



Report to East Area Planning Committee

Application Number:	PL/21/4723/FA
Proposal:	Change of use to lawn burial cemetery
Site location:	Land adjacent to Great Missenden Cemetery, Church Lane Great Missenden HP16 0QR
Applicant:	Buckinghamshire Council
Case Officer:	Emma Showan
Ward affected:	Great Missenden
Parish-Town Council:	Great Missenden
Valid date:	7 April 2022
Determination date:	2 June 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application proposes the change of use of land to a lawn burial cemetery to facilitate the extension of the existing cemetery at St Peter and St Paul's Church in Great Missenden. The existing land is a grazing field.
- 1.2 The application has not been called in by a Local Councillor but as the application concerns land owned by Buckinghamshire Council, it cannot be determined under delegated powers, hence the application has been referred to the Planning Committee for determination.
- 1.3 The recommendation is to grant conditional permission.

2.0 Description of Proposed Development

- 2.1 The application relates to a site located in the open Green Belt and Chilterns Area of Outstanding Natural Beauty outside of Great Missenden. It concerns a parcel of land located adjacent to the existing cemetery associated with the Grade II Listed St Peter & St Pauls Church. The Church and cemetery are accessed via Church Lane that crosses the A413 with a public right of way also providing access from Chesham Road to the north. The parcel of land the subject of this application is currently a grazing field whose boundaries are a mixture of hedging and post and rail fencing. It is located to the north of the Church.
- 2.2 It proposes the change of use of the land to a lawn burial cemetery.

- 2.3 The existing lawn cemetery will be extended into the adjacent grazing field with the cemetery being laid out in a similar style to that which exists at present. The existing hedging and post-and-rail fencing would be retained and a wildflower meadow would be planted for the unused areas.
- 2.4 A new access way would be constructed to provide access to the new lawn cemetery areas. It would be constructed of a permeable material. Four new parking spaces would be provided, two of which would be marked for disabled parking.
- 2.5 Plots for 480 full burials and 960 cremated remains would be provided.
- 2.6 The application is accompanied by:
 - a) Design & Access Statement
 - b) Heritage Statement
 - c) Ecological Enhancements Plan
 - d) Ecological Habitats Plan
 - e) Ecological Impact Assessment
 - f) Landscape and Ecological Management Plan
 - g) Phase 1 Hydrogeological Risk Assessment

3.0 Relevant Planning History

- 3.1 CH/1998/1868/RC - Change of use of land from agriculture to cemetery, extension of access road and provision of car parking area for 2 vehicles; conditional permission.

4.0 Summary of Representations

- 4.1 Great Missenden Parish Council does not object.
- 4.2 No other representations received.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2021.
- National Design Guidance, October 2019.
- Core Strategy for Chiltern District - Adopted November 2011.
- Chiltern Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.

Principle and Location of Development in the Green Belt

Core Strategy Policies:

CS1 (The spatial strategy),

Local Plan Saved Policies:

GB2 (Development in general in the Green Belt)

LSQ1 (Development in the AONB)

- 5.1 The site is located within the open Green Belt where most development is inappropriate and there is a general presumption against such development. Chapter 13 of the NPPF emphasises the importance of Green Belts and states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 5.2 Specifically, Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new building as inappropriate in the Green Belt, but lists a

number of exceptions. Criterion (b) allows for the provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

- 5.3 This position is supported by Local Plan Policy GB2 which also sets out that new buildings to provide essential facilities for cemeteries and other uses of land which preserve the openness of the Green Belt can be acceptable. This policy also allows for engineering and other operations and the making of material changes in the use of land which maintain openness and do not conflict with the purposes of including land in the Green Belt.
- 5.4 With respect to this proposal, it is proposed to change the use of a 0.78-hectare parcel of grazing land to allow for the extension of Great Missenden cemetery. The land would provide additional space for lawn burials. As per the provisions of the NPPF and Local Plan Policy GB2, the provision of a cemetery is an appropriate use in the Green Belt. Furthermore, it is not proposed to erect any new buildings or fencing as part of the proposal. Instead, the existing boundaries (post and rail fencing and hedging) would be retained. A new access way would also be provided but this would only link the existing cemetery to the extension and would link around the perimeter of the new plots. It would not entail the erection of any building work beyond the laying of permeable material. Therefore, the change of use in-of-itself is not considered to have a detrimental impact on openness and the development is acceptable in principle.
- 5.5 The site is also located in the Chilterns Area of Outstanding Natural Beauty (AONB), where, as per the provisions of the NPPF and Local Plan Policy LSQ1, development should conserve, and where considered appropriate and practicable, enhance the special landscape character and high scenic quality of the AONB.
- 5.6 Finally, the site is located within close proximity to the Grade II Listed St Peter & St Paul Church. In line with Local Plan Policy LB2, any proposed development or works within the vicinity of a Listed Building should not adversely affect the setting of that Listed Building.
- 5.7 All other relevant Development Plan policies should also be complied with.

Landscape Issues and Historic Environment

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS20 (Design and environmental quality)

CS22 (Chilterns Area of Outstanding Beauty)

Local Plan Saved Policies:

GC1 (Design of development)

LSQ1 (Chilterns Area of Outstanding Natural Beauty as defined on the Proposals Map)

LB2 (Protection of setting of Listed Buildings)

AS1 (Scheduled Monuments and other nationally important unscheduled archaeological remains)

AS2 (Other unscheduled archaeological remains)

- 5.8 The cemetery extension would be laid out in a similar style to the existing cemetery and would incorporate the planting of a wildflower meadow and provision of an access way and a small area to park four vehicles. The existing post-and-rail fencing and

hedging would be retained which would ensure that the site retains its tranquil and rural setting, and indeed the nature of the proposed use would also preserve the tranquil environment. Given that there is already a cemetery in this location, it is not considered that its extension would appear out of character or harmful to local views. No buildings are proposed and this will ensure that existing views are maintained.

- 5.9 Given the proximity of the site to the Grade II Listed Church, the Heritage Officer has been consulted and it is confirmed that whilst the proposal would result in a larger extent of burial land, it would not alter the setting of the identified heritage assets. No objections are raised in heritage terms.
- 5.10 The site is also located in the vicinity of a scheduled medieval ringwork (a form of fortified defensive structure) and Roman pottery finds have been recorded. The Archaeology Officer has stated, if planning permission is granted, a condition is recommended to require appropriate investigation, recording, publication and archiving of the results.
- 5.11 Overall, it is considered that the proposed cemetery extension would not be harmful to the local area or the setting of the heritage assets. A further condition requiring the approval of materials for the proposed access way would ensure that an appropriate material is used that is in keeping with the rural setting and heritage assets.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

GC7 (Noise-generating developments)

- 5.12 The site is located away from neighbouring dwellings. Nonetheless, given the nature of the proposed development, it is not considered to result in any harm to neighbouring amenities.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Buckinghamshire Parking Guidance SPD, 2015

- 5.13 A new access way is proposed to link the existing cemetery with the new extension, but otherwise the access to the Church and cemetery will remain unchanged, so there is no objection regarding the proposal's impact on the highway.
- 5.14 Four new parking spaces are proposed to be provided within the extension, two of which would allow for disabled parking. These spaces are considered to have been appropriately located and laid out to serve future users. The other parking spaces serving the Church and cemetery would be retained.
- 5.15 Public access via the footpath to the north of the site would also remain unchanged.

Ecology

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS24 (Biodiversity)

Local Plan Saved Policy:

NC1 (Nature Conservation)

5.16 It is not proposed to remove any hedging or trees and so there would not be any harm to local wildlife or biodiversity as a result of this proposal. A biodiversity enhancement plan has been submitted showing the inclusion of bird nest boxes and bat roosting boxes, in addition to hedgehog domes and wildlife planting. This will all ensure biodiversity net gain on site.

6.0 Weighing and balancing of issues / Overall Assessment

6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

6.2 As set out above it is considered that the proposed development would accord with the development plan policies and the provisions of the NPPF and it is therefore recommended for conditional permission.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2021) the Council approaches decision-taking in a positive and creative way, taking a proactive approach to development proposals focused on solutions and working proactively with applicants to secure developments.

7.2 The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and, as appropriate, updating applications / agents of any issues that may arise in the processing of their application.

Recommendation: Conditional Permission. Subject to the following conditions:-

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.
2. No development shall take place, unless authorised in writing by the Planning Authority, until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the planning authority. The scheme of investigation shall be undertaken in accordance with the details and timescales approved by the planning authority.
Reason: To ensure that the proposal has no detrimental impact on the archaeological interest on site.
3. Prior to the erection of the access road and parking areas as shown on plan reference Cemetery Extension, Rev 3, details of the proposed hardstanding/materials for this access road and parking area shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter, the access road and parking area shall be erected in accordance with these approved materials. The proposed materials should be permeable.

Reason: To ensure that the access road and parking area is appropriate for the rural setting in the Green Belt and location adjacent to the Grade II Listed Church and to ensure that the hardstanding used is permeable to prevent surface water flooding.

4. Prior to completion of the development hereby approved, the scheme of ecological enhancements shown on plan reference Ecological Enhancements Plan 1293 shall be implemented, unless an alternative scheme has first been approved in writing by the Local Planning Authority. The scheme of ecological enhancements shall be implemented and maintained in accordance with the approved plans.

Reason: In the interests of improving biodiversity in accordance with NPPF and Core Strategy Policy 24: Biodiversity of the Chiltern District Core Strategy.

5. This permission relates to the details shown on the approved plans as listed below:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
10 Dec 2021	Ecological Enhancements Plan 1293
7 Apr 2022	Location Plan
10 Dec 2021	Cemetery Extension, Rev 3
10 Dec 2021	Site Survey E0520 - T

APPENDIX A: Consultation Responses and Representations

Councillor Comments

None.

Parish/Town Council Comments

Great Missenden Parish Council does not object.

Consultation Responses

Archaeology Officer: We conclude that the proposal may affect a heritage asset of archaeological interest because the proposed site is in the vicinity of a Scheduled medieval ring work and medieval and Roman pottery have been recorded.

If planning permission is granted for this development then it may harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 205. With reference to the NPPF we therefore recommend that any consent granted for this development should be subject to a condition along the following lines:

No development shall take place, unless authorised by the Planning Authority, until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

The archaeological investigation should be undertaken by a professionally qualified archaeologist working to the agreed written scheme of investigation based on our on-line template briefs and the form of trial trenching in the first instance

Heritage Officer: The heritage assessment is the impact on the setting of the listed building, the Church of St Peter and Paul. Along with any impact on the setting of the conservation area and registered park and garden. Uniquely located on the opposite side of the A413, vehicle access from the village to the church is via a bridge over this busy route. The typical 14th century church with the existing burial land to the north. The current proposal seeks to extend the area available for burials further to the north. And therefore whilst this would result in a larger extent of burial land it would not alter the setting of the identified heritage assets.

The application would not raise any heritage objection.

Strategic Access Officer: I have no comments from a rights of way perspective.

Representations

None received at time of writing report.