and any receiving surface water; (addressed above);
- no reference is made to the height limit of grave headstones; (not considered to be a material consideration in the determination of this planning application);
- visual impact of the development and screening of the site (The majority of existing trees and hedgerows are to be retained and a conditions will be attached to any consent requiring a landscaping scheme, with the aim of reinforcing and maintaining natural site boundaries as discussed above);
- the site is not readily accessible by public transport ( this is fact and is discussed above);
- highway safety issues including increased traffic and lack of pedestrian footpaths (Highway implications have been discussed above);
- suggest the development should be subject to an environmental assessment to assess the visual impact of the development upon the agricultural area, an area of scientific significance, traffic (the site does not require an Environmental Impact Assessment and matters raised have been considered above).

Other material considerations: None.

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing no.PL01 (Site location plan)  
Drawing no.PL02 (General arrangement)  
Drawing no.PL03 (Building Requirements)  
Drawing no.PL04 (Tree Requirements)  
Drawing no.PL05 (Miscellaneous details)  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The proposed access shall be completed in permanent materials, details of which shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be completed before the development is brought into beneficial use.  
REASON: In the interests of highway safety.
- 04) No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection during the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following occupation of the buildings or the completion of the development, whichever is the sooner; and any tree or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
REASON: In the interests of visual amenity and biodiversity.
- 05) Notwithstanding the submitted plans details of the external materials to be used in the construction of the building hereby approved shall be submitted for consideration and approval in writing with the Local Planning Authority. The external finishes to be submitted shall reflect the rural character of the locality. The development shall be constructed in accordance with the agreed details.  
REASON: In the interests of visual amenity.
- 06) Prior to the commencement of the development hereby approved a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the first beneficial use.  
REASON: In the interests of the visual amenities of the area.

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- 07) Details, including the location of CCTV cameras shall be submitted for consideration and approval in writing with the Local Planning Authority. The development shall be constructed in accordance with the agreed details prior to the beneficial use of the development hereby approved.  
REASON: In the interests of visual amenity.
- 08) No development shall commence until details of a scheme for the disposal of foul water, surface water and land drainage flows from the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 09) Burials shall be restricted to certain parts of the site as identified in the recommended zonation map prepared by WYG, dated August 2013, and no burials shall be:  
- less than 50m from a potable groundwater supply sources;  
-less than 30m from a water course or spring;  
-less than 10m from field drains;  
-into standing water and the base of the grave must be above the local water table.  
REASON: To minimise the risk of pollution to controlled waters.
- 10) Prior to the commencement of any site or vegetation clearance an extended phase 1 Ecological Survey shall be carried out and the results of the survey, together with any proposed remedial measures shall be submitted for the agreement of the Local Planning Authority. The measures shall be complied with as agreed.  
REASON: To ensure adequate protection for protected species.
- 11) Prior to the commencement of works associated with the development hereby approved, a 5 year hedgerow management plan, which shall include details of the timing of its implementation, shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the agreed management plan.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and TAN 5 Nature Conservation and Planning (2009).

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- 12) Prior to the commencement of any felling or tree pruning works associated with the development hereby approved, a survey shall be carried out to determine the presence of bat roosts within the trees on site and the details of the survey together with any measures to minimise the impact from tree/hedge management works, shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the agreed details.  
REASON: To ensure adequate protection for protected species.
- 13) Prior to the commencement of works on site, a method statement shall be submitted for the approval to the Local Planning Authority detailing the treatment of Himalayan Balsam (*Impatiens glandulifera*). The development shall be carried out in accordance with the approved details.  
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act. Himalayan Balsam is included within this schedule

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3.

The applicant is advised of the comments of the Senior Engineer (Land Drainage), The Coal Authority, Countryside & Landscape Services, Senior Arboricultural Officer, Natural Resources Wales and Dwr Cymru/Welsh Water.

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