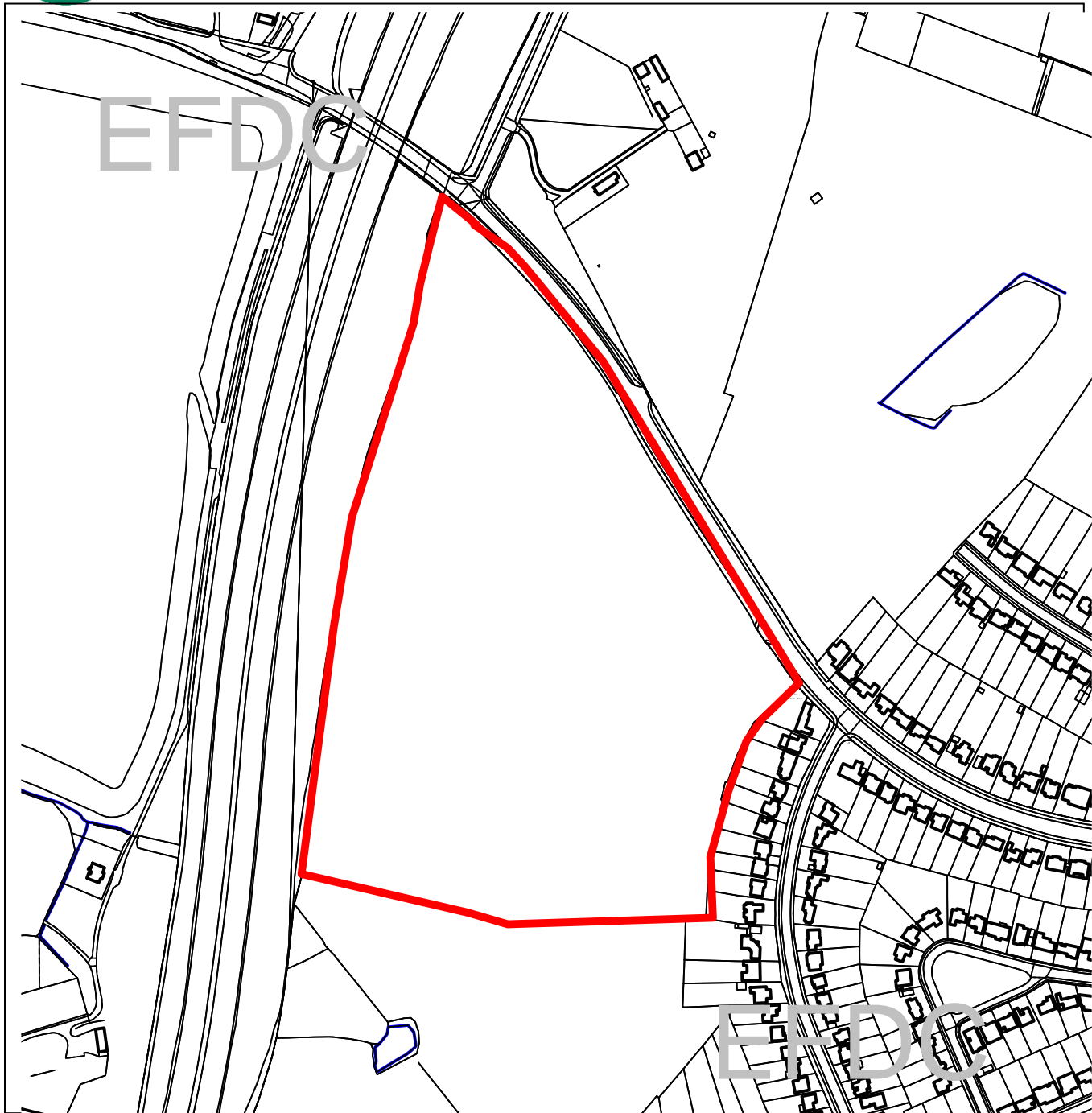




Epping Forest District Council



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Application Number:	EPF/2131/19
Site Name:	Land to the South of Chigwell Rise IG7 6BN
Scale of Plot:	1:4000

Report Item No: 9

APPLICATION No:	EPF/2131/19
SITE ADDRESS:	Land to the South of Chigwell Rise IG7 6BN
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr F Cheroomi
DESCRIPTION OF PROPOSAL:	Permission for use of site as a burial ground with associated landscaping, access improvements and ancillary storage and reception buildings. *** SAC Case now progressing with - New site plan showing changes to parking layout **
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=627893

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: PR12225810A Rev A
01/01 - Site Section
01/01 - Site Location
01/02 (revised Jan 2022)
01/03
01/04
01/05
- 3 The development hereby approved shall be undertaken in accordance with the submitted landscape drawings dated 17 September 2020. A two-metre buffer zone shall be maintained between land under the applicant's ownership and Highways England's operational land. This is to ensure Highways England's maintenance contractors can manage and maintain the M11 motorway and its adjacent boundary safely to ensure the Strategic Road Network continues to operate effectively.
- 4 The development hereby approved is required to produce an acceptable drainage strategy that shall be approved by Epping Forest District Council in consultation with Highways England. This condition is recommended to ensure no exceedance flow arising from the proposed development shall enter Highways England's operational asset, in this case the M11 motorway.
- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

- 6 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
 - Limiting discharge rates to 1l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
 - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - Demonstrate that all storage features can half empty within 24 hours for the 1:100 plus 40% climate change critical storm event.
 - Final modelling and calculations for all areas of the drainage system.
 - Ensure there is a 1m gap between the base of any infiltration feature and groundwater level
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- 7 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.
- 8 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.
- 9 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
- 10 No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

- 11 A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the planning authority following the completion of this work and prior to any work on site.
- 12 No development or preliminary groundworks can commence on those area containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority.
- 13 The application will submit to the planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum and submission of a publication report.
- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 15 Prior to any above ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 16 No development shall take place, including any works of demolition, until a Construction Method Statement 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:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 7. Tree protection measures.
- 17 Prior to any above groundworks, details and location of the parking spaces equipped with active and/or passive Electric Vehicle Charging Points shall have been submitted to and approved in writing with the Local Planning Authority (LPA). For the avoidance of any doubt 20% of the spaces shall have active charging. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
- Location of active and passive charging infrastructure;
 - Specification of charging equipment; and

- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:

- a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
- b) How charging point usage will be charged amongst users;
- c) The process and the triggers for identifying when additional passive charging points will become activated; and
- d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

- 18 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of visitor and staff vehicles.
- 19 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 20 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.
- 21 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 22 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 23 The use hereby permitted shall not be open to visitors/members of the public outside the hours of 1st April to 30th September 0900 hrs to 1800 hrs
1st October to 31 March 0900 hrs to 1600 hrs

- 24 Notwithstanding the plans, hereby approved the number of burials permitted per a year shall not exceed 150. A log shall be kept to ensure that the burial numbers does not exceed this amount.
- 25 No construction works above ground level shall have taken place until documentary and photographic details of the proposed cycle store is submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 26 No lighting shall be installed within the burial ground.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site comprises a 10 hectare open agricultural field located to the south of Chigwell Rise, bounded by the M11 to the west and the rear gardens of Chester Road to the east. To the south a hedgerow forms the southern boundary of the site with open field beyond. The site is within the Metropolitan Green Belt and not a Conservation Area. The site is on the edge of the built up area of Chigwell as the properties within Chester Road are not within the Metropolitan Green Belt.

The site has two accesses from Chigwell Rise. The site (and a site to the north) have been used under permitted development for car boot sales for some years.

Description of Proposal:

Consent is being sought for the change of use of the application site to a burial ground with associated landscaping, access improvements and ancillary storage and reception buildings.

To the north west of the site is a memorial garden, with venue building for services and parking for 30 cars using the existing north western vehicular access. The venue building is L shaped, 26m by 24m (at the maximum lengths) and 4.7m in height with a flat roof.

The burial area itself, is located on the western two thirds of the site with access roads to all areas; with a proposed natural grassland area approximately 100m wide bounding the residential properties to the east.

To the south of the site a maintenance building is proposed, 12m wide by 7.4m and 4m in height.

Enhanced boundary planting is proposed and the proposal also closes the existing eastern access.

The proposed burial ground is anticipated to accommodate 150 burials a year.

The plans were revised following first submission to reduce the burial area to that outlined above and reduced the number of parking spaces.

Relevant History:

None – other than the permitted development use for car boot sales.

Policies Applied:

Epping Forest District Council Local Plan (1998) and Alterations (2006):

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP9 – Sustainable transport
GB2A – Development in the Green Belt
NC4 – Protection of established habitat
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE9 – Loss of amenity
LL2 – Landscape character
LL10 – Adequacy of provision of landscape retention
LL11 – New landscaping
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
RP3 – Water quality
RP4 – Contaminated land
RP5A – Adverse environmental impacts
U3A – Catchment effects

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Epping Forest District Local Plan Submission Version (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight being afforded by your officers in this particular case indicated:

SP1 – Presumption in favour of sustainable development
SP5 – Green Belt and district open land

SP6 – The natural environment, landscape character and green infrastructure
T1 – Sustainable transport choices
DM1 – Habitat protection and improving biodiversity
DM2 – Landscape character and ancient landscapes
DM5 – Green and Blue Infrastructure
DM6 – Designated and Undesignated Open Spaces
DM9 – High quality design
DM11 – Waste recycling facilities on new development
DM15 – Managing and reducing flood risk
DM18 – On site management of waste water and water supply
DM21 – Local environment impacts, pollution and land contamination

National Planning Policy Framework (July 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Consultation Carried Out and Summary of Representations Received:

110 neighbouring residents were consulted, and Site Notices were displayed.
Objections were received from the following 101 addresses:

CHIGWELL PARK RISE 1, 2, 4, 14, 16, 18, 22, 23, 24, 25, 26, 27, 31, 32, 33, 35, 38, 40, 41, 43, 44, 47, 49 and 56
CHESTER ROAD 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 15, 17, 18, 19, 20, 21, 23, 24, 26, 27, 30, 39 and 43
25 and 55 CHIGWELL PARK DRIVE
36 LEE GROVE
2, 11, 12, 14, 17 and 18 GREAT OWL ROAD
8 THE SHRUBBERIES
109 GRANGE CRESCENT
29 DACRE GARDENS
11 RODING LANE
22 COURTLAND DRIVE
94 HIGH ROAD
15 DOLPHON COURT, HIGH ROAD
CARETAKERS HOUSE, GGSK COLLEGE, RODING LANE
CHIGWELL RESIDENTS ASSOCIATION
BUCKHURST HILL RESIDENTS SOCIETY
6 and 8 WESTBURY ROAD, B/HILL
8 CASCADE ROAD, B/HILL
10 PUMP HILL, LOUGHTON
38 STATION ROAD, LOUGHTON

TRAIL, POPLAR ROAD, THEYDON BOIS
99 PRIMROSE AVE, CHADWELL HEATH
71 LAING CLOSE, IG6
43 GORDON ROAD, IG1
45 DEVONSHIRE ROAD, IG2
4 CORRINGWAY, W5
2 TRENANCE GARDENS, IG3
15 RAMSGILL DRIVE, IG2
95 CROSSWAYS, RM2
6 LAGONDA AVENUE, IG6
7 SHEILA ROAD
19 additional objections from EMAIL ADRESSES

The objections can be summarised as follows:

Loss of Green Belt, impact on traffic, increase in pollution (affect on air quality), impact on wildlife, detrimental to highway safety, result in noise and disturbance, is there a need, loss of a view, impact on house prices, flooding, insufficient parking, fails to promote alternative transport choices, detrimental to character

CHIGWELL PARISH COUNCIL: The council Strongly Objects to this application, because the proposed burial ground is still excessively close to existing residential housing. There is still an insufficient number of parking bays and the proposed development would reduce openness of the Metropolitan Green Belt and contribute to an undesirable urban sprawl. There are also severe concerns pertaining to the detrimental impact upon the surrounding ecology and natural habitat of this locality. Further, the committee recognises this development would result in an undesired increase in vehicular traffic flow, further the proposed access is unsuitable and poorly sighted.

BUCKHURST HILL PARISH COUNCIL: Strong Objection

There is no demonstrable use for this application in this area.

No development or building on Green belt land.

With the surrounding area currently having a number of facilities, the Committee did not feel there is a need for this at this time.

Concerns over traffic movement and increased traffic load on road infrastructure, specifically the ingress and egress of vehicles at the site.

Detrimental to immediate residential dwellings with close proximity to site

Insufficient parking. Inadequate parking across the site.

The traffic light junction at Palmerston Road, Loughton Way and Roding Lane is currently a bottleneck for vehicular traffic. Funeral processions and visitors to the site will only serve to unduly burden this junction should consent be granted for a cemetery. This will be detrimental to the residents and visitors to Buckhurst Hill.

Issues and Considerations:

The key considerations in this application are the impact on the Green Belt, impact on amenities, design approach, highway safety and parking, and impact on the Epping Forest Special Area of Conservation.

Green Belt:

The proposal can be broken down into two forms of development, these being:

1. The use of the land as a burial ground.
2. The erection of the associated buildings and car parking areas.

Local Plan policy GB2A states:

Planning permission will not be granted for the use of land or the construction of new buildings or the change of use or extension of existing buildings in the Green Belt unless it is appropriate in that it is:

- (ii) for the purposes of outdoor participatory sport and recreation or associated essential small-scale buildings; or*
- (iii) for the purposes of a cemetery; or*
- (iv) for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in the Green Belt.*

SVLP policy stated at DM4 C

iii) Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as any development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;

The submission version Green Belt policy does not specifically mention the provision of cemeteries within the exceptions.

However, it is noted that the proposed development of a burial ground (cemetery) and associated buildings are appropriate under Local Plan policy GB2A and more specifically in accordance with the Green Belt chapter of the NPPF (which has been updated since the drafting of the SVLP).

The Green Belt chapter of the NPPF specifically refers to cemeteries within paragraph 149

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

a) buildings for agriculture and forestry;

*b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, **cemeteries** and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; [emphasis added for clarity]*

The NPPF specifically refers to cemeteries again within paragraph 150 stating:

Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

*e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for **cemeteries** and burial grounds); [emphasis added for clarity]*

Due to the above, the change of use of the land provided it maintains the openness, and the associated buildings are not inappropriate within the Green Belt.

The site will generally remain open apart from the small cluster of development (venue building and parking) to the north west of the site. Although head stones are proposed – this will clearly not be an immediate form of development and will gradually increase in time along with the maturity of any landscaping and tree planting. The design and size of the head stones have been

submitted and this could be conditioned to control any increase in size of these. It is therefore Officer view that the proposed use maintains the openness of the Green Belt and the proposed buildings are considered acceptable due to their small scale nature.

This site is between the built up areas of Chigwell and Buckhurst Hill in an area that is divided by the M11. By permitting the change of use and associated buildings it is not considered that this will result in urban sprawl given that the land will remain 'open' and part of it undeveloped. In addition, the appearance from public vantage points will remain broadly the same as the existing boundary landscaping will be enhanced. It is therefore not considered to result in 'urban sprawl'.

Green Belt policies in relation to cemeteries do not require a needs assessment. It is noted that the evidence for the SVLP includes work on cemetery provision:

This work notes that 'Demand for burial provision is influenced by changing preferences, in particular the increasing proportion of people opting for cremation over the past few decades.' It also states that 'The Open Space Strategy recommends that steps should be taken to create a new cemetery in Loughton to meet the need for future burial space. In addition, a review of available burial space should be undertaken from Waltham Abbey, Chigwell and High Ongar'. These reviews have not been started as of yet.

The Open Space Strategy notes that Chigwell has a high quality cemetery and churchyards. Three sites in total with two 'good' and Chigwell Cemetery 'very good'. Chigwell Cemetery fairly close to the proposed site has sufficient burial space for next 25 years.

Amenity considerations:

Given the location of the application site the immediate neighbours are those backing on to the site on Chester Road. There will be a 100m wide natural grassland strip directly to the rear of these properties and some 240m distance to the parking area and venue building.

Whilst the proposal would introduce additional movements (including vehicle movements), the greatest impact would be as a result of burials/ceremonies whereby there could be significant numbers of people arriving/leaving at the same time. It is anticipated that there could be up to 7 burials a day (with a maximum of 150 a year) so an average of 2.4 a day. The number of burials and opening times can be subject to restricted hours to ensure that these do not cause any disturbance at unsociable hours.

The general use of the site by visitors to burial plots would be more sporadic and would attract significantly fewer vehicle movements and therefore it is not considered that these would cause any undue disturbance to surrounding residents.

In addition, the distances above ensure that the main area of noise and disturbance is located at the furthest point from the residential properties and no vehicle movements will be within the 100m natural grassland buffer area. It is also noted that the car parking and reception venue are located adjacent to the M11 which has a pre-existing background noise.

The proposal will be very clearly visible from the properties, however loss of a view is not a material planning concern. As above, development will be contained within the western part of the site with a 100m buffer before the burial plots begin. Although the view will clearly change, and it may not appeal to residents to overlook a burial ground the amenity concerns are minimal for this development.

Design and overall appearance of the burial area:

The main building will be located to the front of the site and will be partially visible from the road. It has been designed in a contemporary style with a flat roof. It is an 'L' shaped building and the two intersecting elements have differing heights 4.7m and 3.2m which helps to break up the overall bulk and massing of this building as does the 'L' shape. In addition, the building will be finished with a sedum roof and will be part rendered and part vertical timber boarding. It is considered that the material choices proposed are well considered to blend the building with the more natural surroundings, whilst breaking up the overall bulk by utilising contrasting materials. The material choices are considered acceptable and can be conditioned to ensure the proposal meets the expectations of the plans.

The proposal includes a parking area to the north west and access road around the burial area for access to the plots. Although a fair amount of hardstanding is required to facilitate vehicle movements around the site – again the material choices for these areas can be conditioned to ensure a suitable material that will soften the appearance of these areas.

In the supporting text for Policy DM5 (Green and Blue Infrastructure) and DM6 (Designated and Undesignated Open Spaces) of the SVLP specifically note cemeteries within the list of Green and Blue Infrastructure and undesignated open spaces. This is noted here, as a cemetery still can offer an open space and green infrastructure – although partly developed cemeteries by their nature remain open in character and therefore (in addition to the Green Belt commentary above) is a suitable use for this edge of urban area/countryside location.

Highways:

Due to the location of this site in close proximity to the M11 both Essex County Council and Highways England were consulted on this application.

ECC Highways:

The Highways Officer has concluded that the proposal is not contrary to National/Local policy and current safety criteria. The proposed access has good visibility and geometry onto Chigwell Rise. Furthermore, the proposal will generate very little traffic movements in the peak hours so it will not be detrimental to capacity or efficiency at this location. It is noted that any burials will not commence until 9.30am avoiding the morning rush hour. Following consultation on the revised plans the Highways Officer had no further comments to add.

Consequently, the Highway Authority is satisfied that the above proposal will not be detrimental to highway safety, capacity or efficiency at this location or on the wider highway network. The Highways Officer confirmed he has visited the site.

Highways England:

Extensive discussions took place between the Applicant and Highways England throughout the course of this application, with specific discussion surrounding the drainage from the site. Following these discussions, Highways England have no objections subject to a suitable drainage strategy being agreed with Highways England and that the development is undertaken in accordance with the agreed landscape plan (including a 2m buffer zone adjacent to the M11).

Parking

The Essex County Council Vehicle Parking Standards does not provide a standard for cemeteries. The closest use class would be a place of worship for which the maximum parking standard is 1 space per 10m² of which 3 should be suitable for disabled drivers (or 6%, whichever is greater).

However, a cemetery use does not function in the same manner as a place of worship and therefore it is Officer view that this is not applicable.

The application has evolved since first submission from the originally proposed 7 burials a day, to a cap on the number of burials that can take place in a year set at 150. This would lower the potential daily burial number to an average of 2.4 a day; so vastly reducing the originally proposed daily burial numbers.

In addition, the plans have been revised to lower the parking numbers from 51 to 30 which has been reduced in part due to the potential for impact on the Epping Forest Special Area of Conservation (discussed in further detail below).

The transport statement forecasts that the proposal would attract up to 15 vehicles per burial, plus a small number of other ad-hoc visitors. Even if two burials overlapped the average maximum parking requirement associated with burials would be 30 spaces. The proposed development provides adequate parking for this amount whilst providing some leeway for larger burials and ad-hoc visitors if required.

It is considered that the proposal would provide sufficient off-street parking provision to serve the development, in line with the Vehicle Parking Standards and policy ST6 and T1 of the Local Plan.

20% of the proposed parking spaces will be provided with an electric vehicle charging point. Cycle parking should also be installed, and this can be controlled by condition.

Although it is acknowledged that parking concerns have been raised by neighbours, this is a balanced discussion – minimising parking provision will encourage users to seek alternative travel options, whilst minimising the potential for impact on the EFSAC. In addition, with the lower burial numbers across a year than originally proposed there is less likelihood of any overlapping burials (which was a highlighted original concern).

Epping Forest Special Area of Conservation

Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV)

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concludes that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development).

Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of parts of the methodology underpinning the appropriate assessment HRA 2019, no issues were identified in relating to the screening of the LPSV or the Pathways of Impact identified. Consequently, the Council, as competent authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be

assessed in relation to the likely significant effects of development on the EFSAC alone and in combination with other plans and projects are:

1. Recreation activities arising from new residents (recreational pressures); and
2. Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

As this application is for non-residential development it has been screened in relation to the atmospheric pollution Pathway of Impact only and concludes as follows:

1. The development has the potential to result in a net increase in traffic using roads through the EFSAC and therefore could have a likely significant effect on the EFSAC in relation to the atmospheric pollution impact pathway.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to the atmospheric pollution Pathway of Impact.

Stage 2: 'Appropriate Assessment'

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating atmospheric pollution impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from the two strategic employment allocations at Dowding Way and North Weald Airfield. The application will, however, be subject to planning conditions to secure site specific measures as identified in the IAPMS.

These conditions have been put forward by the Council's Transport Consultant as follows:

1. The site will operate a maximum number of burials per calendar year of 150.
2. The overall parking provision will not exceed 30 spaces.
3. That a minimum of 20% of the parking spaces will provide EV charging facilities to reduce the predicted impact of vehicle movements on the EFSAC.

Conclusion:

The Council is satisfied that, subject to the imposition of relevant planning conditions, the application proposal would not have an adverse effect on the integrity of the EFSAC.

Other matters:

Land drainage:

The development is of a size where it is necessary to avoid generating additional runoff (hence the concerns of Highways England) and where the opportunity should be taken to improve existing surface water runoff. As the applicant must submit a detailed drainage plan which can be controlled by condition.

In addition, details of foul drainage are required, and again this can be dealt with by condition.

Essex County Council SUDs Team also have no objection to the proposal.

Contamination:

The Environment Agency has been consulted on the application and extensive discussions took place between the Applicant and the EA following an initial objection. Following additional submission of a ground water risk assessment the EA have removed their objection and note the following about the application:

- Groundwater was recorded within the gravels, located in eastern area of the site. However, it has been confirmed that no burials will take place in this location.
- No standing water was encountered within the London Clay.
- The number of burials has been reduced to 150 per annum.
- Foul drainage will be via connection to mains sewage network, which will allow for the appropriate disposal of any 'grey' water.

Given the above the EA consider the proposal poses low risk to controlled waters.

The Council's own Contaminated Land team have suggested conditions to ensure any contamination is dealt with appropriately.

Archaeology:

The proposed burial ground is located in an area of known archaeological deposits. Within the proposed development are several crop marks which have been identified showing the potential for archaeological features. The site is also located south west of the historic settlement of Chigwell and to the west of the Roman road that runs through the settlement. Therefore, Essex County Council Place services has recommended several additional conditions that are considered relevant.

Need

Although need has been raised within neighbour objections, there is no local or national policy to demonstrate 'need' for such a proposal. The only policy comments (as above within the Green Belt section) are part of the submitted evidence base for the Submission Version Local Plan (2017) which looked at a possible need for a cemetery within Loughton in the future. It is stressed again, that there is no policy requirement to demonstrate 'need'. However, a burial ground within Chigwell is not solely for Chigwell resident's and could serve this identified shortfall in Loughton also.

Conclusion:

Given the above discussion, the proposal is on balance recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk