



**CYNGOR**  
**Sir Ddinbych**  
**Denbighshire**  
**COUNTY COUNCIL**

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 Denbighshire County Council  
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 Smithfield Road  
 Denbigh  
 Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

31/2013/1069  
 Proposed Crematorium  
 Glascoed Rd, St Asaph

2



Application Site

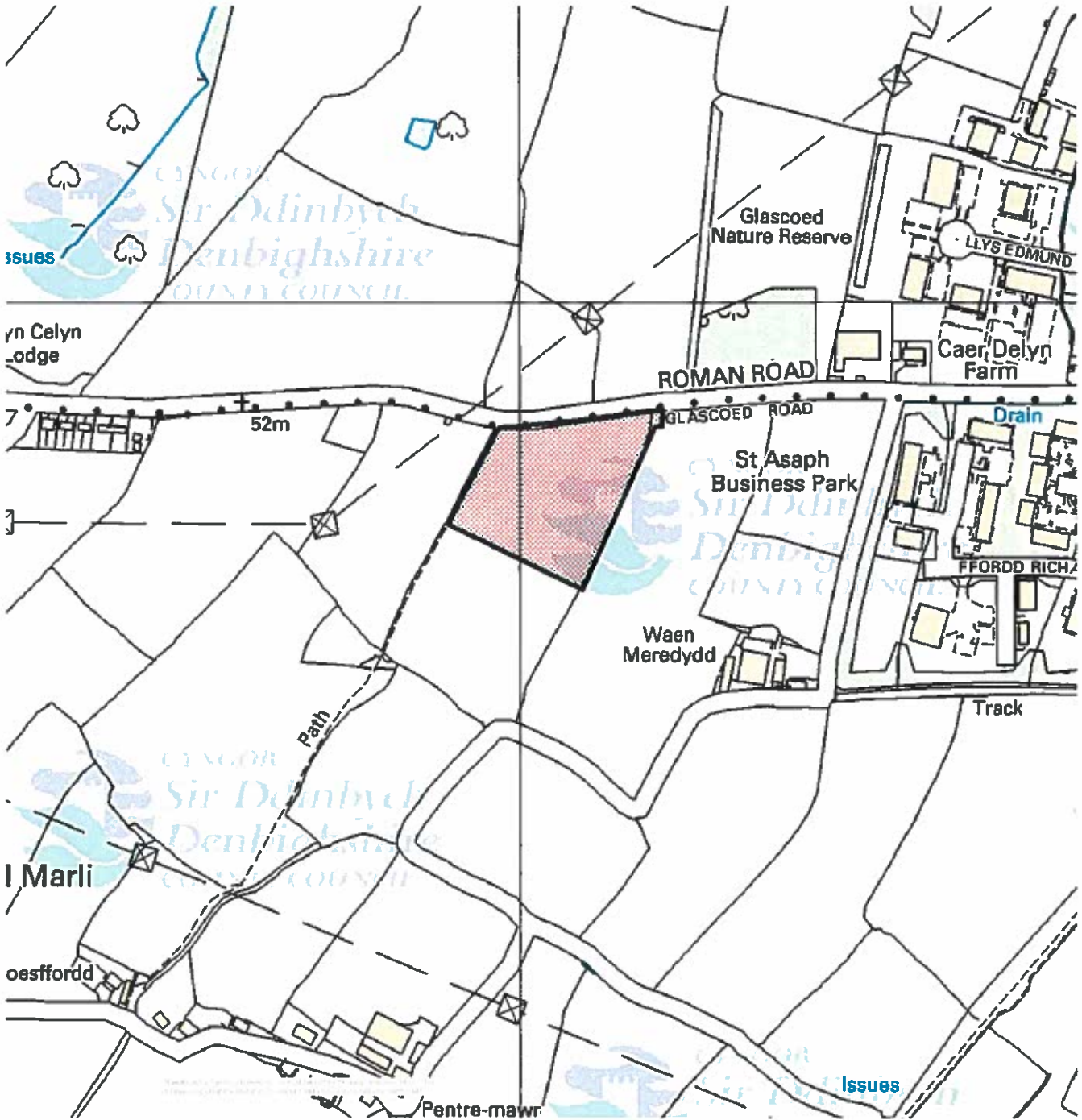


Date 4/3/2014

Scale 1/5000

Centre = 301019 E 373774 N

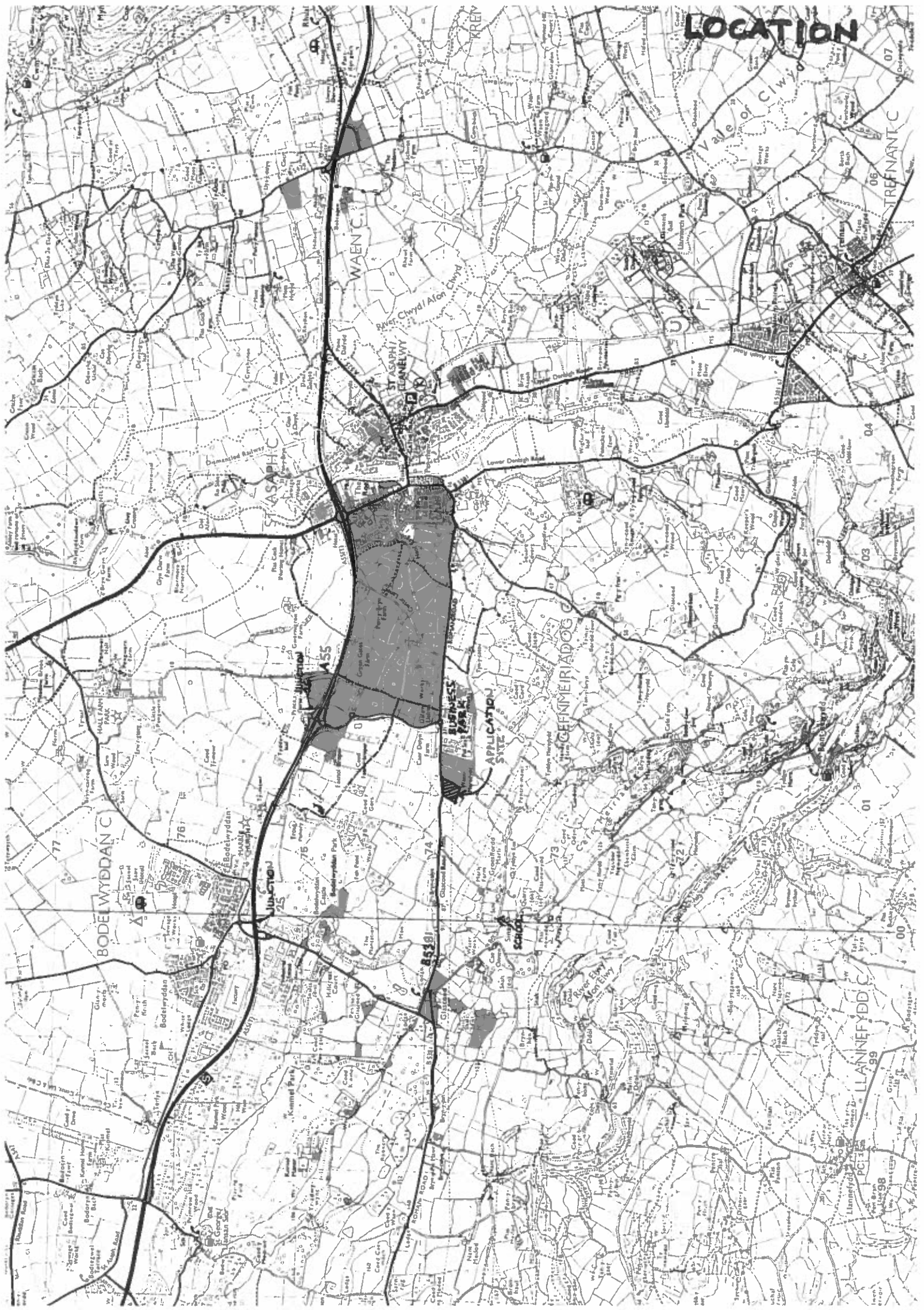
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi  
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# LOCATION



# SITE PLAN

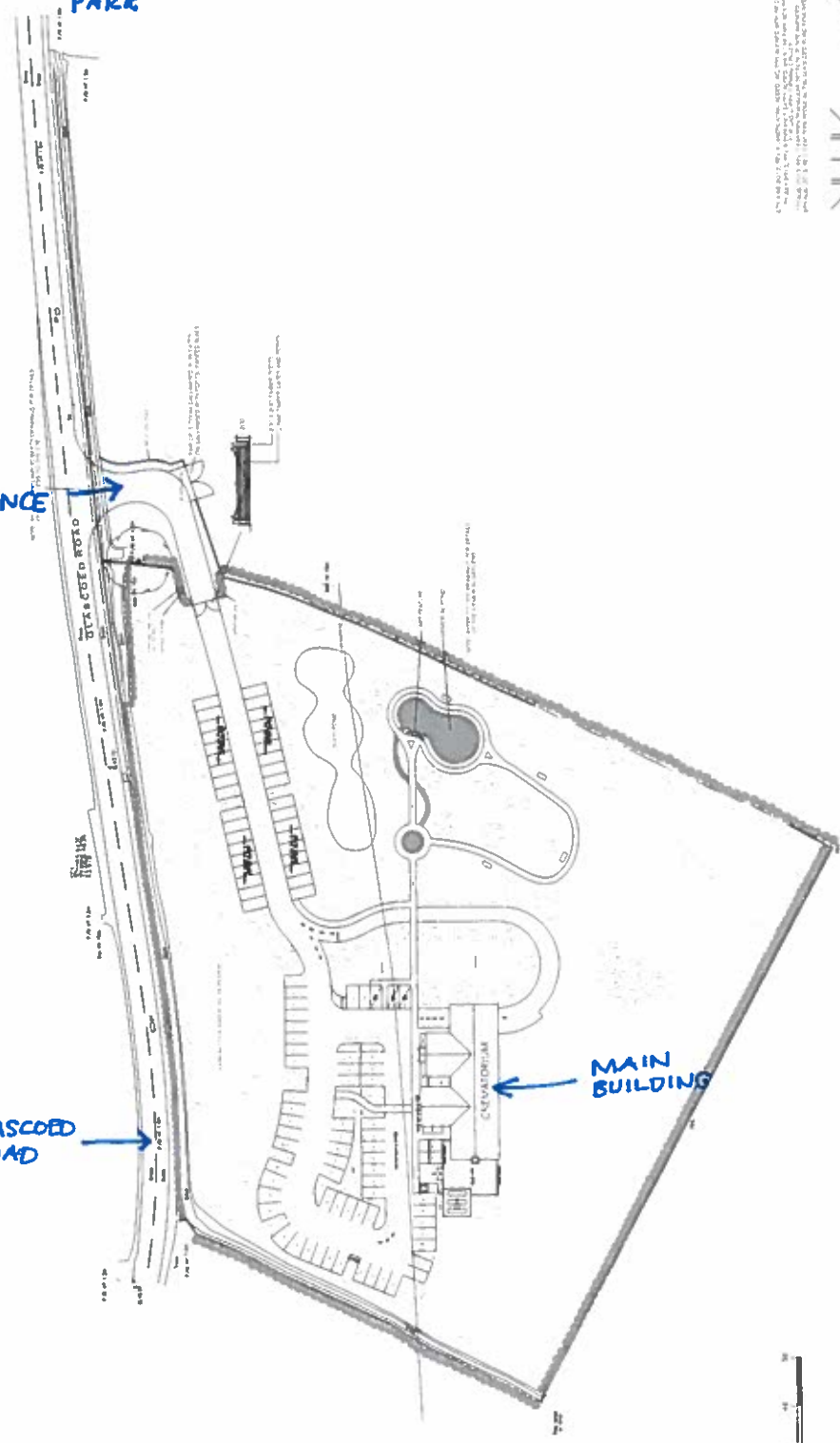
THIS IS A PRELIMINARY SITE PLAN. IT IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY. THE LOCAL AUTHORITY MAY REQUIRE CHANGES TO THE PLAN. THE LOCAL AUTHORITY MAY ALSO REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

↑ ST. ASAPH BUSINESS PARK

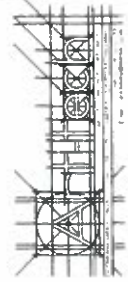
ENTRANCE

GLASCOED ROAD

MAIN BUILDING



THIS IS A PRELIMINARY SITE PLAN. IT IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY. THE LOCAL AUTHORITY MAY REQUIRE CHANGES TO THE PLAN. THE LOCAL AUTHORITY MAY ALSO REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



Project No.	1284-01D
Client	
Scale	
Date	
Author	
Checker	
Approver	



# PROPOSED BUILDING

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GLASS AND TIMBER FRAME GABLE TO EXIT PORTE COCHERE  
 DARK STAINED TIMBER BARGE BOARDS  
 NATURAL SLATE ROOF IN DARK GREY/BLACK FINISH  
 DARK STAINED TIMBER FASCIA  
 DARK STAINED BOARDING TO PORCH GABLE

STAINLESS STEEL CAP TO FLUE

WHITE SMOOTH RENDER GABLE  
 OFF WHITE ALUMINIUM FRAMES  
 OAK CLAD POSTS

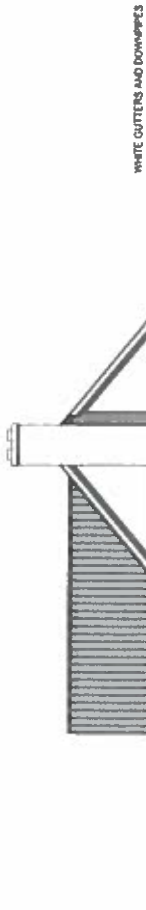
WHITE SMOOTH RENDER TO FLUE

NORTH ELEVATION

RECONSTRUCTED STONE CALLS

COURSEABLE LOCAL NATURAL STONE  
 EAST ELEVATION

FRAMED LEDGED AND BRACED GATES  
 COURSEABLE LOCAL NATURAL STONE  
 WALLS WITH RANDOM STONE COPINGS



WHITE GUTTERS AND DOWNPIPES

OFF WHITE ALUMINIUM FRAMES  
 3,000 x 3,000 ROLLER DOOR  
 VERTICAL BOARDING DARK STAINED FENCING

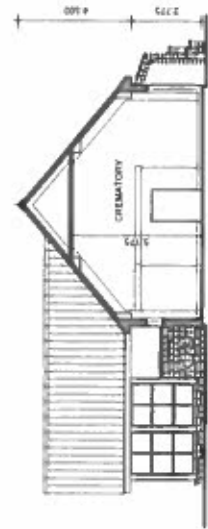
WEST ELEVATION

LOUVER DRILL BLACK FINISH  
 FRAMED LEDGED AND BRACED  
 DARK STAINED BOARDING DOOR  
 VERTICAL BOARDING DARK STAINED FENCING

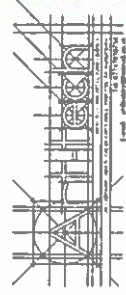
SOUTH ELEVATION

LIGHT OFF WHITE ALUMINIUM FRAMES  
 DARK STAINED BOARDING  
 COURSEABLE LOCAL NATURAL STONE

OAK CLAD POSTS



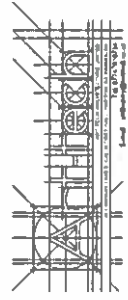
CROSS SECTION THROUGH CREMATORY



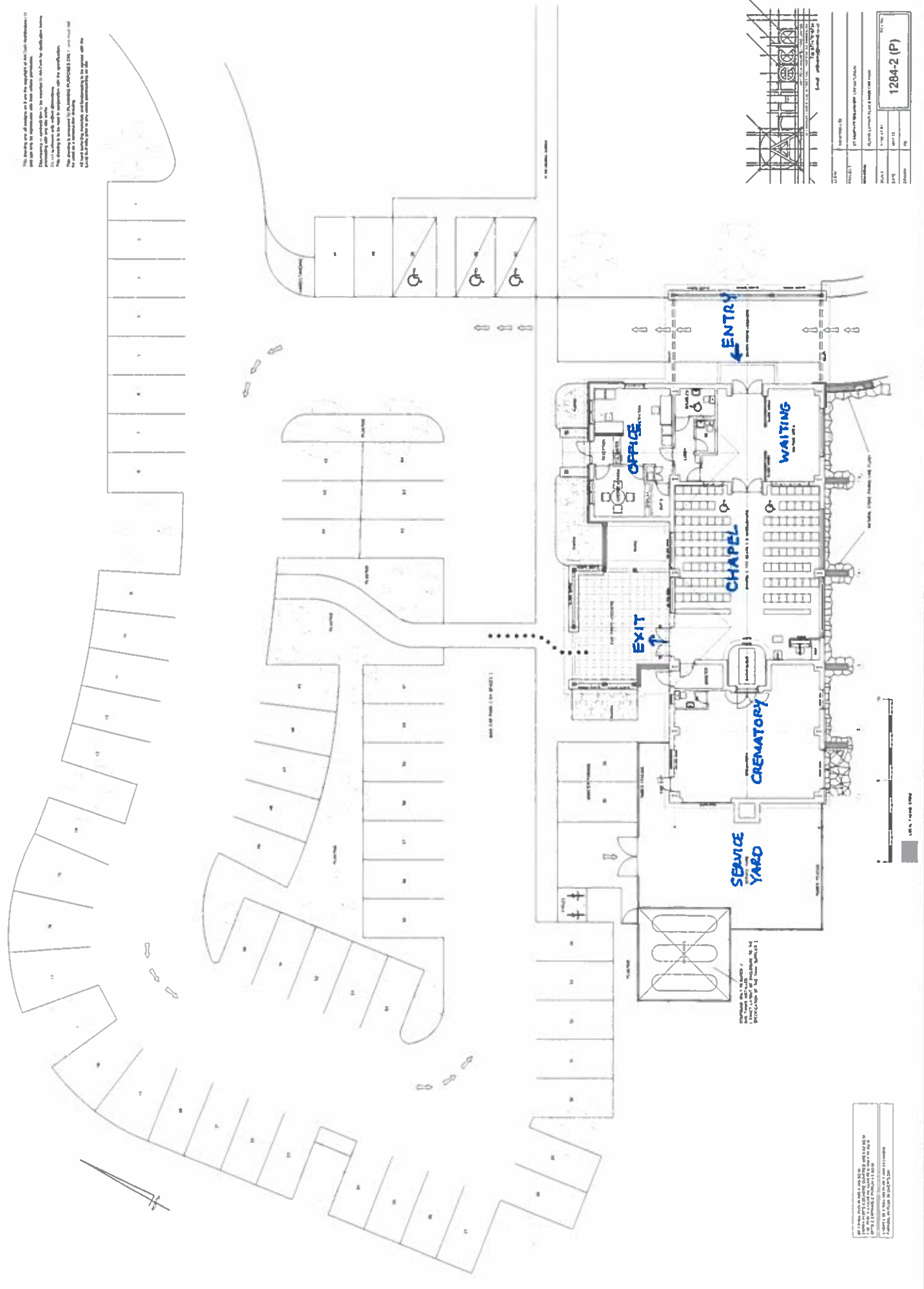
DATE	12/20/2023
PROJECT	1284-3 (P)
SCALE	AS SHOWN
DESIGNER	J&J ARCHITECTS LTD.
CHECKED	J&J ARCHITECTS LTD.
DATE	12/20/2023

# FLOOR PLAN

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DATE	12/15/2023
PROJECT	1284-2 (P)
DESCRIPTION	CREMATORY
SCALE	1/8" = 1'-0"
DATE	12/15/2023
BY	...
CHECKED BY	...
DATE	...
PROJECT NO.	1284-2 (P)



NOT TO SCALE  
 ALL DIMENSIONS ARE IN FEET AND INCHES  
 DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE  
 DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE  
 DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE

**ITEM NO:** 2

**WARD NO:** Trefnant

**WARD MEMBER(S):** Councillor M Lloyd Davies

**APPLICATION NO:** 31/2013/1069/ PF

**PROPOSAL:** Erection of a crematorium with associated car park, access road and gardens of remembrance, construction of a new vehicular access and installation of a package treatment plant

**LOCATION:** Land West of St Asaph Business Park on South side of Glascoed Road St Asaph

**APPLICANT:** Memoria Ltd.

**CONSTRAINTS:**

**PUBLICITY UNDERTAKEN:** Site Notice – Yes Press Notice – No Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**CEFN MEIRIADOG COMMUNITY COUNCIL**

The Community Council have sent two separate responses, which are quoted in full below:-

29 September 2013

“On Wednesday 4<sup>th</sup> September 2013 the above application was discussed due to the local community concern a public meeting was arranged for Monday September 16<sup>th</sup> 2013. The well supported meeting provided a wealth of observations on the application which I append below as our observations.

- 1) The description of location is incorrect and has caused confusion to the local residents in as much they would not realise where it was; it should say West of St. Asaph not East.
- 2) Complaints were received due to the lack of consultation with local residents who only received their letters after they complained to the planning department.
- 3) Traffic movement would be increased on a Class B Road with no pavements and the width of the road is suspect. Due to slow moving traffic other road users may very well speed up after overtaking exacerbating the dangers we experience locally now as we have requested speed limits previously on houses 1-8 Ffordd Glascoed and to houses 1-5 Cross Foxes. The proposal would inevitably increase the traffic flow on St. Asaph High Street causing further congestion due to funeral processions; Engine Hill would be affected as would an already dangerous cross roads at Glascoed, and visibility at the

bottom of Marli Hill. This would also have an impact on Cefn Meiriadog School traffic. This B road will not take all this additional traffic.

- 4) It has been brought to our attention that a similar application has been made in Flintshire for a crematorium, would that not be a better solution?
- 5) No hard copy of the LDP has been received to date, therefore we are not able to comment of planning restrictions as listed in the LDP.
- 6) It has always been understood that the land in question is green belt and this development would reduce the barrier once again. This agricultural land is of a high productive quality and building upon it changes the character of this rural community, as it would be visible from the surrounding countryside.
- 7) Concern has been expressed due to the high pressure water main and the gas main running east to west across the proposed development field.
- 8) What is the status of the old footpath crossing the proposed field giving access to the public?
- 9) Concern regarding the effectiveness of the chimney filters, in the regard to the deposit of mercury on adjoining land causing contamination of the food chain.
- 10) It is also noted that there is no identification of a need for a crematorium in the St Asaph City and Rural Area Plan.
- 11) The latest 2011 census has indicated that there was an overestimation in the Denbighshire population figures, thus there is less demand for a Crematorium and therefore no need is established.
- 12) We are not aware that there is a demand for a Crematorium due to the spare capacity in the existing Crematoriums.
- 13) It is usual for a Crematorium to be located near a highly populated area i.e. Wrexham, Mochdre and Bangor.
- 14) This development would lead to an incremental detrimental effect on the rural character of Cefn Meiriadog community”.

10<sup>th</sup> December 2013

“Thank you for your recent letter regarding the above planning application and we note the additional information. I confirm that the Community Council remain opposed to the application for the reasons already provided in our original letter. Furthermore the additional information provided by Genesis add no weight to the plan and underlines the fact through its population analysis that there is there is no real need for a crematorium.

Inevitably this planning application has caused a lot of concern for many residents in the area. They see a crematorium as being completely unnecessary and out of character with the community. Moreover it has led many residents to reflect on the impact major planning decisions have had on the community over the years. There is a strong view, and the evidence is there, that the natural rural character of Cefn is being eroded, slowly but surely, over the years. The business park has ruined the outlook and environment for residents and the substation and related power lines have dramatically transformed the character and

incrementally industrialised what should be preserved as a rural quiet and historically important countryside community.

In general the community feels that applications are being made and processed in the absence of a benchmark criterion with which to judge planning applications. We understand that there is a development plan and due process that has to be followed - but there is a worry that even that does not protect this community or misses the very human impact of this continual erosion of the environment. Many Residents have witnessed the business park, power lines encroach onto and their daily lives and feel helpless – the crematorium now feels like the last straw. Whilst the recent crematorium application has prompted this discussion, the on-going electricity generation distribution related works, which provide no benefit to those living in Cefn, is ruining a beautiful environment and rendering some properties to be of little value and impossible to sell. We also do not know the outcome of the new power lines route consultation and its potential impact on our community.

For many people in this area there is a genuine feeling of helplessness and that the protection of such a beautiful area is vital to preserve the character of Denbighshire; Cefn Meiriadog's proximity to St Asaph should not mean it should be seen as a natural overspill or suburban area which developments can encroach. We feel that its proximity to St Asaph means its rurality should be seen as even more important to preserve.

I would ask that this letter be seen as context for the recent planning applications but also that it is referred to when looking at all future commercial applications.

In specific response to your letter of the 27<sup>th</sup> November detailing Genesis Town Planning's document I would like you to note the following.

1. It is very difficult for the lay person to understand the long winded nature such a document– it iterates, at length, paragraphs of the policy which seems to work against their bid only to then highlight the exception and why they have a valid bid. As lay people we therefore look to the Council to protect our interest and simplify the process of understanding and the validity of what they are saying in a policy context.

For example, the policy clearly states that considerable weight should be given to protecting such land from development and then highlights there case as an “overriding need for the development”. Clearly there is no overriding need for a crematorium here – even their population figures are well below the yardstick of 150,000 which they have chosen to use to justify the need. We assume that the Council's default position would be the protection of the land for the long term and not a commercially defined overriding need.

2. Last para. Page 2. Does the Council concur that greater weight should be given to the LDP as it was adopted after the PPW 2012? Genesis implies that the LDP has no specific policy for the protection of agricultural land. This cannot be the case given the nature of Denbighshire environment – local people would have rejected the LDP had this been made clear.

3. Global Independent Need assessment on population. Their population figure of 135,694 is 10% short of the 150,000 benchmark for quantitative need as defined by one past appeal in Cornwall. Even their long term population growth fails to meet their own yardstick by 600 people. Long term forecasts of population growth are notoriously unreliable and should not be considered in this argument.

4. It would appear that Colwyn Bay, Chester and Wrexham are all within reasonable travel times and have adequate cremator widths to cope with demand.

5. It would be useful to see evidence of the “full support” provided by local funeral directors and clergy for the past 4 years. Is this an overwhelming majority?



6. With respect to Memoria, Mr Davies -as a local person will have a better understanding of the needs of the local community than a "national developer and operator of crematoria."

7. Bangor and Colwyn Bay crematoria are not built in open countryside and it would be a poor precedent to set in North Wales to use prime land for a crematorium.

8. We would like to see the letter Mr Steve Parker ( head of Environmental Services at Denbighshire) has written in support of the scheme. Does he support the principle or the principle as well as location and when did he arrive at this conclusion?

9. Given that the discussions between councils and Memoria have been ongoing since 2009 we would like to understand why it has taken 4 years to submit the bid – what has changed in the past few months to make Memoria feel that they have a justifiable case? Has the council indicated a preferred location in advance of the plans? We assume that all communications and minutes of meetings with Memoria are available on request?

10. We reiterate the fact that at no point in recent years has a crematorium appeared in any planning or local needs assessment. We have looked at residential planning, highway, education and transport requirements along with other basic amenities but never a crematorium.

11. Whilst Memoria dispute being opportunistic it would be useful to clarify whether the Councils approached Memoria in the first instance, or did the "national developer and operator of crematoria" approach the Councils first? If it is the later then it would be fair to say that the approach would be speculative and to also accept that the foremost role of a "national developer and operator of crematoria" would be to make a profit and grow the business.

12. Impact on business park (page 9). A significant volume of cars do use the road between Glascoed and the Business Park and there will be significant flow of traffic past the proposed development – not just to the business park but for and from routes to St Asaph, Rhyl, Denbigh etc.

By the nature of the business Memoria would want to maximise use of the facility and by its very existence (instead of a agricultural field) it will impact and will be directly impacted by traffic along the road. This will clearly be exacerbated by the nature of funeral cortèges. Furthermore, many people, who work at the park enjoy a walk and run along the back lanes around the proposed site at lunch and break times to enjoy a break from work in the countryside – not an ideal situation for workers or mourners alike.

13. No reference is made to the school traffic which will be a very real factor at various times of the day. We would also reiterate the fact that Cefn Community Council has repeatedly raised safety concerns about traffic speed and flow along the lower Glascoed road. After many attempts to make the road safer it would be disappointing to see the Council implement road safety precautions such as speed restriction to accommodate a commercial development when the view point of the local community council has been rejected.

14. At a time of austerity it would appear that most public services are looking to maximise existing facilities and not expand its estate. An additional facility which, when measured by its own population analysis yardstick, does not have an overriding need would be counter to the general shift in service models and educating the public about availability of slot times etc."

#### NATURAL RESOURCES WALES (NRW)

No objections in principle, subject to imposition of conditions to safeguard and protect Great Crested Newts. No adverse comments on potential impacts on protected landscapes, groundwater, waste storage and collection, and surface water drainage, all subject to conveying suitable conditions and advisory notes to the applicants, including advice on the need for separate consents from Natural Resources Wales.

#### DWR CYMRU / WELSH WATER

As non mains drainage is proposed, refer to NRW for comment.

#### CLWYD POWYS ARCHAEOLOGICAL TRUST

Subsequent to the preparation of the Archaeological survey, suggest the inclusion of a suitable watching brief condition, if permission is granted.

#### WELSH GOVERNMENT RURAL DEVELOPMENT ADVISOR

Has advised that formal consultation with Welsh Government's Department for Rural Affairs is only necessary on developments involving the loss of 20 hectares or more of land of grades 1, 2 and 3a, hence Agricultural Land Quality considerations are a matter for the Local Planning Authority to determine.

#### CONWY COUNTY BOROUGH COUNCIL

No objections as neighbouring planning authority.

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

##### - Highways Officer

No objections subject to inclusion of conditions. Acknowledges the location has limited pedestrian and public transport links and therefore there are sustainability questions, but given the nature of the facility and that the majority of trips are likely to be by private car, it may be appropriate to take the view of an appeal Inspector in Chester, i.e. a broader view of sustainable travel rather than simply the extent which a site is accessible by public transport. The suggested conditions relate to the detailing of the parking/turning arrangements, visibility splays, access, and treatment of the hedgerow and ditch adjacent to the highway.

##### - Pollution Control Officer

Confirms that the Crematorium can not operate without the relevant Permit from the Council, for example, in relation to control of emissions to air. (Environmental Permitting Regulations 2010). The stack height would need to be designed to ensure sufficient dispersion of emissions.

#### Head of Environmental Services

Considers the facility would fulfil a genuine need in Denbighshire given increasing numbers of cremations, limited cemetery capacity. County Council has no plans to provide a crematorium and no statutory duty to do so.

#### Economic and Business Development Manager

Recognises the potential positive economic impact in terms of jobs and supply chain opportunities at construction stage. Has some concerns over potential impact on the profile of the St. Asaph Business Park from funeral corteges passing, and would prefer these to be directed to use the Bodelwyddan Castle exit from the A55.

#### Development Plan Officer

Concludes that the need for a facility has been identified and the site proposed would appear to not be overly restricted in terms of access, impact on residential properties or landscape impact.

#### Archaeologist

The Geophysical survey indicated predominantly agricultural features present, but on the basis of the site being adjacent to what is thought to be a Roman Road, a watching brief condition should be attached to any permission.

#### Ecologist

No objections provided the recommendations in the ecological report are conditioned and followed (relating to vegetation clearance, Great Crested Newt and Reptile mitigation/avoidance measures, tree surveys if future removal is proposed, and ecological enhancements).

#### Senior Minerals and Waste Officer

Confirms the site lies within an area underlain by limestone, which is protected by Policy PSE 15 of the Local Development Plan. The proposal falls to be considered against test (i) of the policy, i.e. whether it can be demonstrated that the need for the development outweighs the need to protect the resource. The limestone is of good quality but not high purity and has wide distribution in Denbighshire, and there is no current mineral activity in this area which is likely to be affected by or impeded by development of the site. Therefore, considers the need to protect the resource in this instance is low, and has no objection to the development of the site in this instance.

### RESPONSE TO PUBLICITY:

Representations received from:

(O) - in objection (S) – in support (N) - neutral

M. & L. Holland, Pentre Bach, Groesffordd, Marli (O)  
P. Walsh, Glascoed Lodge, Glascoed (O)  
J. Povah, 25, Bryn Coed, St. Asaph (N)  
M. Bartram, 8, Glascoed Road, Abergele (O)  
L. Hymus-Gant, High St., Rhuddlan (S)  
Mrs Lorraine Maxim, Bryn Celyn Lodge, Glascoed Road, Abergele (o)  
Mr David Maxim, Bryn Celyn Lodge, Glascoed Road, Abergele (o)  
Mr M Davies, 4 Cross Foxes, Glascoed, Abergele (o)  
Roger Corbett-Jones, Brynarian, Groesffordd Marli, Abergele (o)  
Richard Owen Tyn y Coed, Cefn Meiriadog  
A. & M. Currie, Lodge Bach, Glascoed, St. Asaph (O)  
K. Walsh, Glascoed Lodge, Glascoed (O)  
A. Bowcott, Tyddyn Garreg, Rosehill, St. Asaph (O)  
S. Shepherd, Gors-Isaf Cottage, St. Asaph Rd., Bodelwyddan (O)  
V. Roberts, Ty Newydd, Glascoed Road, Glascoed, Abergele (O)  
R. Barlow, Carreg Dafydd, Marli (O)  
R. Roberts, Woodbury, Glascoed Road, St. Asaph (O)  
P. Roberts, Woodbury, Glascoed Road, St. Asaph (O)  
T. A. Jones, Caer Delyn Buildings, Glascoed Rd., St. Asaph (O)  
S. Jones, 8, Maes Robert, Cefn (O)  
A.M. Williams, Tyddyn Meredydd, Cefn Meiriadog, Llanelwy (O)  
Miss Doreen McCrae, Carreg Wen, Glascoed Road, St. Asaph  
V. Williams, Flat 1, Ysguboriau, Pentre Mawr Farm, Groesffordd Marli  
Mr Alun Lloyd Davies, 6 Glascoed Road, abergele (O)  
Ms Mary Davies, 6 Glascoed Road, Abergele (O)  
Mr Alun Currie, Lodge Bach, Glascoed Abergele (O)  
Julie Regan, Bryn Teg, Groesffordd Marli  
S. Bowcott, Tyddyn Garreg, Rosehill, St. Asaph (O)  
C. Evans, 2, Cross Foxes, Glascoed (O)  
E.H. Williams, Coed Awel, Marli, Abergele (O)  
J. Bond, Upway, Glascoed Road, St. Asaph (O)  
C. Owen, 5, Ffordd Glascoed, Glascoed, Abergele (O)  
Mr. E. Owen, 5, Ffordd Glascoed, Glascoed, Abergele (O)  
M. Williams, Coedawel, Marli, Abergele (O)

Mr. B.H. & B. J. Cully, Elwy Dale, Glascoed Road, St. Asaph (O)  
Mrs. B. Wokes, The Bungalow, Glascoed Road, St. Asaph  
Mrs. B. Kitchen, Four Winds, Glascoed Road, St. Asaph (O)  
Mr. J. M. Kitchen, Four Winds, Glascoed Road, St. Asaph (O)  
J. McCusker, Bryn y Pin Cottage, Groesffordd Marli, Abergele (O)  
J. Montgomery, Trawscoed, 7, Glascoed Rd., Marli, Abergele (O)  
A. Hogg, 4, Glascoed Road, Marli, Abergele (O)  
L. M. Roberts, Bryn Tirion, 12, Cae Onnen, Gfordd Glascoed, Marli (O)  
Miss J. Jones, Bryn Esgob, Glascoed Road, St. Asaph (O)  
E. A. Jones, Rosehill Nurseries, Bryn Esgob, Glascoed Rd., St. Asaph  
D. Morris, Rhewl, Cefn Meiriadog, St. Asaph (O)  
E. Davies, Derwen Deg, Glascoed Road, St. Asaph (O)  
Mrs. N. Davies, Derwen Deg, Glascoed Road, St. Asaph (O)  
T. Davies, Derwen Deg, Glascoed Road, St. Asaph (O)  
S. H. Davies, Derwen Deg, Glascoed Road, St. Asaph (O)  
J. S. Davies, Preswylfa, Groesffordd Marli, Abergele (O)  
D. Williams, The Meadows, Rosehill, Glascoed Road, St. Asaph (O)  
I. M. Williams, Tyddyn Meredydd, Cefn, Llanelwy (O)  
R. Roberts, FUW, 2, Llys Clwyd, Parc Busnes, Lon Parcwr, Ruthin (O)  
P. Foster, The Cottage, Glascoed Road, St. Asaph (O)  
Mr Glyn Jones, Plas yr Esgob, Glascoed Road, St. Asaph  
Lona Tudor Jones, Plas yr Esgob, Glascoed Road  
Antoinette Sandbach AM, Nat.l Assembly for Wales, Cadriff, CF991NA (O)  
L. Grffiths, Cottage Villa, Glascoed Road, St. Asaph (O)  
J. C. Madoc-Jones, Pentir, Ruthin Road, Denbigh (O)  
Rev R. G. Jones, Salem, 7 Y Berllan, Llanrwst (S)  
Mr. & Mrs. K. Hodgkinson, Vermont, Glascoed Rd., St. Asaph (S)  
Mr R J Lloyd Evans and Mrs E Evans, Bryn Hen, Groesffordd Marli (O)  
S. Edwards, 11, West Avenue, Prestatyn (O)  
R. Jones, Carreg Dafydd Bach, Groesffordd Marli, Abergele (O)  
T. Pritchard, Melin y Ddol, Marli, Abergele (O)  
J. Pritchard, Melin y Ddol, Marli, Abergele (O)  
S. Williams, Old Post Office, Bont Newydd, Cefn Meiriadog (O)  
Mr. B. Howes, Bryn Celyn, Glascoed, Abergele (O)  
P. Walsh, 102 Bowen Court, St. Asaph Business Park, St. Asaph (O)  
M. Hobday, Cae Pwll, Cefn Meiriadog, St. Astaph (O)  
J. Morris, Cornel, Lower Denbigh Road, St. Asaph (O)  
L. Davies, Conwy County Borough Council, The Heath, Llanfairfechan (N)  
Mrs G Evans, Bodoryn, Groesffordd Marli (O)  
G. K. Cameron, Bishop of St Asaph, Esgobty, Llanelwy (S)  
P. Walsh - Commercial Director, Offshore Wind Power (O)  
Grahame Crook, Kent Periscopes Ltd, St. Asaph Business Park  
P. Tavernor (O)  
B. G. Woodcock, Churchwarden St. Sadwrn's Church 43 Glasfryn Henllan (S)  
P. Baker, Ty Pellaf, Bont Newydd, St. Asaph (O)  
S. Baker, Ty Pellaf, Bont Newydd, St. Asaph (O)  
P. Walsh, Glascoed Lodge, Glascoed (O)  
G Evans, Cwm Massey, Glascoed, St Asaph (O)  
Lois Williams, Groesffordd Farm, Marli, Abergele (O)  
R. Barlow, Carreg Dafydd, Marli, Abergele (O)  
T. A. Daulby - Jones Peckover (obo L. Williams, Groesffordd Farm) (O)  
V. Netting, 2, Roe Gau, Mill Street, St. Asaph (O)  
M. Turner, 8, Llys Robin Goch, Rhyl (O)  
J. G. Jones, 19, Bishops Walk, St. Asaph (O)  
Mrs. C. Atkinson, Syreste, Wern Ucha, Ruthin (O)  
S. Edwards

## **Summary of planning based representations in objection:**

### Principle of development

Priority should be on use of brownfield sites /speculative application in open countryside would set precedent /there is no essential need proven for the facility for the local community.

### Conflict with Development Plan & Welsh Government Policies

Development in open countryside/landscape and visual impact /is not a 'community' facility in policy terms /use of high quality agricultural land /development would make a mockery of DCC's recent adoption of the LDP /LDP does not allocate any land for a crematorium or refer to any need for one.

### Need for the facility

Questions over robustness of need arguments /no need identified in LDP or St. Asaph Town Plan/need can be met by existing crematoria /proposal for crematorium in Flintshire makes sense as it is close to larger catchment population /excess capacity at Bangor, Colwyn Bay, Wrexham and Chester should be utilised first /local undertakers do not consider this a necessity /if it is a community need it should be closer to the Flintshire border and just off the A55.

### No justification for selected site

Submission does not provide case for selection of application site /even if need exists, why here /no evaluation of alternatives is provided to allow conclusion that the selected site is the most appropriate,

### Highways/access

Sustainability questions, poor public transport links, understated distance from nearest bus stop/nature of use would lead to delays for traffic /how can Council control routing of corteges /concern over additional traffic on Glascoed Road in St. Asaph, Engine Hill and Rose Hill /no pavements in area/road already heavily used /entrance is near a bend /Glascoed Road is not a 'straight' road as suggested /development would place additional burden on the Council for street lighting and traffic management /need for additional disabled persons parking /use would conflict with agricultural traffic using roads /why is a new agricultural gate proposed off the new site entrance.

### Visual/landscape impact

Site is not as well screened as submission suggests /development would be a blot on the landscape/further erosion of rural character of the area /building would be visible from properties on higher ground at Groesffordd Marli even with additional planting, further impacting on the quality of the physical environment /chimney would be higher than the building/submission underplays visual impact from nearby residences /loss of hedgerow along Glascoed Road unnecessary /30m gap in planting not explained.

### Impacts on St. Asaph Business Park

Regular passage of corteges through County's main Business Park /potential effect on environment and ability to attract future investment in Business Park /Business Park down wind of crematorium /adverse impact on enjoyment of area by employees and customers.

### Use of high quality agricultural land

Grade 2 / high quality land should not be developed /quality agricultural land is a finite resource.

### Ecological impact

Concerns over emissions from cremation process, e.g. mercury and impact on agricultural and other uses nearby.

### Other matters

Area already subject to development pressures /facility would be 950m from Cefn Meiriadog School and could impact on Children and discourage parents from choosing the school for their children /original description of application wrongly refers to site being east of St. Asaph Business Park /high pressure water and gas mains nearby /submission contains factual inaccuracies and misleading statements/poor consultation by applicants in locality/no local benefits from the proposal /site area appears to be below 2-4ha guidance in relevant DoE Circular /internal facilities for mourners appear very limited/no drainage information.

In addition to the individual representations in objection, comments have also been received from:-

**\* Farmers' Union of Wales (FUW)**

FUW write on behalf of Members in the locality to strongly oppose the application. The stated grounds are: loss of Grade 2 Agricultural land; loss of 100m of mature hedgerow; land outside the LDP map for St. Asaph Business Park; potential flooding implications from surface water flows along Glascoed Road; existence of many brownfield sites within the Business Park and wider County – if the need for a crematorium in Denbighshire exists.

**\* E. Davies, on behalf of J.E. Davies & Son, Funeral Directors (addresses in Flintshire) – 2 letters.**

The first letter explains they have a current application for a crematorium near Northop, Flintshire, which it is stated has overwhelming support from funeral directors and clergy based in Flintshire and Denbighshire. It suggests the Glascoed Road proposals do not satisfy nationally recognised criteria for the location of such a facility, which should be close to main centres of population it is intended to serve (Rhyl and Prestatyn).

The second letter points out 'technical' discrepancies in the details relating to the cremator dimensions and distances to other crematoria. It states the proposed crematorium in Flintshire would satisfy the need in North Wales.

**\* J. Bathie, Head Teacher, and G. Hicks, on behalf of governing body, Ysgol Cefn Meiriadog Primary School**

The emails outline objections to the development less than 1km from the school on grounds of increased traffic (construction and operational stage) during school drop off and pick up times; visual impact including the chimney; negative effect on parents and children and potential drop in pupil numbers; general detriment to community, landscape and the Business Park; hearses passing the school; smoke emissions.

**\* Cefn Meiriadog and Glascoed Road Residents and Users Group**

The group have forwarded :

- a 70 page submission, including 9 appendices, which concludes with the request that the application must be refused.
- A 3 page supplementary representation

The conclusions in the main submission state:

"Memoria's proposal has been shown in this submission to be in conflict with local and national planning policy, to have no robust and reliable proof of need and to be in the wrong location for the Denbighshire residents it claims It would serve. It would also be entirely inappropriate in its scale, design and siting to the landscape and community of Cefn Meiriadog in whose midst it is proposed to site it, and would cause irreversible harm to the identity and long-term sustainability of that community".

The submission confirms the Group consists of 150 members at 3.1.2014. It prefaces the main document with a summary of the main points, including the following:-

"1. The application consistently includes misleading, unreliable and inaccurate information, for example in the information such as drive times it presents to claim proof of need, its claims on consultations carried out, its statements on access by public transport and its depiction of the proposed building as "the size of a large bungalow".

2. It conflicts fundamentally with LDP policies RD1 Sustainable development and good standard design and BSC 12 Community facilities, and with the Welsh Government's Planning Policy Wales policies underlying them.

3. Denbighshire has just completed an extensive series consultation exercise over a period of years developing its LDP and there is no mention of a need for a crematorium for Denbighshire's local population, despite several years' overlap between the LDP consultations and Denbighshire CC's awareness of and discussion with the applicant of the proposal.

4. From the information provided it is clear that this is not a community or even a Denbighshire issue, but is a strategic issue for North East Wales or even North Wales as a whole, and it is at that level that these matters need to be resolved before being taken forward".

The 3 page supplementary submission comments on representations made by Memoria's agent, Genesis Town Planning in objection to the application made to Flintshire County Council for a crematorium at Northop. This refers to the issue of need and counters Memoria's assertions that the Flintshire application is not a material consideration on the Denbighshire proposal ; and it suggests that Memoria's grounds for objecting to the Northop application are equally relevant to their own proposals, including the site being outside a development boundary, contrary to Planning Policy Wales and restrictive planning policies in open countryside, and no assessment of alternative sites.

Members will appreciate there are limits on the level of detail which can be included in a summary report for planning committee, but the full contents of the Group's submissions is available for inspection along with others received, on the application file. The Officer evaluation of the issues in the following sections of the report contains reference to many of the detailed points raised.

### **Summary of planning based representations in support**

#### **Need**

Long established need /local bereaved families would benefit from shorter journey times /would take pressure off other crematoria /pastoral and practical benefits.

#### **Better quality of service and facility**

Would lead to competition and improved standard.

#### **Access**

Good access to site/easily accessible /may encourage use of and improvements to bus services.

#### **Setting**

Peaceful rural setting/limited visual impact /location would provide an ideal environment where people could mourn and reflect.

In addition to the above-mentioned representations in support, la letter has also been received from:

**\*B. Howatson, Ivor Howatson & Son Funeral Directors, based in Denbigh and Rhyl. The main points are:-**

Support the application. There has long been a need for a crematorium in the area/local bereaved families would benefit from shorter journey times/better facilities, cheaper fees, reduced waiting times for services, competition, better levels of service and facilities / location

has the necessary road links and is in a peaceful rural setting.

**EXPIRY DATE OF APPLICATION:**

**REASONS FOR DELAY IN DECISION (where applicable):**

- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The application seeks full planning permission to develop a crematorium with associated access, parking, and gardens of remembrance, on land to the south of Glascoed Road, some 400 metres to the west of the roundabout which links Glascoed Road to the A55.
- 1.1.2 The detailed location of the site and basic plans illustrating the proposals are attached to the front of the report.
- 1.1.3 The application is submitted by Genesis Town Planning Ltd., as agents for the applicant company, Memoria. Memoria are a company based in Chichester who specialise in this type of project and have been involved in similar developments around the UK, including Cardiff.
- 1.1.4 The submission includes extensive supporting information in addition to the standard application forms and plans:-
- A 30 page Planning Statement with appendices (including a Design and Access Statement).
  - A Denbighshire Crematorium Need Assessment
  - A Transport Assessment
  - A Flood Risk Assessment
  - A Landscape and Visual Assessment
  - An Ecological Appraisal
  - A Tree Survey/Arboricultural Impact Assessment
  - A Desk based Heritage Assessment
- 1.1.5 Factually, in terms of detail, in relation to the individual elements of the application:-

The Crematorium building is shown as a single storey structure with a gross internal floorspace of 265 square metres (the agents advise this figure excludes external covered areas/overhangs). It would incorporate a chapel, administration area (entrance, waiting area, remembrance room, interview room, lobby, toilet facilities), and the main crematory (crematory equipment, transfer chamber, accommodation for mercury filtration system). There would be an enclosed external service yard to the west of the building. The proposed external materials are shown as local stone and render on the walls, and natural slate on the roofs. The ridge height of the building scales off the plans at 7.3 metres and the chimney at 8.5 metres above ground level (although it has been confirmed subsequently that the discharge height of the chimney has to be 1.6m above the ridge line and therefore the chimney would be 8.85 metres above ground level).

The access to the site would be from a new entrance off Glascoed Road, designed to comply with relevant highway standards. The layout plan shows the intention to provide an 'alternative' entrance into the adjacent field off the new access, close to



the point of entry onto the B road. The plan also shows the proposal to provide timber gates on the driveway to prevent vehicular access into the crematorium when not in operation.

Parking provision is shown for 64 dedicated car parking spaces adjacent to the main building, with an additional 38 spaces as overflow. The layout plan indicates 3 spaces to be designated for disabled persons parking, and 2 for clergy.

The submission advises that the gardens, building, and approaches would be fully wheelchair accessible and that there would be relevant facilities compliant with Part M of the Building Regulations.

The gardens of remembrance and meadow area would be laid out in accordance with a significant landscaping/planting strategy for the whole site.

The stated site area is 1.65 hectares. It is understood that the land is in the ownership of Pentre Mawr Farm which is located to the south of the site.

Information in the application forms indicates disposal of foul water would be by way of a package treatment plant, and surface water by a combination of a sustainable drainage system, soakaways, and a pond/lake.

- 1.1.6 The application documents refer to a total of 4 full time jobs in connection with the development. Proposed hours of operation are stated to be between 0900 and 1700 Monday to Friday, and 0900 and 1200 on Saturdays. In exceptional circumstances it is indicated that other times may be available for services subject to prior agreement. Services would operate on a 45 minute cycle to ensure no cross over between mourners.
- 1.1.7 There is a considerable volume of background information in the application documents. These have been subject to extensive consultation and publicity. Additional information was submitted by the applicants' agents in November 2013 in relation to need, the relevance of a current application for a crematorium in Flintshire, and highways/travel time issues; and in February 2014 in relation to agricultural land quality and issues raised by the Residents Group. All documents are available for inspection prior to consideration of the application.
- 1.1.8 Basis of applicant's submissions  
The following paragraphs provide an outline of conclusions in the applicants' key planning documents:-

#### Planning Statement

- The submission suggests that the proposals have policy support at national and local level, being a sustainable development benefitting the local community.
- There are no Local Development Plan policies directly applying to the provision of crematoria.
- The requirements of legislation mean there are limited opportunities to provide such facilities in built up areas (e.g. distances from dwellings, and public highways; site area requirements, open settings). There is reference in the Statement to 27 crematoria granted planning permission since 1996 in England, Scotland and Wales, all located on rural sites.
- The existing natural screening and proposed new planting will benefit the character and appearance of the countryside.
- Extensive studies have been conducted to demonstrate the selected site is the most appropriate location for the proposed crematorium including in terms of landscape impact.
- There are no nature conservation interests present on the site.

- The Transport Assessment demonstrates the application will not give rise to harm to the highway network or highway safety.
- There will be journey distance savings of 374, 511km/annum through use of the facility rather than users travelling to other crematoria in the area, also assisting in CO<sup>2</sup> reduction.
- Analysis indicates a quantitative and qualitative need is proven for the crematorium, which should be regarded as a significant material consideration.
- There are compelling and overriding grounds in support of the proposed development.

The appendix to the Planning Statement provides copies of 3 planning appeal decisions relating to crematoria proposals, which the applicants suggest confirm the principle of such development is acceptable in rural areas where there is good access, opportunities for landscape screening and the location is central to the catchment population.

#### The Denbighshire Crematorium Need Assessment

The assessment was undertaken by 4 global, on behalf of Memoria Ltd., in June 2013, to assess the need for a new crematorium in Denbighshire, located south of Rhyl and north of Denbigh. It considered the likely quantitative and qualitative need having regard to trends in death rates, population projections, and the location of competing facilities. The conclusions are that:-

- There is a demonstrated quantitative need (considering the projected catchment based on 'minimum drive times' would rise from 135,000 to 149,000 by 2033, and the projected rise in cremations from increased population and rising death rates).
- There is significant quantitative need (considering journey time analysis – and the rules of thumb adopted for analysis, i.e. population within a 30 minute drive time catchment;
- There are some 18 funeral directors listed within the minimum drive time catchment that would identify the crematorium as their nearest facility, should it be developed.

#### The Landscape and Visual Assessment

- The development would have very limited visual impacts, with existing and proposed landscape screening both the building and parking from the majority of locations.
- There would be minimal loss of landscape features, the limited section of hedgerow to be removed for the access being replaced by additional planting in keeping with the existing landscape framework.
- Views from local properties and the wider landscape would change, but would not be significantly affected. Additional planting would screen views from receptors to the north and the majority to the south.
- The proposals would modify the appearance of the site, but would not change the overall character of the local landscape.

#### The Transport Assessment

The assessment concludes –

- The access can be satisfactorily accommodated and will not give rise to material highway safety or capacity issues and accords with current technical guidance.
- Although the majority of trips to the Crematorium would be by private car, the site is in a good location to take advantage of nearby bus services and to provide access to a number of local destinations. Appeal decisions suggest it is appropriate to take a broader view on sustainable travel than simply the extent to which a site is accessible by public transport.

- Provision of a crematorium would provide ease of access from the wider road network, reduce distances travelled to existing crematoria (in excess of 374,000km per annum), and is readily accessible by sustainable transport modes, consistent with key principles in TAN 18 : Transport.

1.1.9 The other supporting documents conclude that there would be no unacceptable impacts in relation to Flood Risk, Ecological interests, trees, or archaeology.

1.1.10 Members will appreciate from the length of this report that the application has generated a wide range of responses and questions over the need for the crematorium. Having regard to the principal issues arising, Officers commissioned an independent assessment of need and related considerations to help inform the report to Committee. The Consultants undertaking the assessment were Peter Brett and Associates, who have experience of preparing reviews of crematoria developments and have recently undertaken a similar exercise for Flintshire County Council in relation to an application for a crematorium at Northop. The conclusions of this independent assessment are set out in Section 1.6 of the report.

## 1.2 Description of site and surroundings

1.2.1 The site is located on the south side of Glascoed Road (the B5381), some 400 metres to the west of the roundabout which links the St. Asaph Business Park to junction 26 of the A55, 1km to the north.

1.2.2 In terms of proximity to main settlements, St. Asaph is some 2km to the east and Bodelwyddan 1.5km to the north west.

1.2.3 Approximate distances to existing dwellings, other property, and St. Asaph Business Park are:-

	<b>Distance to site boundary</b>	<b>Distance to Crematorium building</b>
Waen Meredydd (farmhouse)	200m	250m
Caer Delyn (farmhouse)	200m	300m
Ffordd Glascoed dwellings (nearest)	300m	330m
Groesffordd Marli dwellings (nearest)	470m	430m
Cefn Meiriadog School	1000m	1060m
Nearest Business Park buildings	200m	280m

1.2.4 The 1.65ha site has been used as pasture land and has existing hedgerows on the north, west, and part of the eastern boundaries, with post and wire fences delineating the remainder of the eastern, and the southern boundaries. Land levels rise up from Glascoed Road to the south of the site.

1.2.5 Land in the immediate vicinity is in agricultural use with irregular field patterns, hedgerows, and boundary trees. There are a number of areas of woodland in the locality. Significant recent development has taken place in connection with onshore works connected with windfarm schemes, including construction of new substation

buildings and associated infrastructure to the south of the St. Asaph Business Park.

### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside for the purpose of planning policy considerations. It has no specific allocation/designation in the Denbighshire Local Development Plan and does not lie within any development boundary on the proposals maps.
- 1.3.2 The western boundary of the extensive Employment Area at St. Asaph Business Park is some 150m to the east of the proposed site entrance, at Caer Delyn farm. Glascoed Road forms the southern boundary of the North Wales Coastal Regeneration Area which covers Bodelwyddan, St. Asaph, Rhuddlan, Rhyl and Prestatyn.
- 1.3.3 The site lies on the fringe of, but within an area shown on the Minerals Proposals Map accompanying the LDP as a Mineral Safeguarded Area (Limestone), which is subject to Policy PSE 15 of the Plan.
- 1.3.4 The land is shown on the old ADAS Agricultural Land Classification Maps as Grade 2 quality, close to the boundary with Grade 3 land to the south west. The applicants commissioned a Land Classification survey in the course of consideration of the application, which confirmed the land is Grade 3a quality.
- 1.3.5 There are no known wildlife or other designations which directly affect the application site.
- 1.3.6 There are no public footpaths affecting the site, although ordnance survey maps show the route of an old path along the western boundary.
- 1.3.7 The site is not within a Green Barrier. This designation applies to some areas in the Local Development Plan but not to land in the vicinity of the site itself.

### 1.4 Relevant planning history

- 1.4.1 The planning section's records reveal no previous history of applications on the site.
- 1.4.2 Reference is made in representations to a previous application for a crematorium development on a site near Rhualt. For the record, this was application ref. 47/2008/1351, which was withdrawn in August 2009 before determination. There are further details on this application in Section 1.6 of the report.

### 1.5 Developments/changes since the original submission

- 1.5.1 There have been no material changes to the proposals since the submission of the application in August 2013.
- 1.5.2 The applicant's agents provided supplementary information in November 2013 and in February 2014.

The November 2013 information is summarised below:-

Planning policy – The applicants accept due consideration has to be given to the policies in Planning Policy Wales, which have to be considered in the context of each other and the objective of delivering sustainable development. In relation to agricultural land protection, the requirement in PPW to conserve the best and most versatile land is recognised, although it is suggested that greater weight should be attached to the policies of the Local Development Plan as it has been adopted subsequent to the issue of PPW in 2012 (and has no specific policies of protection).

Need issues – The applicants provide further commentary on how quantitative need has been assessed (travel distances, minimum travel times, benchmark catchment

populations); how qualitative need has been assessed (availability of preferred slots for a service, quality of facilities, levels of service, ability to accommodate larger than average coffins, traffic considerations); and issues of capacity at existing crematoria.

Flintshire crematorium application – The applicants state this should not be a material consideration on the current application, as the Glascoed Road proposal is designed to service a need in Denbighshire primarily (135,000 people located closer to the site than any other in the Country, 85,000 of which would be located in Denbighshire, i.e. 88% of Denbighshire will stand to benefit from the proposal). There is no dispute over a need for another Crematorium in Flintshire, and it is calculated that if the Northop scheme was approved and built, 78,000 people which currently live over 30 minutes from their nearest crematorium will be within 30 minutes of the proposed Denbighshire site – a difference of less than 3,000 people, which demonstrates qualitative need exists even if the Flintshire scheme was to go ahead. The agents request the application be determined on its own merits as it does not rely on the additional need from populations within Flintshire to justify its development.

Points of objection – The applicants consider claims from the company behind the Flintshire application that the application is 'opportunistic' are not relevant to the planning merits of the proposals and are regarded as commercially motivated.

- The applicants suggest requirements of the 1902 Cremation Act, e.g. no building of a crematorium within 200 yards of a dwelling, mean it is usual that such developments sit outside of the developed framework.
- The applicants have no knowledge of a Denbighshire Need Study for a crematorium. The Council's Head of Environmental Services has advised the facility would fulfil a genuine need in Denbighshire, and that the Council have no plans to build a crematorium.
- The applicants feel there would be minimal visual impact on the surrounding area.
- The applicants consider the 1978 DoE Guidance on the size of sites is considered somewhat outdated and should not be applied inflexibly and without regard to other considerations. The 1.65ha site is considered more than adequate for the operational needs of the building, with parking and memorial gardens.
- The applicants consider that there would be no adverse effects on St. Asaph Business Park.

The applicants' supplementary information received in February 2014 is summarised below.

In relation to :

Quantitative need - The applicants feel 150,000 people constitutes a fair benchmark for quantitative need; but such benchmarks are only a guide, evidenced by an appeal decision in Cheshire where 142,000 was adjudged to be quantitative need in support of the proposal;

Qualitative need - the applicants consider Pitney Bowes methodology used to derive 30 minute drive-time catchments has clear advantages over AA/RAC websites; the independent assessment will clarify issues in relation to death and cremation rates - but it is stated there can be little argument over use of 2011 ONS figures in the need assessment as they are based on actual numbers not future predictions, and there is no reliance on future predictions to justify the need argument; Cremation rates used by 4 Global are 75% and are taken from figures compiled and issued by the Cremation Society of Great Britain and are reasonable assumption for the proposed site.

Crematorium capacity – the applicants state that all crematoria technically have spare capacity, in that not every time slot is filled throughout the year, but the reality is that they are busier in the winter and the demand is for service times in the middle of the day for the convenience of families and friends; all 3 crematoria in the area are working close to capacity in winter months.

Funeral Director consultation – the applicants clarify that 17 funeral directors and 45 members of the local clergy were contacted; some local directors who have indicated they support the scheme are not willing to write to the Council because of local opposition but this does not mean the application carries no local support; the need argument does not however rely on funeral director and clergy consultation.

Landscape matters - the applicants state that the scheme has been detailed to offset the building from the road and with substantial areas of native planting to screen it from surrounding properties, roads and footpaths; the scale, form and design of the building is domestic in nature in an area with many domestic, commercial and industrial features around it; the chimney would be 1.6m above the ridge line; photographs used as part of the assessment are in accord with guidance in Landscape Institute Advice Note 01/11; the Landscape and Visual Assessment shows the landscape impacts would be minimal and adequately mitigated by the proposed landscape scheme.

Planning matters- It is stated that development for which a need has been demonstrated and which can not be located in an open area can be located in the countryside; a planning authority are obliged to take into account other material considerations which may justify a departure from an adopted development plan; the site is located where it is in order to comply with the requirements of the Cremation Act ; the proposal will serve the wider community of Denbighshire and there is no policy restriction suggesting this approach is incorrect or inappropriate; the proposal would significantly enhance accessibility to a service currently only provided outside Denbighshire and would accord with the objectives of policy BSC12 and advice in PPW and TAN6: there are significant sustainable benefits from the projected saving in distance travelled by mourners; the need is a material consideration which weighs heavily in favour of the proposal; LDP policies will rarely be formulated specific to crematoria development, hence sites will only come forward through the application process and have to be determined in light of PPW guidance which requires regard to a presumption in favour of sustainable development; there is a general presumption in favour of protecting best and most versatile agricultural land, but PPW accepts this can be lost to development where an overriding need can be demonstrated; the land is not Grade 2 as suggested, but Grade 3a.

#### Protection of Agricultural land.

The applicants contend Advice in PPW sets out a preference rather than a requirement for the use of previously developed land over green field land, 4.9.1 confirming that previously developed (or brownfield) land **should wherever possible** be used in preference to green field sites, particularly those of high agricultural or ecological value. They suggest the advice makes no requirement upon developers to adopt a more rigid approach to the site selection process when considering the suitability of development in the countryside. In relation to 4.10.1, the agents suggest PPW implicitly recognises that not all high grade agricultural land can be saved from development, and that where there is a choice to accommodate development on lower grade agricultural land, such a choice should be made – dependent on land of lower grade being available, and a developer having a choice to select such land. This requires land to be suitable and capable of accommodating the development while also being available to purchase in order to deliver the development.

In this particular case the applicants argue it is material to note that the application site is classed as Grade 3a agricultural land, and that in general, all the land surrounding St Asaph is generally grade 2 and 3a and therefore land of a lower

agricultural grade is not available to develop within the area. This is supported by reference to the agricultural land classification around St Asaph. In recognising that land elsewhere may be of a lower grade, the proposed siting of the crematorium in this location is predicated on a need to sustainably serve the catchment population identified in the need survey. It is stated that locating the crematorium outside of the immediate area of St Asaph would not fulfil the sustainable objectives advocated within PPW, and such an approach would not be commercially viable since the underlying objective of the application proposal is to provide a better, more sustainable cremation service for the catchment population of Denbighshire. Locating the crematorium outside the area would therefore not be sustainable.

The applicants conclude that in this particular case and having regard to the comments above, it is plainly evident that a lack of lower grade agricultural land to accommodate the proposed development combined with the identified need for the crematorium would result in no conflict with advice set out in PPW.

Notwithstanding the above response, the applicants have confirmed that an assessment of alternative sites was done at the outset of the project, and they have forwarded a copy for information.

The applicants stress there is no requirement in the LDP to carry out such an assessment, and the work was undertaken to assist in informing the applicant of the most suitable and available sites to accommodate the crematorium. They advise that this assessment demonstrates very clearly that despite an assessment of both brownfield and green field land, none were considered suitable due to constraints imposed by the 1902 Cremation Act, lack of suitable site size, nature conservation constraints, and a failure to agree terms to secure the land. (The site assessment contains reference to a total of 11 sites, with an appraisal of their constraints and opportunities).

In summary, the applicants consider that a clear need for the development has been demonstrated and that there is no choice of available lower grade agricultural land in the vicinity of St Asaph, hence the application would fully accord with the objectives of PPW.

#### Accessibility of the site

The applicants' highway consultants have confirmed that it is not practical to provide a footway link to the Business Park due to the width of the adopted highway. They acknowledge the desire to improve accessibility by public transport, and have indicated willingness to provide additional bus stops much closer to the site access to allow the X52 service to have an additional stop, and to fund some increase the number of services which pass the site, which would be a benefit to the Business Park.

### 1.6 Other relevant background information

#### 1.6.1 History of proposals for a crematorium in Denbighshire

Some Members may recall an application was submitted to Denbighshire in December 2008 for a crematorium development on land near Rhualt.

The application was handled under Code No. 47/2008/1351. It was submitted on behalf of Mercia Developments and related to land to the north of the B5429, to the west of the village.

The application was eventually withdrawn in August 2009 and was never considered at Planning Committee.

Since the withdrawal of the Rhualt application in 2009, there has been informal contact with Officers over alternative proposals for a crematorium development in the A55 'corridor'. This has been normal 'without prejudice' pre-application dialogue without any commitment to the final recommendation by Officers on any detailed

planning application, or to the consideration and determination by Planning Committee.

#### 1.6.2 Independent assessment of need for the crematorium

Paragraph 1.1.10 of the report refers to an independent assessment of the need for the crematorium, commissioned to assist the consideration of the application. For information, the brief set by Officers to Peter Brett and Associates was for assessment of the quantitative and qualitative need (including commentary on matters relevant to those considerations), the need to review alternative sites and the relevance of a sequential test to determine the acceptability of the selected location, the weight to be attached to need, the need for the facility both with and without the proposed crematorium at Northop going ahead, and finally commentary on the robustness of the applicants submissions in relation to need and the submissions of the Residents Group in relation to need.

The conclusions of the assessment by Peter Brett and Associates is quoted below :

“ We have carried out an assessment of the full planning application (ref. 31/2013/1069) by Memoria Ltd which seeks permission for the construction of a crematorium with associated car parking, landscaping, access and a garden of rest on land west of St. Asaph Business Park, Glascoed Road, St. Asaph. Below, we provide our conclusions in relation to each of the specific issues as set out in the introduction to this report.

### **6.2 The Qualitative and Quantitative Need for the Crematorium**

6.2.1 Our qualitative and quantitative needs assessment has shown that there is both a qualitative and quantitative need for the provision of a crematorium in Denbighshire. There is a population of around 63,000 persons who currently reside in excess of 30 minutes' drivetime from a crematorium and who would be served by the proposed facility. This is comparable to the level that was identified as a benchmark in the Cornwall case. There is also a quantitative case for the proposed development, although this is less strong; a new crematorium at the application site in St. Asaph could be expected to carry out over 1,100 cremations per year, rising to almost 1,300 per annum by 2033 as the demand for funerals across the country increases.

### **6.3 The Expected Catchment Area**

6.3.1 The catchment area (as measured by minimum drivetime catchment) for the crematorium could be expected to cover most of Denbighshire as well as parts of Flintshire and Conwy, and would have a population of around 137,000 persons. Approximately half of this population (around 63,000) would be within 30 minutes' drive of the site at speeds appropriate to a funeral cortege, and is currently in excess of 30 minutes' drive from existing crematoria (at reduced speeds). This latter measure has been accepted in decisions by local planning authorities and by inspectors in appeal decisions as evidence of qualitative need for a crematorium. Inspectors have also accepted that applying a factor of 0.6 to normal road speeds is an appropriate way of adjusting for speeds appropriate for funeral corteges.

### **6.4 The Case set out by the Applicant in the Design and Access Statement**

6.4.1 We have discussed in detail the approach set out by the applicant around issues such as drivetimes, assessment of existing capacity, population and death rate projections, and so on.

Broadly, we endorse the approach of the applicant and confirm that the approach it uses is reasonable and conforms to approaches approved by inspectors in previous appeal cases.

We have identified some issues with the case, in particular concerning assessment of capacity at existing crematoria and around some of the specific data used by 4G, but our independent assessment comes out with comparable figures to that of the applicant.



## **6.5 The Need to Undertake a Sequential Approach to Site Selection**

6.5.1 Appeal decisions have confirmed that in order to justify crematorium development in locations which do not comply with existing planning policy, in addition to presenting evidence of the need for the development, inspectors must be convinced that there are no suitable sites which are not subject to this restriction. It is difficult to do this by means of a sequential test in the same way that one might for, say, a new retail development, because the catchment area for crematoria tends to be geographically large, and because crematoria will almost always be brought forward on greenfield sites in the countryside. It may therefore be unrealistic to consider all potential sites for the development. Nevertheless, some evidence should be presented that the need cannot be met on sites which conform to planning policy, or that other sites outside the designations in question have been considered.

## **6.6 Appraisal of the Applicant's Submission in Relation to Need**

6.6.1 Our assessment of the applicant's submission in relation to need has shown that in general, the assessment carried out by 4G is thorough and reliable. We identified some issues with regard to data and individual assumptions, but overall the figures arrived at were comparable to those we identified in our independent analysis

## **6.7 Appraisal of the Residents Group's Representation in Relation to Need**

6.7.1 The representation by the residents group contains many justifiable criticisms of aspects of the needs case as presented by the applicant, many of which we discuss in our appraisal of the applicant's submission. In particular, the residents group has gone further than we have in showing that there is no qualitative deficiency shown by waiting times and existing capacity at crematoria in North Wales. Numerous issues with the statistical evidence presented by 4G are also shown, most of which we have already highlighted. Despite this, the overall figures which 4G presents in order to show a qualitative and quantitative need for crematorium provision in Denbighshire are close to what we have shown in our independent assessment in this report.

## **6.8 Conclusion and Recommendation**

6.8.1 We have shown that there is both a qualitative and quantitative need for a new crematorium in Denbighshire. The quantitative case presented by the applicant is reasonable but not overwhelming, with the defined catchment for the crematorium amounting to around 137,000 people. However the qualitative case shows that there is a population of around 63,000 which would be served by the proposed development which resides in excess of 30 minutes drivetime from any existing facility. This is comparable to the figure which was taken as demonstrating qualitative need in the Cornwall case, and in excess of the figure which was taken as demonstrating qualitative need in the Derbyshire case Overall, therefore, we do not believe there is any reason to refuse this application on the basis of lack of need for the development."

### Current crematorium application in Northop, Flintshire

There is reference in the submission and from a number of persons making representations to a live planning application for a crematorium on land near Northop in Flintshire.

That application is being considered by Flintshire County Council and was submitted in July 2013. It is being handled under Code No. 01043, and the applicants are J.E. Davies and Son of Lixwm, Holywell. The proposed site is close to Tyddyn Starkey, which is to the north of Northop village and junction 33 of the A55. This is some 25km from the Glascoed Road site.

The application documents refer to a crematorium with associated parking (60 cars), access, landscaping, and garden of rest. The proposed floorspace of the building is stated as 582

square metres, and the site area at 4.1 hectares. In relation to the need issue, the Design and Access Statement notes the absence of crematorium in Flintshire and refers to a resident population of 150,000 in the County.

Officers understand that the Northop application is unlikely to be considered by Flintshire's Planning Committee before April 2014.

Whilst respecting the objectors' arguments that the Northop application should be a material consideration on the Glascoed Road scheme, Officers are of the same opinion as the independent consultants engaged to assess the submission in concluding in terms of process, the respective applications have to be determined on their own merits and independently of one another. This approach is considered appropriate as there can be no guarantee on the outcome of the Northop application, and even if it is approved, that the scheme will ever be implemented. Nonetheless, for the purposes of the assessment of the Glascoed Road application, the external consultants undertook a review of the impact on the need for the Denbighshire crematorium in the hypothetical situation of the Northop scheme being operational : their conclusion being that the Northop facility would have some impact on the quantitative need, reducing the number of cremations by about 22%, but little impact on the qualitative need.

#### Consultation on the proposals

The planning section has carried out a range of consultation on the application following receipt in August 2013, including distributing notification letters to individual properties and posting a site notice. A second exercise was carried out in November 2013 following receipt of additional information from the agents, and the additional material received in February 2014 from the applicants and the Peter Brett and Associates assessment have been made available for inspection on the Council's website.

The application forms indicate the applicants did not undertake any pre-submission consultation on the application. However, Memoria have forwarded a Consultation Report outlining a public consultation exercise undertaken by Vuepoint Consulting over 14 days in September and October 2013. This involved distribution of an information leaflet to 307 neighbouring properties detailing the proposals, with a comments form, and the establishment of a dedicated website containing the information and a medium for feedback, and a freephone information line. In summary, 36 comment forms were received, and the Consultation Report indicates 69% of respondents indicated full or qualified support for the proposals.

#### Denbighshire County Council role in provision of a crematorium

County Councils in Wales have no statutory duty to provide a crematorium facility for their resident population, hence the more recent involvement of private sector companies in the development of schemes to meet the increasing demand for cremations arising from demographic trends and the more limited demand for traditional cemetery burials. Officers understand Denbighshire County Council currently has no adopted strategy or plans for provision of a crematorium.

#### Absence of reference to crematorium development in the Denbighshire Local Development Plan and St. Asaph City and Rural Area Plan

In acknowledging the points made in a number of representations that there no proposals/allocations for a crematorium in the Local Development Plan and St. Asaph City and Rural Area Plan, it is not a key function of either plan to contain policies for every type of development, nor to identify a range of 'needs' for every public facility in the area. The fact that there is no reference to crematorium development in the LDP or any land allocations does not convey any indication on the Council's part to the existence or absence of a demand for one. Nor is it considered the grant or refusal of permission would represent an 'overruling' of the Plan so soon after adoption.

Whilst Officers are aware of questions raised over the need for a crematorium in the course of preparation of the Local Development Plan, this was not pursued in the development of the policies or land allocations in the Plan.

#### Reference to Denbighshire County Council Survey of need for a crematorium

There is reference in some representations to a need survey for a crematorium by the County Council. Officers are not aware of such a survey, although it is to be noted that the Council's Head of Environmental Services considers the facility would fulfil a genuine need in Denbighshire.

#### External policy/guidance on crematorium development -

There is reference in the application documents to a number of documents which may have relevance to the consideration of a planning application for a crematorium.

The Cremation Act 1902 Act remains relevant to the siting of new crematoria and its key requirements were embodied in detailed Department of the Environment (DoE) Guidance in 1978 – The Siting and Planning of Crematoria. Whilst the DoE document applies to England, its general guidance is considered relevant background information to applications for crematoria. The siting requirements of the 1902 Act are that no crematorium shall be constructed nearer to any dwellinghouse than 200 yards (181 metres) except with the written consent of the owner/lessee/occupier, nor within 50 yards (45 metres) of any public highway, nor in the consecrated part of a burial ground.

The 1978 DoE guidance suggests sufficient land is required to provide an appropriate setting for a crematorium, adequate internal access roads, car parking spaces, and space for the disposal of ashes. It refers to 'recently approved' sites of 2 – 4 hectares, some of which were part of more extensive areas for crematorium purposes. The guidance details a range of considerations to be given to the layout, buildings, and site facilities.

The Institute of Cemetery and Crematorium Management (ICCM) represents professionals working in burial and cremations authorities and companies and seeks to improve standards of services to the bereaved, including training, through policy and best practice guidance. The applicants' agents have referred to the ICCM benchmark of 150,000 population as a guide for quantitative need.

The significance of the 1902 Act and guidance above has been the subject of scrutiny by a number of Appeal Inspectors, and the Council's independent consultants also draw the conclusion that sites for new crematoria developments are unlikely to arise within or on the edge of existing settlements, and areas of search inevitably involve open countryside locations. The applicants' agents have referred to the fact that since 1996, a total of 27 crematoria have been granted planning permission in the UK, all of which are outside the developed framework, in open countryside, so the issue of precedent should not be of concern.

## **2. DETAILS OF PLANNING HISTORY:**

2.1 No history specific to the application site.

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD5** – The Welsh language and the social and cultural fabric of communities

**Policy BSC12** – Community facilities

**Policy PSE5** – Rural economy

**Policy PSE15** – Safeguarding minerals

**Policy VOE6** – Water management

**Policy ASA2** – Provision of sustainable transport facilities

**Policy ASA3** – Parking standards

### **3.1 Supplementary Planning Guidance**

SPG 8 – Access for All

SPG 18 – Nature Conservation and species protection  
SPG 21 – Parking and New Development

### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Notes - TAN 5 - Nature Conservation and Planning

- TAN 6 - Planning for Sustainable Rural Communities
- TAN 12 - Design
- TAN 18 - Transport
- TAN 22 - Planning for Sustainable Buildings

### 3.3 Other considerations

1902 - Cremation Act

1978 – DoE guidance – The Siting and Planning of Crematoria

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Need for the crematorium
- 4.1.3 Site selection issues
- 4.1.4 Visual amenity/landscape
- 4.1.5 Residential amenity
- 4.1.6 Ecology
- 4.1.7 Drainage
- 4.1.8 Highways (including access and parking)
- 4.1.9 Archaeology
- 4.1.10 Sustainability codes and water management
- 4.1.11 Inclusive design
- 4.1.12 Pollution
- 4.1.13 Impact on Welsh Language and Social and Cultural Fabric
- 4.1.14 Agricultural land quality
- 4.1.15 Minerals

#### Other matters

4.2 In relation to the main planning considerations:

#### 4.2.1 Principle

There are no policies in the Local Development Plan which appear to be of direct relevance to the principle of a crematorium proposal on land in open countryside.

Policy BSC12 of the Local Development Plan is a 'general' policy relating to the provision and retention of community facilities, and its explanatory text makes reference to schools, theatres, village halls and places of worship as 'local' facilities

essential to support the sustainability of the County's communities. The policy offers support for provision where such facilities are located within existing development boundaries, or outside boundaries but within settlement clusters where a proposal will provide an 'essential' facility to support the community. It is not clear whether a Crematorium falls under the scope of a 'community facility' in the context of BSC 12, but in Officers' opinion this policy seems to relate to facilities central to the sustainability of individual communities, rather than those like a crematorium which would offer wider benefits for the residents of the County and possibly neighbouring Counties.

The general vision of the LDP is to secure a vibrant urban coast, and thriving market towns and rural areas, through sustainable development which protects and enhances the County's high quality environment and a high quality of life for all communities. One of the Plan's Objectives in relation to Infrastructure is to ensure that an adequate level of physical and community infrastructure is provided alongside new developments, e.g. water supply, primary care facilities, schools, roads, and community facilities. In terms of spatial strategy, the Plan looks to focus new development into existing/expanded existing settlements, but does not preclude development opportunities in other parts of the County.

The above approach is consistent with the general policies and guidance in Planning Policy Wales in relation to new development. PPW confirms Welsh Government's commitment to promoting sustainable development and the presumption in support of 'development' in accordance with a development plan unless material considerations indicate otherwise. It advises in 4.2.4 that where there are no relevant policies, there is a presumption in favour of proposals that accord with the sustainability principles and policy objectives set out in PPW. Significantly, PPW recognises the countryside is a dynamic and multipurpose resource and that in line with sustainability principles, it must be conserved and where possible enhanced for the sake of attributes such as ecology, landscape, and agricultural value, balanced against the economic, social and recreational needs of local communities and visitors. In relation to development in the countryside, 4.7.8 states that this should be located within or adjoining settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation; hence new building outside development boundaries should be strictly controlled, and as with all new development, should respect the character of the surrounding area and should be of appropriate scale and design.

The preceding commentary highlights there are no planning policies at local or national level specific to consideration of a crematorium proposal. The clear inference in Planning Policy Wales is, however, that development in the countryside should be strictly controlled, with an emphasis on due consideration of sustainability principles and local impacts. Officers' opinion is that in this context, the principle of a crematorium development in the proposed location is not precluded by policy and guidance and may be acceptable subject to assessment of relevant considerations; including due examination of the need for the facility, which it is suggested is a key requirement to justify a development in the open countryside, alongside the sustainability credentials. These are set out in the following sections of the report.

#### 4.2.2. Need for the crematorium

It is clear from scrutiny of recent appeal decisions relating to crematoria development that if a need for such a facility can be established, then this may be an important material consideration in the assessment of the acceptability of the principle of such a development in open countryside. This section of the report therefore reviews the need arguments in the submission and the representations received in relation to this issue.

It is unfortunate that there is limited guidance in existence to assist local planning authorities in assessing the need issue in relation to crematoria. Section 1.6 of the report refers to separate legislation / guidance which may be of relevance to such a development, but this is in the form of the 1902 Cremation Act, which sets distance

requirements for buildings (of limited relevance to the need issue); the 1978 Department of Environment guidance to potential developers – England only – refers to 'recently approved' developments on sites of 2-4 hectares but does not state this as a minimum, and otherwise simply sets out recommendations to developers for facilities and space standards (again of no help); and the agents indicate the benchmark catchment population of 150,000 for crematoria arises from The Institute of Cemetery and Crematorium Management, hence is of no statutory basis.

Inevitably, therefore, regard has to be had to the considerations given to crematoria proposals by Planning Inspectors at appeal (an approach referred to in the Peter Brett and Associates assessment) where need issues have been addressed under the headings of 'quantitative'; and 'qualitative' need.

### **The applicants case**

Without repeating the full case as set out in the application documents, the main points in the applicants submissions are :-

#### In terms of Quantitative need

Based on 2011 population figures, the catchment (i.e. population closer to the site than any other crematorium) would be 135,649. The submission states this is around the 150,000 benchmark for quantitative need referred to by the ICCM, and as accepted in an appeal decision in Cambourne, Cornwall; and that catchment population is predicted to rise to 149,401 by 2033, which alone presents evidence of quantitative need for the development.

The projected number of cremations at the site, based on 2011 population and death rates is 1,159 a year, rising to 1,323 by 2033. The submission states that the ICCM concludes a crematorium projected to provide more than 1,000 cremations a year is deemed to be in quantitative need.

#### In terms of Qualitative need

84,588 out of 97,352 people from within Denbighshire will be closer to the proposed crematorium than any other (87% of the area).

The need assessment refers to 80,944 people who currently live further than 30 minutes away from their nearest crematorium will be within 30 minutes of the proposed site – representing 60% of the minimum drive time assessment catchment area, being significantly higher than the 50,000 person benchmark for qualitative need.

All crematoria 'technically' have spare capacity, i.e. not every time slot is filled throughout the year, but traditionally they are busier in winter months. Up to 2-3 weeks delay for service times have been reported at all 3 competing crematoria between November and February, which is considered to have a clear impact on the level of service being offered. Part of this 'problem' is the demand for service times in the middle of the day to allow ease of travel for mourners, leaving early and late slots vacant.

The new facility would provide up to date facilities, capability of accommodating larger coffins, a high quality of service, and help reduce waiting times for slots for services.

### **Representations on the application**

Responses to the application from consultees which contain comment on the need issue include the Head of Environmental Services, who has indicated general support for a crematorium development, and the Development Plan Officer is of the opinion that the need for a facility has been identified. The Cefn Meiriadog Community Council express reservations over the need/demand, pointing to the accuracy of population projections, spare capacity at existing crematoria, and failure to reach benchmark catchment figures. Representations from private individuals and the

Residents Group raise a number of concerns over the need for a crematorium, disputing elements of the case advanced, questioning statistics and use of trade benchmark figures. The Residents Group question the robustness of the evidence and suggest the bias and unreliability of the assessment of need, which relies on benchmarks of trade bodies with an interest in such developments (which are not considered to be independently formulated) and data provided is frequently unverifiable, based on assumptions which are not stated or justifiable, presented without any indications of margins of error in relation to predictions, contradicted by other data, and is used to draw conclusions favourable to the applicants' case.

#### **The conclusions of Peter Brett and Associates on the need issues**

Given the significance of the need issue to the consideration of the proposals, and the extensive information received from a range of interested parties in relation to it, Officers suggest the conclusions of the independent consultants engaged by the Council to assess the key matters should be accorded due weight. These are set out in Paragraph 1.6 of the report, and in summary are that there is both a qualitative and quantitative need for the provision of a new crematorium in Denbighshire.

It is relevant to this issue that the Peter Brett and Associates assessment involved a detailed and independent review of qualitative and quantitative need for the provision of a crematorium in Denbighshire, separate appraisal of the applicants case (including the 4 global need assessment), and an appraisal of the Residents Group representations. The Conclusions highlight some issues with the need case in the applicant's submissions in respect of capacity at existing crematoria, and with some of the 4 global data, but that their independent assessment comes out with comparable figures to the applicants, and they state in general the 4 global assessment is thorough and reliable. The assessment notes that the Residents Group representations contain many justifiable criticisms of aspects of the applicants' need case, but ultimately it is stated the overall figures presented by 4 global to show a qualitative and quantitative need are close to what Peter Brett and Associates have shown in their independent assessment. Hence in respecting the detailed submissions made by the Residents Group and private individuals over the need issue, Officers would suggest this has been thoroughly tested by an independent consultant and that it is reasonable to accept their conclusion that there is no reason to refuse the application on the basis of lack of need for the development.

#### **4.2.3. Site selection issues**

The site is in open countryside and involves development of an area of 'best and most versatile' agricultural land, in this case, land of Grade 3a quality (see section 4.2.14). In this context, in addition to the requirement to demonstrate 'overriding' need for the development, Planning Policy Wales 4.10.1 states such land should only be developed if either previously developed land or land in lower grades is unavailable, or lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

Representations on the application, including from the Cefn Meiriadog Community Council, private individuals and the Residents Group, contend that in addition to the requirement to demonstrate a robust need for the crematorium, there should be evidence that the location is the most appropriate for it. They suggest the application site can not be claimed as the most appropriate, as analysis of population, demographics, and minimum drive time catchments, shows that greater benefits would accrue from a location further to the east.

The Council's independent consultants conclusion on the matter of site selection recognises that it is difficult to apply the idea of a sequential test of alternative sites in the same way as, for example, for retail developments, as the catchment area for a crematorium tends to be geographically large and crematoria will almost always be brought forward on greenfield sites in the countryside. They have nonetheless suggested that evidence should be presented that need can not be met on sites which conform to policy, or sites which are outside the designations have been

considered.

The applicant's Design and Access Statement contains a section commenting on consideration of alternative sites. This indicates that this exercise was undertaken as part of the applicant's own site selection process rather than being undertaken for any specific planning purpose, as they consider there are no planning policies that require such an approach when determining planning applications. The applicants have however submitted additional information in relation to questions over the agricultural land quality issue and advice in Section 4.10 of Planning Policy Wales, and they confirm a site assessment exercise was carried out on 11 sites in the area, with reasons why these were pursued as a result of locational constraints, the Cremation Act requirements, size, nature conservation interests, and failure to agree terms to secure the land.

Officers' take on the site selection issue is that Section 4.10 of Planning Policy Wales does impose an additional test beyond establishing 'overriding' need, in relation to evaluation of alternative sites. The agents have provided evidence of a site search and have argued that a combination of high quality agricultural land in the search area and the abovementioned site specific factors have led to the selection of the Glascoed Road site. Whilst respecting the basis of objectors' comments here, Officers' opinion is that there is reasonable evidence of investigation of alternative sites in the search area around St. Asaph which suggest availability of lower grade land is limited.

#### 4.2.4. Visual amenity/landscape

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity and landscape is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.17, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

There are objections to the proposal based on potential visual and landscape impacts of development, with reference to the crematorium building being visible in particular from private property to the south of the site, even with additional planting. The Community Council suggest the development would have a detrimental effect on the rural character of Cefn Meiriadog community. There are no objections from other consultees on these grounds. The Residents Group express concerns over the potential impact of the proposed building, which they consider likely to have a massive impact on views into the landscape and a very substantial one on views out of it; and are critical of the visualisations and methodology used in the submissions. They also record concerns over the impact of proposed landscaping/planting on the area. The application documents suggest there would be limited visual and landscape impacts on the character and appearance of the countryside.

Officers' opinion on the issue is that the development would have a short term impact on visual amenity and the local landscape, but subject to suitable control over the use of materials on the building(s) and over the detailing and implementation of the additional landscaping/planting, this impact would not be so negative as to justify a refusal recommendation. In acknowledging the concerns over the value of the photographic information submitted in assessing impacts, Officers suggest there is sufficient material to form a reasoned judgement on the matter. From inspection of the site and surrounding area, it is apparent that there is very limited natural screening to the site, with a small number of existing trees and boundary hedgerows, so the effectiveness of screening will be largely dependent on the extent of the



proposed new planting, and how long it may take to mature. In terms of the impact of the proposed building(s), whilst noting the concerns outlined, Officers would question whether the presence of a single storey building of the dimensions proposed would have a significant adverse impact given the nature of development in the locality, including farm building complexes and the larger scale developments on the nearby St. Asaph Business Park. There would be an element of visual impact from the movement of traffic within the site associated with funeral services, but it is not considered that this would constitute a significant visual intrusion once the landscaping/planting to screen the car parks and accesses is established. Ultimately, it is not considered that the potential visual and landscape impact of the development would give rise to harm sufficient to merit refusal.

#### 4.2.5. Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

There are local concerns expressed at the potential for increased noise and disturbance from the additional traffic likely to be generated by the development, and to potential light pollution. There are no objections from the Pollution Control Officer on these grounds.

In noting the basis of concerns, Officers would not agree that the increased level of noise and disturbance from traffic associated with a crematorium would be such as to sustain a refusal. There are no residential properties within 200 metres of the proposed site, so stopping/queuing traffic would be unlikely to adversely impact on any individual dwelling. Glascoed Road is already a busy highway with traffic accessing the Business Park, A55 and St. Asaph, and it would be difficult to argue that the additional vehicle movements arising would in themselves make living conditions in dwellings along the road so much worse that it would be reasonable to resist the development. It is not considered there are any issues of noise, disturbance, overlooking or privacy likely to arise for local residents from the operation of the site given the respective distances to dwellings. Concerns over light pollution can be addressed by attaching suitable condition(s) requiring approval of all proposed external lighting.

#### 4.2.6. Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Whilst there are comments on potential impact on badgers as a result of the development, the County Ecologist raises no objections and has requested inclusion of conditions and notes to the applicant to ensue implementation of measures outlined in the ecology report submitted with the application.

On the basis of the County Ecologist's advice, Officers' conclusion is that suitable

conditions etc., can be attached to ensure proper measures to protect ecological interests, in the event a permission is granted.

#### 4.2.7. Drainage

Drainage matters are one of a number of material considerations the Local Planning Authority is obliged to have due regard to on proposals in open countryside, being a potential impact on the neighbourhood and environment referred to in Planning Policy Wales 3.1.4. Flood risk is a material consideration identified in PPW Section 13.2 AND IN tan 15 – Development and Flood Risk, the latter setting a detailed framework within which risks arising from different sources of flooding should be assessed.

There are limited comments raised on the drainage implications of the proposals, although the FUW refer to potential impact of surface water flows along Glascoed Road. The submission itself refers to the intention to deal with surface water by way of sustainable drainage systems, soakaways, and a pond, and foul water via a package treatment plant : Natural Resources Wales raise no objections subject to imposition of conditions and advisory notes on any permission.

Having regard to the above, Officers would not consider there are any drainage/flooding issues of concern here. Matters of detail would clearly need to be controlled by suitable conditions if a permission were to be granted. The site is not in a Flood Risk area.

#### 4.2.8. Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

There are a number of objections to the application based on the potential highway impacts, including from Cefn Meiriadog Community Council and the Residents Group. These relate to increased traffic on an old and busy B Road, the nature of that road (bends, no footway, street lights, variations in width), dangers on the road from the speed of traffic, inadequate approach roads from the A55 (Engine Hill, Glascoed Crossroads, Rose Hill) and potential additional congestion in St. Asaph. There are questions over the sustainability credentials of the proposals, given the limited public transport services. There are suggestions for limiting the routes of corteges to avoid St. Asaph Business Park and Rose Hill.

The Highway Officer has given consideration to the issues and has offered no objections to the application, subject to control over the detailing of access/parking proposals. The view is based on acceptance of the nature of the use involving access primarily by private car and on consideration of the conclusions of an appeal inspector dealing with a Crematorium application in Chester in 2013 where a broad view was taken on the matter of sustainable travel, and limited accessibility by public transport was not considered to be a significant issue. Additionally, the proposal involves siting a crematorium in a location central to a catchment area, which would reduce travel time and distance for those attending, assisting the sustainability arguments in favour of the development.

Officers' conclusion on the highway issues is that there are a number of factors to weigh in the balance. As noted above, Glascoed Road is an old B road of varying standards and configuration, there are no footways or streetlights either side of the proposed site entrance, and it is subject to the national speed limit at that point.

Access by public transport is largely impractical at present as there is no bus stop in close proximity to the site and no footway to allow safe passage for pedestrians along Glascoed Road from the stops in the Business Park. The applicants' Highway consultants have however confirmed willingness to provide new bus stops closer to the site and to consider funding an increase in the number of bus services past the site, which may help to address accessibility concerns. In concluding on the highway issues, it is significant that the Council's Highway Officer raises no objections on highway safety grounds having regard to road characteristics and the likely impact of the development on the network; suggesting that in the absence of clear evidence that the proposal would give rise to road safety issues or adversely affect the free movement of traffic, there would be no sound basis for resisting the grant of permission on highway grounds.

#### 4.2.9 Archaeology

Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development, Welsh Office Circular 60/96 – Planning and the Historic Environment Archaeology, provided earlier advice on the importance of Archaeology and on the handling of archaeological matters in the planning process, stressing the need for due assessment of the nature and importance of any features and their setting.

There are no representations from private individuals in relation to archaeological issues. The County Archaeologist requested additional survey work to determine the need for a pre-determination evaluation, and on the basis of the findings and the proximity to a Roman Road, has suggested inclusion of a watching brief condition on any permission.

Officers' conclusion on archaeological matters is that a standard watching brief condition would address the conclusions of the County Archaeologist and Clwyd Powys Archaeological Trust.

#### 4.2.10 Sustainability codes and water management

Sustainable development is a key part of the Local Development Plan Strategy, and has been applied to the land use policies and allocations in the Plan. Planning Policy Wales (Section 4.12) sets out Welsh Government's drive to ensure that development proposals mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use, and eventual demolition, and outlines the requirement to move towards more sustainable and zero carbon buildings in Wales through application of specific standards for construction. The Sustainability Code requirements are referred to in TAN 22 Sustainable Buildings, which confirms the obligation on applicants to demonstrate that non residential buildings(s) over a certain floor area meet specific standards of construction and carbon emission levels.

Policy VOE6 of the Local Development Plan requires all developments to incorporate water conservation measures where practicable.

In the case of the application proposals, the floor area of the crematorium building is well below the applicable threshold of 1000 square metres set out in TAN 22 where BREEAM requirements apply, hence there is no obligation to demonstrate compliance with sustainability code standards. However, in relation to this particular aspect of sustainable development, it is to be noted that there are specific requirements in relation to compliance with the Building Regulations which will require measures to achieve sustainable construction/energy efficiency and water management.

#### 4.2.11 Inclusive design

The requirement to embody the principles of inclusive design in development proposals is set out in Planning Policy Wales (Section 3.4) which outlines accessibility considerations to be given to all development proposals, reflected in TAN 12 Design, TAN 18 Transport, and through the obligation to submit Access Statements as part of most planning applications.

There are no representations raising matters specific to inclusive design. The application documents stress the gardens, building and approach would be fully wheelchair accessible with dedicated parking spaces, level thresholds at entrances, appropriate toilet facilities and hearing loops.

Officers would suggest the application demonstrates an acceptable basic approach to the issue of inclusive design.

#### 4.2.12 Pollution

The potential impact of development on a neighbourhood and on the environment is recognised in Planning Policy Wales 3.1.4 as a material consideration. Whilst matters relating to environmental pollution (e.g. noise and emissions) are subject to controls through separate legislation, the issue is one which requires due consideration at planning stage.

In the case of the particular application, the issue arising from responses is the potential impact of emissions from the cremation process. Reference is made to the release of mercury and the effect this may have on nearby farmland and the food chain. The Council's Pollution Control Officer has confirmed that there are strict controls exercisable through the Environmental Permitting Regulations and that the crematorium can not operate without a Permit from the Council under those Regulations.

On the basis of the quite separate legislative controls exercisable over emissions, Officers do not consider it necessary to deal further with the issue within the planning application process. The Permit process referred to will contain conditions in relation to the control of emissions to air, and such a Permit can not be granted unless strict standards specified are capable of being achieved; one of the requirements being the installation of mercury abatement plant which the Public Protection Officer advises the applicants have already agreed to install. The applicants have confirmed they have undertaken assessment of the stack (chimney) height to ensure proper dispersion of emissions, and advise that this would be 8.85m above ground level. It is not considered necessary to attach noise level conditions given the distances to residential properties.

#### 4.2.13 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Policy RD 5 in the Local Development Plan.

There are concerns over the impact of the development on the future well being of the Welsh Language, in terms of threats to the agricultural basis of the community through loss of Grade 2 land and impacts on Cefn Meiriadog School.

In acknowledging the concerns, in Officers' opinion a crematorium development on this site would not by virtue of its size, scale, and location, lead to any harm to the character and language balance of the community. The potential for impact on the language and social fabric from such a scheme would be negligible. Standard advisory notes can be attached to any consent to encourage use of bilingual signage.

#### 4.2.14 Agricultural land quality

There are no policies in the Local Development Plan dealing specifically with proposals involving development on high quality agricultural land. Section 4.2.3 of this report refers to Planning Policy Wales Section 4.10 which obliges consideration

to be given to protecting land of grades 1, 2 and 3a quality in the Agricultural Land Classification system of the Department for Environment, Food and Rural Affairs. This land is considered to be the 'best and most' versatile and justifies conservation as a finite resource for the future. PPW indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

There are objections to the application based on the loss of high quality agricultural land. The applicants' agents engaged Soil Environment Services to undertake an Agricultural Land Classification survey and their report in January 2014 concludes the land is of Grade 3a quality. The applicants accept there is a general presumption in Planning Policy Wales in favour of protecting the best and most versatile land but that it is appropriate for such land to be lost to development where an overriding need can be established. They have provided evidence of a site investigation process (summarised in Section 1.5 of the report) and have argued that a combination of high quality land across wide part of the search area around St. Asaph, and constraints relating to the other sites mean it is reasonable to consider the development of the Glascoed Road site would be acceptable in terms of the 'availability' of land of lower grade in paragraph 4.10 of Planning Policy Wales.

Officers' view on the Planning Policy Wales tests in relation to development on the best and most versatile agricultural land is that on the basis of the independent consultants assessment, a clear need is established for the crematorium. There has been investigation of alternative sites in the search area around St. Asaph, and evidence that there is no suitable or available previously developed land or land in lower agricultural grade.

#### 4.2.15 Minerals issues

Policy PSE 15 of the LDP looks to safeguard high quality resources of minerals in the County, including limestone, from development that may result in its permanent loss or hinder future extraction. In areas identified for safeguarding, the policy only permits development where:-

- it can be demonstrated that the need for the development outweighs the need to protect the mineral resource; or
- where such development would not have a significant impact on the viability of that mineral being worked; or
- where the mineral is extracted prior to the development.

Factually, the application site is shown on the Minerals Proposals Map accompanying the LDP in the north east corner of a large Mineral Safeguarded Area (Limestone) which stretches north west – south east through Denbigh to Ruthin and down to the Llangollen area.

The County's Minerals Officer has concluded that, having regard to the LDP policy, the need to protect the mineral resource in this instance is low, and there are no objections to the development of the site.

On the basis of the above comments, Officers would not consider there is conflict with the minerals safeguarding policy.

#### Other matters

There are concerns over the potential impact on businesses at St. Asaph Business Park, and on Cefn Meiriadog School from the development.

The representations on behalf of existing businesses in objection to the application are on grounds of the adverse impact the passage of cortèges may have on

employees and the image of and future investment in the Business Park; and from the school on grounds of the presence of a crematorium impacting on children and the future choice of parents to send children to the school.

In respecting the basis of concerns, it is a difficult matter for Officers to advise what, if any, weight can be attached to negative perceptions of a crematorium use. Whilst psychological effects may be capable of being material considerations, potential distress and emotional effects are subjective matters which are particularly hard to quantify to justify a refusal of permission. In this case, the implementation of an extensive landscaping scheme and its maturity over a period of time would limit the sight of the crematorium and associated activity within the site itself, mitigating visual perception of the use.

## **5 SUMMARY AND CONCLUSIONS:**

- 5.1 The report attempts to cover a range of issues of relevance to an application which has raised considerable local reaction.
- 5.2 Evaluation of local and national planning policy and guidance suggests there are no specific policies relevant to crematorium developments to assist determination of the application. As the proposal involves development in open countryside, where there is a general approach of control and restraint in relation to 'non essential' development, the Committee's task is therefore to assess whether there are material considerations which may justify the grant of permission.
- 5.3 The report suggests the 'need' for a crematorium is an important consideration on the application, as evidenced in a number of appeal cases on similar developments. There are representations which challenge whether a need is demonstrated. Significantly, the independent assessment commissioned by the Council concludes that there is both a qualitative and quantitative need for a new crematorium in Denbighshire, and that there is no reason to refuse the application on the lack of need for the development. This is a significant conclusion in relation to the principle of the development.
- 5.4 Inevitably, there are negative and positive factors to weigh in the balance on the application, which are touched on in the report. These include the use of 'best and most versatile' agricultural land; questions over visual impact and sustainability credentials in respect of accessibility to means of transport other than the private car; and local highway concerns such as the adequacy of some of the approach roads to the site. The proposals offer the provision of a key public facility of benefit to a large catchment area. There is a need recognised by independent assessment, which may be viewed as the 'exceptional circumstances' necessary to justify such development in open countryside.
- 5.5 There are a number of other matters of relevance to the decision, but Officers do not consider having regard to the responses from key consultees and the potential impacts, that there is clear evidence of material harm likely to arise to these interests. Imposition of suitable planning conditions can help to mitigate localised impacts, and to secure improvements such as additional bus stops close to the site, if a permission were to be considered.
- 5.6 Officers' advice is that it is not appropriate to take account of the undetermined application for a crematorium in Flintshire in the consideration of the Glascoed Road application, including any assessment of how this may impact on need. That proposal may never materialise, and it is incumbent on the Council to deal with what is in front of it.
- 5.7 In terms of sustainability considerations, the selection of the site in a central location to the intended catchment area would contribute positively to minimising travel time

and distance for those attending services, and would be consistent with Welsh Government and Local Development Plan strategies/objectives to secure a sustainable pattern of development.

- 5.8 In reaching a recommendation on the proposal, Officers recognise there are strong local feelings, but that having due regard to the issues and information relevant to a decision, there are limited land use planning grounds to justify a refusal here.

**RECOMMENDATION: - GRANT** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. The crematorium hereby permitted shall not be operated outside the following times: 0900 - 1700 hours from Monday to Friday and 0900 - 1200 hours on Saturday, nor at any time on Sundays, and public holidays.

3. No development shall take place on the building until samples of the materials to be used on the external surfaces of the walls and roofs have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

4. **PRE-COMMENCEMENT CONDITION**

Notwithstanding the details on the submitted layout plans, no development shall be permitted to commence until the written approval of the local planning authority has been obtained to the detailing of the highway and access proposals, which shall include for the provision of bus stops for public transport vehicles, arrangements for improvement of the frequency of bus services past the site, and the associated rearrangement of the car, cycle parking and pedestrian circulation system within the site, the proposed materials to be used on the areas of hard surfacing and overspill parking, and the detailed drainage and associated replanting of hedgerow along Glascoed Road. The development shall be carried out in accordance with the approved details, and the crematorium shall not be brought into use until all the approved works have been completed.

5. **PRE-COMMENCEMENT CONDITION**

No development shall take place until a construction method statement and management scheme has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. the statement shall provide for:-

- i) Hours of work during the construction period.
- ii) The phasing of the movement of construction traffic.
- iii) Parking of vehicles of site operatives and visitors.
- iv) Loading and unloading of plant and materials.
- v) Storage of plant and materials used in constructing the development..
- vi) Wheel washing facilities.
- vii) Measures to control the emission of dust, dirt, noise, vibration and light during construction.
- viii) A scheme for recycling and disposing of waste resulting from construction works.
- ix) Details of any piling required.

6. **PRE-COMMENCEMENT CONDITION**

No development shall take place until a scheme of signage in connection with the use of the site as a crematorium has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

7. **PRE-COMMENCEMENT CONDITION**

No development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:-

- a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development;
- b) proposed new trees, hedgerows, shrubs or vegetation, and boundary treatment including confirmation of species, numbers, and location and the proposed timing of the planting;
- c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

e) proposed positions, design, materials and type of boundary treatment.

8. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the bringing into use of the crematorium any trees or plants which, within a period of five years 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.

9. Any trees or hedgerows which may be permitted to be removed shall only be removed outside the bird nesting season (1 March - 31 August inclusive).

10. Notwithstanding the submitted details, no external lighting shall be permitted without the formal written approval of the local planning authority to the detailing of the proposed lighting (including the type, the means and extent of lumination and anticipated spread of light). The scheme shall be implemented strictly in accordance with the approved details.

#### 11. PRE-COMMENCEMENT CONDITION

No development shall take place until a scheme for the provision of separate foul and surface water drainage works have been submitted to and approved in writing by the local planning authority. The crematorium shall not be brought into use until the drainage works have been implemented in accordance with the approved scheme.

12. The development shall be carried out in strict compliance with the recommendations of the ecological report, including:

- i) Vegetation clearance, bar low-level clearance relating to Great Crested Newts/reptile RAMS, which shall be undertaken outside of the bird breeding season (March to September inclusive).
- ii) All recommendations regarding Great Crested Newts (pages 16 and 17). Hedgerow clearance should be undertaken before February to comply with nesting bird legislation, but should not be taken down to ground level, so that the bottom few inches that could be used by hibernating newts remain in place. These can then be cleared in accordance with the GCN recommendations when the newts are in their breeding ponds, between April and June. This should be done by hand with a suitably qualified ecologist present as some newts may remain terrestrially even at this time.
- iii) If T1 or T2 (the mature oak trees on the eastern boundary) are to be felled or have work done to them a bat survey should be undertaken first with RAMS and mitigation submitted for approval if appropriate.
- iv) Reptile RAMS as per page 18 of the report.
- v) Ecological enhancements as per pages 18 and 19 of the report.

#### 13. PRE-COMMENCEMENT CONDITION

Notwithstanding the proposals set out in the recommendations in the ecological report, no development shall be permitted to commence until the written approval of the local planning authority has been obtained to the following details:-

- a. Amphibian "Reasonable Avoidance Measures" (RAMs);
- b. an external ecological compliance audit scheme;
- c. habitat mitigation, and compensation proposals;
- d. long term site management and monitoring proposals;
- e. a biosecurity risk assessment; and
- f. long term site security proposals in respect of the required amphibian compensation area.

#### 14. PRE-COMMENCEMENT CONDITION

No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at any reasonable time, shall be given to this archaeologist to enable the observations and recording of any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited with the County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL (01938-553670) within one month of the completion of this work with a summary of record sent to the Local Planning Authority at the same time.



The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In order that the Local Planning Authority may retain control over the hours of operation in the interests of general amenity.
3. In the interests of visual amenity.
4. In order to ensure the site is fully accessible by public transport, and to ensure the access and associated details are acceptable.
5. In the interests of highway safety and residential amenity.
6. In the interests of highway safety and visual amenity.
7. In the interests of visual amenity.
8. In the interests of visual amenity.
9. In order to protect nesting birds.
10. In the interests of visual amenity and ecological interests.
11. To ensure the development is served by a satisfactory drainage system and to ensure no risk of pollution to the environment.
12. In order to protect ecological interests.
13. In order to protect ecological interests.
14. In order to protect archaeological interests.

#### **NOTES TO APPLICANT:**

In relation to the access and highway works, you are advised to discuss proposals with the Council's Highways and Planning Officers prior to any formal submissions for approval.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.

In relation to the ecological works, a sample RAMS for Great Crested Newts is attached which details most generic measures and options for compliance with Conditions 12 and 13. You are also referred to the attached copy of the response from Natural Resources Wales which highlights relevant background legislation and the licencing process which may be involved where there is a potential for disturbance to Great Crested Newts, and also offers advice in relation to drainage and waste matters.

In relation to the site signage, you are encouraged to adopt a bilingual approach to recognise the location of the facility in a rural Welsh Community. Officers would be pleased to advise as appropriate.

You should contact the Council's Public Transport Officers to discuss the approach to the provision of the bus stops and improvements to bus services past the site.

You should contact the Council's Planning Officer to discuss the approach to the landscaping/planting scheme as it is considered essential to ensure the use of species of suitable density and maturity in order to secure an effective natural screen around the building, gardens and parking areas as soon as possible.

You are advised that there is separate legislation and permit processes controlling emissions from the cremation function, and you should contact the Council's Pollution Control Officers in connection with these before proceeding on detailed design matters.

