

## Report of the Head of Planning, Sport and Green Spaces

**Address** WEST DRAYTON CEMETERY HARMONDSWORTH ROAD WEST  
DRAYTON

**Development:** Extension to the burial ground to accommodate a further 460 grave spaces to meet future needs.

**LBH Ref Nos:** 70315/APP/2014/3404

**Drawing Nos:** AOC November 2014 - Cultural and Heritage Assessment  
Investigation for an Archaeological Evaluation  
TIER 1 Screening Report  
Service runs  
Geotechnical Report - October 2014  
Ground Investigation (October 2014  
E/AO 2655 - 100-03  
E/AO 2655 - 100-01 E  
Reptile Presence/Likely Absence Survey  
Bat Activity Survey  
E/A1 2655 100-02  
Arboricultural Impact Survey (August 2014

**Date Plans Received:** 22/09/2014                      **Date(s) of Amendment(s):** 11/11/2014

**Date Application Valid:** 22/09/2014

### 1. SUMMARY

The proposal seeks full planning permission to extend the cemetery to the west, towards the rear of built housing fronting Laurel Lane and Stainby Close to provide a further 460 lairs. The scheme is considered to be acceptable in this location and will preserve the character of the West Drayton Conservation Area whilst respecting the setting of adjacent buildings and the area's natural features.

The proposed extension to the existing cemetery is welcome in principle as the proposal would make a significant positive impact in meeting an identified need within this part of West Drayton and the wider London in general.

The site can satisfactorily accommodate the cemetery within this location without appearing overbearing on the surrounding area and will not unacceptably detract from the amenities of adjoining occupiers by reason of loss of light, privacy or outlook. The proposal would not cause unacceptable harm to neighbouring occupiers through increased noise or disturbance.

The site already benefits from good access and there is public transport including local services and facilities in the vicinity of the site. The proposal is acceptable with respect to highway and pedestrian safety or traffic flows.

There are existing trees within the site which are worthy of retention and additional landscaping and biodiversity improvements will be secured by condition. The Council's Sustainability officer is satisfied with the development in this respect.

The proposal is therefore considered to be in accordance with the NPPF, the London Plan 2011 and the Councils Local Development Framework and it is recommended that the application is approved subject to conditions.

## **2. RECOMMENDATION**

**A: That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to any relevant amendments agreed by the Head of Planning, Sport and Green Spaces and also those requested by the Environment Agency and the following:**

**1. The Environment Agency removing their objection**

**B. That if the application is approved, the following conditions be attached:**

**1 SP01 Council Application Standard Paragraph**

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the Council.

**2 COM3 Time Limit**

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

**REASON**

To comply with Section 91 of the Town and Country Planning Act 1990.

**3 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers E/AO 2655 - 100-01 B, E/A1 2655 100-02 and E/AO 2655 - 100-03 and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

**4 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:  
Recommendations in the Cultural and Heritage Statement (AOC November 2014)  
Recommendations Arboricultural Report (August 2014)  
Ground Investigations Report (October 2014)

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

**REASON**

To ensure that the development complies with the objectives of Policies . Specify Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5 COM8 Tree Protection**

No site clearance or construction works shall take place until all the tree protection

measures specified in the Patrick Stileman's Arb Reports PL120 and PL125 have been fully implemented. The tree protection measures shall be retained in position until the development is completed and, unless otherwise agreed in writing, the areas within the protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 1.a There shall be no changes in ground levels;
- 1.b No materials or plant shall be stored;
- 1.c No buildings or temporary buildings shall be erected or stationed;
- 1.d No materials or waste shall be burnt; and,
- 1.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **6 COM10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **7 COM9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where

appropriate

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage

2.c Hard Surfacing Materials

2.d External Lighting

2.e Other structures (such as seating equipment and other outdoor furniture)

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

**8 NONSC surface water drainage scheme**

Within 3 months from the date of this permission a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA and shall incorporate sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan.

Additionally it will:

- i. provide details of the surface water design and how it will be implemented to ensure no increase in flood risk from commencement of construction and during any phased approach to building.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan. The scheme shall also demonstrate the use of methods to minimise the use of potable water, and will:
- iv. incorporate water saving measures and equipment
- v. provide details of water collection facilities to capture excess rainwater;
- vi. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

## REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

### **9 NONSC English Heritage - GLAAS**

A) The use shall not commence until the applicant has installed secure posts to mark the 200m<sup>2</sup> area of archaeological interest as identified in drawing reference number 100-01B. The posts shall be maintained until mitigation measures agreed under part B are completed.

B) No burial or other groundworks shall take place within the area of archaeological interest until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a written scheme which has been submitted by the applicant and approved in writing by the local planning authority. The development shall only be implemented in accordance with the approved scheme.

Reason: A heritage asset of archaeological interest survives on the site. The planning authority wishes to secure the provision of appropriate protection or archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF Condition

## INFORMATIVES

### **1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### **2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to

	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

### **3 I1 Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

### **4 I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit

(www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

#### **5 116 Directional Signage**

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

#### **6 119 Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

#### **7**

Any archaeological investigation as part of the written scheme will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

This application relates to a broadly rectangular site, with approximately 0.95 hectares, located within the West Drayton Green Conservation Area. The site is located adjacent to the west of West Drayton Cemetery, to the south east of The Closes Recreational Grounds, to the north of Laurel Lane and to the south of Stainby Close, in West Drayton. The development site includes an area already in use for natural burials used in association with the existing West Drayton Cemetery, on the east side of the site.

The site itself is relatively flat and features a number of specimen trees which contribute to the Silvan character and environmental quality of the area. However, none of these are protected by Tree Preservation Orders (TPO). The character of the area is further enhanced by off-site trees, notably to the west of the site. The site can only be accessed via the existing cemetery and other than for maintenance purposes, there is currently no vehicular access to the site.

To the west of the site is the Closes Recreational Grounds which together with the St Georges Meadows form nine hectares of open parkland which lies within the West Drayton Conservation Area and Green Belt land.

The immediate areas adjacent to the north and south of the site are typical two storey residential areas with a small shopping parade further to the south in Laurel Lane. There are bus stops serving the U3 bus route in the vicinity of the site with West Drayton Railway Station being approximately 1km from the site and being enhanced by Crossrail services

from 2019. The site has a Public Transport Accessibility Level (PTAL) of 1b (on a scale of 1 to 6, where 6 is the most accessible).

### **3.2 Proposed Scheme**

#### **Background**

The existing cemetery is nearing capacity and there is an urgent and identified need for additional lairs in this part of West Drayton. This application seeks full planning permission to extend the existing West Drayton Cemetery burial ground to the land adjacent to the west to further accommodate 460 burial spaces to meet future needs.

#### **Proposals**

It is proposed to extend the existing West Drayton Cemetery to the west, towards the rear of built housing fronting Laurel Lane and Stainby Close. The proposal comprises a change of use of the land to form an enlarged cemetery that would also involve the construction of a 5 metres wide circulation ring road with access provided exclusively off the existing cemetery

The proposal will include areas for conventional burial plots and retention of the area for woodland burials. Three new buildings with a maximum height of 3.1 metres above ground levels are also proposed. These will be two metal storage containers to be located in a central position alongside the southern boundary of the site and a port cabin toilet within the grounds of the existing cemetery. A small area of open storage is also proposed alongside the southern boundary of the site.

The proposal will have no adverse impact on the landscape of the area although some trees will be felled to facilitate the development.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

Although there is no previous planning history that could be of relevance to the current application the last known use of this site was for allotment purposes.

## **4. Planning Policies and Standards**

### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

#### **Part 1 Policies:**

- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM4 (2012) Open Space and Informal Recreation
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

#### **Part 2 Policies:**



EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
OE1	Protection of the character and amenities of surrounding properties and the local area
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OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **29th October 2014**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Site Notice: Erected 10th October 2014

Some 110 neighbouring households, amenity groups, and local businesses were notified of the proposal on 8th of October 2014 with the consultation period ending on 29th October 2014.

The consultation period was subsequently extended to 12th November 2014, which involved the erection of a notice in a prominent location in West Drayton's Cemetery.

So far three letters have been received objecting to the proposals, one letter in support of the application scheme and one letter commenting on the proposals.

The letter received in support of the application was sent on behalf of the West Drayton Conservation Area Advisory Panel and raises no objection to the conversion of this plot to a beneficial use.

The letters in objection and commenting on the application raise the following concerns:

- i) Traffic impacts and parking
- ii) noise and anti-social behaviour
- iii) no provision for additional access to the cemetery
- iv) eyesore

English Heritage - GLAAS

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

The above planning application either affects a heritage asset of archaeological interest or lies in an area where such assets are expected. The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

In one trial trench the field evaluation has identified a group of postholes interpreted as the remains of a roundhouse possible of Bronze Age date. The other three trenches were negative. The gravels and Langley Silt geologies around Heathrow and in the Lower Colne Valley are known to have been favoured by the early farming communities of the Neolithic and Bronze Age. From the middle Bronze Age the landscape was divided up into fields within which have been found the sites of many small farms. However, few complete building plans have been recovered as most such sites have been truncated by subsequent land uses (e.g. Terminal 5 Heathrow) so this discovery would provide a modest but nevertheless significant contribution to our knowledge of this regionally significant prehistoric landscape. I have therefore identified a specific 'area of archaeological interest' within the proposed development site which encompasses the projected extent of the roundhouse and any immediately associated remains - see attached plan.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. The archaeological interest should be conserved by attaching a condition as follows:

A) No development shall take place until the applicant has installed secure posts to mark the area of archaeological interest. The posts shall be maintained until mitigation measures agreed under part B are completed.

B) No burial or other groundworks shall take place within the area of archaeological interest until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a written scheme which has been submitted by the applicant and approved in writing by the local

planning authority. The development shall only be implemented in accordance with the approved scheme.

Reason: A heritage asset of archaeological interest survives on the site. The planning authority wishes to secure the provision of appropriate protection or archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF Condition

Informative:

Any archaeological investigation as part of the written scheme will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.

The remains could either be preserved in-situ by not using the area for burials only surface features such as paths or flower beds (no trees or other groundworks greater than 0.5m below the modern ground surface) or alternatively it could be archaeologically excavated prior to any works in this area. The objective of further investigation would be to clarify the date and plan of the building and any associated remains. I envisage that the archaeological investigation would comprise the following:

#### Excavation

Archaeological excavation is a structured investigation with defined research objectives which normally takes place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-excavation assessment' will be prepared followed by an appropriate level of further analysis, publication and archiving.

Please do not hesitate to contact me should you require further information or assistance. I would be grateful to be kept informed of the progress of this application.

#### Environment Agency

We have reviewed the following documents:

- 1 Ground Investigation. Prepared for Hillingdon Borough Council by CET Infrastructure. report number: F14/146841/GEO. Report status/issue no: draft.  
Date of issue: October 2014.
2. Tier 1 Screening Desk study. (No date)

We object to this application as submitted because the information submitted is not sufficient to demonstrate that the proposed development would not pose an unacceptable risk of pollution of groundwater. We recommend that planning permission should be refused on this basis.

#### Reasons

The site is located on a Principal Aquifer and is a sensitive location for groundwater. The Geotechnical report and Tier 1 risk assessment submitted do not identify the depth to groundwater but we expect groundwater to be close to ground surface in the Principal Aquifer.

The National Planning Policy Framework (NPPF) paragraph 109 states that the planning systems should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

Our approach to groundwater protection is set out in 'Groundwater Protection:

Principles and Practice' (August 2013). In implementing the position statements in this guidance we oppose development proposals that may pollute groundwater especially where the risks of pollution is high and the groundwater asset is of high value. In this case position statement L3 - Cemeteries: Protecting groundwater in highly sensitive locations applies:

We will apply a risk-based approach to assessing the suitability of sites outside of the zones noted in our position statements L1 and L2. We will place a high priority on protecting groundwater within principal aquifers and groundwater catchments for drinking water supply. We will seek to avoid new cemetery developments for greater than 100 graves in these high vulnerability areas except where the thickness and nature of the unsaturated zone, or the impermeable formations beneath the site protect groundwater, or the long-term risk is mitigated by appropriate engineering methods.

Note that all cemetery developments and burials must maintain an unsaturated zone below the level of the base of the grave(s). We will work with the local authorities to identify alternative options where necessary. We consider the risk to the water environment in this location is intermediate, referring to Table 5.1 of Pollution Potential of Cemeteries, R & D Technical Report P223- Environment Agency. ISBN 1857050215 for the reasons outlined below. We therefore consider a Tier 2 risk assessment, completed by a suitably qualified and experienced person, is necessary to inform any extension in this location given the risks posed to controlled waters.

.the trial pits in the Geotechnical report show that the base of the silt is between 1.7 and 2.8 metres below ground level so cannot be relied upon to protect the groundwater In the Principal Aquifer beneath the site.

.we expect groundwater to be close to ground surface in the Principal Aquifer. Whilst the site investigation did not encounter groundwater it was undertaken at the time of year when groundwater level is typically at its lowest. The lack of data included in the report does not demonstrate that the risks have been assessed.

.the rate of burials per year is not identified and the risks are therefore unquantified.

.the Environment Agency only regulates groundwater abstractions that take 20 cubic metres or more per day from the ground. Certain private and small water supplies do not require an EA licence, therefore we are not necessarily aware of their existence. The locations of private domestic sources may be held by the local authority on the register required by the Private Water Supplies Regulations 1992. The LPA should check with the relevant department if there are any small / private water supplies from the gravel groundwater near the proposed cemetery extension. This because there is a risk of the extension, if granted, causing a deterioration of the water quality.

Your Local Plan Part 1 Strategic Policy EM8 states that "the Council will seek to safeguard and improve all water quality... Principal Aquifers will be given priority". We do not consider that sufficient information has been submitted to ensure compliance with this condition.

For further advice on assessing the Groundwater pollution potential of cemetery developments please see the attached guidance.

If you are minded to grant permission for the proposed development despite the above, it is essential you contact this office before a determination is made, in order for us to make further representations.

In accordance with the Planning Practice Guidance (Reference ID: 7 -043-20140306), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

#### PLANNING CASE OFFICER COMMENT

The objection from the Environment Agency was considered by the Council's Sustainability officer,

who has made the following comments:

The Agency objected due to a lack of information on ground conditions. They claimed that the applicant needs to demonstrate that there is no risk to groundwater from the contaminants expected from decomposition of organic matter.

They claim the information presented does not satisfy them that there would be no impacts to groundwater. Accordingly, they are seeking a much greater degree of information, although they have not specifically stated what they are seeking in this instance.

The Agency is incorrect to have taken a position that seeks that the development present 'no risk'.

The NPPF requires decision makers to make sure development does not present an 'unacceptable risk'. An important difference.

The ground investigation reports showed that the water table was at a sufficient depth for their to be a limited pathway between contaminants and the groundwater. The ground conditions are likely to be similar to the existing cemetery which the Agency raised no problems with.

It is the officers opinion then that whilst there is a risk (as with all developments to some degree), that the extension presents an acceptable risk. The presence of an existing cemetery without any known problems is testament to the suitability of the ground conditions.

Officers also feel that the Agency gave little consideration to the use of conditions to make unacceptable developments acceptable as set out in the NPPG.

Given the above, Officers feel the Agency objection is excessive. Its been based on an misunderstanding of the data provided and seeks a position of 'no risk' in contrast to what the NPPF requires. The reliance on the precautionary approach is overly cautious in this instance and inappropriately applied.

Officers have challenged the EA over the objection, in that it is considered concerns can be dealt with via planning conditions. No response has yet been received.

#### **Internal Consultees**

Tree Officer

Tree Preservation Order (TPO) / Conservation Area: This site is covered by West Drayton Green Conservation Area, however all important trees are to be retained.

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (off-site): No significant trees will be affected.

Conclusion (in terms of Saved Policy BE38): Acceptable.

Sustainability Officer

I have no objections to the proposed development. However, the ecology reports reveal that there will be a net loss in ecological value of the site including an important hedge line. The NPPF requires new development to provide a net gain in ecological value.

The following condition is therefore necessary:

CONDITION

Prior to the commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping including the replacement planting of a hedgerow, as well as measures such as habitat walls, bird and bat boxes and nectar rich planting. If the enhancement cannot be located onsite then a suitable offsite location must be considered. The development must proceed in accordance with the approved scheme.

Reason: To ensure the development contributes to ecological enhancement in accordance with Policy EM7 (Local Plan) and Policy 7.28 of the London Plan.

#### Design and Conservation

There are no objections to these proposals in conservation or design terms, as it is unlikely that there would be any adverse impact on the appearance of the West Drayton Green Conservation Area. As the site is within an APZ, advice from GLAAS and a suitable consultant will need to be obtained.

#### Highways

Further to reviewing the above, it is considered that the proposals would not materially increase the traffic generation or the demand for car parking along the adjacent highway network above that of the existing use at the site. In addition, it is noted that the internal access road within the site will be constructed at a width of 5.0m, which will allow for the parking of visitor and maintenance vehicles within the site. Furthermore, car parking is permitted adjacent to the site access along the existing service road.

Therefore, a highway objection is not raised in relation to the proposals.

#### Accessibility Officer

No objections to the scheme.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The subject site comprises 0.95 hectares of vacant land to the west of the West Drayton Cemetery.

The proposal seeks to extend the West Drayton Cemetery to within this land and would include vehicular and pedestrian access, creation of a further 460 burial spaces, associated storage buildings and areas, and landscaping. In addition, planning permission is being sought to provide a portacabin toilet within the grounds of the existing cemetery.

Central Government Guidance requires Local Authorities to make the best use of urban land within the Borough while safeguarding the quality of the surrounding environment and the amenity of neighbouring residents. The National Planning Policy Framework (NPPF) supports sustainable economic growth and sets out a presumption in favour of sustainable development by planning for prosperity, planning for people and planning for places. The National Planning Policy Framework (NPPF) requires the Council to make the most efficient use of land by maximising the re-use of previously developed land.

The London Plan 2011 provides regional policy when considering applications for cemeteries and burial grounds. With reference to cemeteries, the London Plan states that the Mayor will work with boroughs, cemetery providers and other key stakeholders to protect existing burial spaces and to promote new provision. It confirms in paragraph 7.68 that some boroughs have either run out of, or are about to run out of burial space. London Plan Policy

7.23 'Burial Spaces' then requires that Boroughs ensure provision is made for London's burial needs, including the needs of those groups for whom burial is the only option.

The proposal would represent a logical extension to the existing cemetery by infilling a vacant area immediately next to the existing burial grounds. The development would be of an appropriate scale to the size of the settlement and it is unlikely to prejudice the character of the conservation area or affect the landscape setting although factors that may affect these criteria are assessed further below.

As such, the principle of the proposal, seeking to provide extended burial grounds within this land on balance, in land use terms, is considered acceptable, subject to the consideration of all other relevant policy guidance and other material considerations.

It is envisaged that the proposal would make a significant positive impact in meeting an identified need within this part of West Drayton and the wider London in general and the proposal is therefore considered to be in accordance with the NPPF, the London Plan 2011 and the Councils Local Development Framework. The acceptability of the development in land use terms is, however, subject to the consideration of all other relevant policy guidance and material considerations which are considered below.

#### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

The site is located within the West Drayton Green Conservation Area and abuts the eastern boundary of the Metropolitan Green Belt. However, by its very nature, the proposal will not be visually obtrusive in that the only physical features of the graveyard will be headstones and small storage buildings provided in support of the proposed use. It is therefore considered that the proposals would preserve the inherent qualities of the West Drayton Conservation Area.

#### **7.05 Impact on the green belt**

Paragraph 89 of the NPPF state that cemeteries are appropriate development within the Green Belt. The site abuts the eastern boundary of the Metropolitan Green Belt at the western edge of The Closes Recreational Grounds. As such, it is not considered that extending the existing cemetery up to the western boundary of the Metropolitan Green Belt would constitute appropriate development and would not result in harm to the open character of the Green Belt.

#### **7.07 Impact on the character & appearance of the area**

The application site occupies an area of vacant land alongside the existing West Drayton Cemetery and the proposal includes an extension to the existing burial grounds, two small metal storage buildings, one open storage area and a toilet facility within the existing cemetery. The extended cemetery would be rectangular in shape and the lairs are arranged within the site in north-south orientated axes laid out parallel to the existing burial grounds.

The site layout seeks to allow the access and circulation elements of the proposal, including vehicular and pedestrian circulation, on a ring road shaped path set as an extension to the existing access arrangements. The resulting development would therefore see a logical positioning of the lairs and circulation within the site which achieves maximum retention of trees with visual amenity value whilst ensuring that access arrangements and associated use activity will be located further away from the residential properties. Similarly, storage areas and buildings are proposed within a service yard in a central position alongside the southern boundary where access to the proposed ring road will have less impact on the operation of the site itself and on the amenity of neighbours.

The proposal would not be readily visible from public vantage points and the extended cemetery would be accessed exclusively via the existing burial grounds. As such, it is not considered that the cemetery would adversely affect the appearance of the landscape and would be largely read alongside the built up area beside which it would be situated and as an integral part of the existing burial grounds. Whilst the proposal would introduce some built form within the site it is considered that the ratio between hard and soft landscaping is, on balance, acceptable whilst noting the potential scope for replacement planting and landscaping within the site.

Overall, it is considered that the proposed development would site appropriately within its surroundings in accordance with Policies BE4 and BE13 of the Local Plan Part Two: Saved Policies UDP.

#### **7.08 Impact on neighbours**

Concerns have been raised by local residents regarding the issue of people causing congestion and noise. Due to the scale of the site, it is not considered that it will be frequently used and therefore any impact on residents by funeral processions or visitors to the site will be minimal and sporadic.

In terms of the representations received, neighbours were concerned over the fact that the cemetery is to be extended too close to the houses. However, the existing landscape belt will be retained alongside the boundaries of the site to provide a buffer strip between the burial grounds and residential development in the immediate vicinity of the site.

The proposed metal storage buildings and portacabin toilet would be single storey in height with a maximum height of 3.1 metres. These buildings will be sited with a sufficient separation distance to the boundaries of the nearest properties as to ensure that no unacceptable shadows or reduction in sunlight and daylight into the neighbouring properties would occur. Similarly, due to their use, height and orientation these buildings would not directly impact on the privacy of the adjoining occupants.

The proposal will not generate any noise, and given its distance from nearby residential properties, it will not cause any adverse over bearing or overlooking impact, particularly during times when a funeral is taking place on the site.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The Council's Highways Engineer has raised no objection to the proposal to extend the existing cemetery. The development already provides suitable access and parking arrangements and therefore would not result in any roads or access issues.

#### **7.11 Urban design, access and security**

Urban Design:  
Addressed in Section 7.07 of this report.

Security:

The site will retain its self contained character and no new access to the site is proposed. The storage containers were originally proposed alongside the western boundary where they could provide an easy step up into the site from the Closes Recreational Grounds adjacent to the application site. As amended, the storage buildings have been moved to a central position some 15 metres distance of the southern boundary where they cannot be easily accessed. As such, it is considered that an appropriate level of security would be achieved.

#### **7.12 Disabled access**



Addressed in Section 7.12 of this report.

#### **7.14 Trees, landscaping and Ecology**

The NPPF states that development proposals should seek to respect and retain, where possible, existing landforms and natural features of development sites, including trees of amenity value, hedges and other landscape features. It states that development should make suitable provision for high quality hard and soft landscape treatments around buildings. Landscape proposals will need to ensure that new development is integrated and positively contributes to or enhances the streetscene. In addition, proposal should seek to create, conserve or enhance biodiversity and improve access to nature by sustaining and, where possible improving the quality and extent of natural habitat enhancing biodiversity in green spaces and among developments.

In this case, the proposal requires the removal of 15 small trees within the site and the removal of a hedge along the eastern boundary of the site. All other trees would remain, including the significant clusters of trees alongside the site's north, south and eastern boundaries. The Council's Trees Officer has reviewed the application details and considers that the removal of these trees would not affect the character of the West Drayton Conservation Area or streetscape, as the trees are not considered to have a significant visual or amenity value.

The cemetery extension would amount to a relatively small area of the surrounding landscape and it is considered that the retention of the majority of the existing planting would ensure that the site contributes to soften the appearance of the area whilst assisting in screening the activities associated with the burial grounds from neighbouring properties. As such, it is considered that the visual impact of the proposal would therefore not adversely affect the visual amenity of the area and would preserve the character of the West Drayton Green Conservation Area.

The ecology reports submitted in support of the scheme states that there will be a net loss in ecological value of the site, in particular due to the loss of the hedge alongside the eastern boundary of the site including. The NPPF requires new development to provide a net gain in ecological value. As such, a condition is recommended requiring that an ecological enhancement scheme be submitted to and approved in writing by the Local Planning Authority

Subject to conditions to secure an ecological enhancement scheme it is considered that the proposal would accord with Policies BE38, OL2, EC2, EC5 and EM7 of the Local Plan Part Two and Policies 7.19 and 7.28 of the London Plan.

No objection is therefore raised to the proposals on landscaping or ecological grounds.

#### **7.15 Sustainable waste management**

Not applicable to this application.

#### **7.16 Renewable energy / Sustainability**

Not applicable to this application.

#### **7.17 Flooding or Drainage Issues**

The Environment Agency have objected to the scheme and this objection has been considered by the Council's officers. Their objection relates to a lack of information provided on ground conditions. They state that the applicant needs to demonstrate that there is no risk to groundwater from the contaminants expected from decomposition of organic matter and are seeking a much greater degree of information, although they have not specifically

stated what they are seeking in this instance.

The NPPF requires decision makers to make sure development does not present an 'unacceptable risk' and the ground investigation reports show that the water table is at a sufficient depth for there to be a limited pathway between contaminants and the groundwater.

The ground conditions are likely to be similar to the existing cemetery which the Agency raised no problems with.

It is the officers opinion then that whilst there is a risk (as with all developments to some degree), that the extension presents an acceptable risk. The presence of an existing cemetery without any known problems is testament to the suitability of the ground conditions.

Officers have challenged the Environment Agency in regards to their comments as it is considered by the Councils Specialists that the concerns can be dealt with via suitably worded planning conditions. No response has been received from the Environment Agency to date. Any update and further comments will be reported at the Planning Committee meeting.

#### **7.18 Noise or Air Quality Issues**

Noise:

Addressed in Section 7.08 of this report.

Air Quality:

It is considered that the development would not give rise to any significant impacts on local air quality.

#### **7.19 Comments on Public Consultations**

The concerns raised within the objection letters are considered to be fully addressed within the body of the report.

#### **7.20 Planning obligations**

The development would not generate any externalities requiring mitigation and in this instance it would not give rise to any planning obligations.

#### **7.22 Other Issues**

The Environment Agency (EA) have raised objection to the scheme as they consider there to be a risk to controlled waters.

The objection has been considered by the Council's Sustainability officer, who does not consider the objection to be well founded. Officers are in liaison with the Environment Agency and it is anticipated that the objection will be removed, and the concerns dealt with via planning conditions.

The resolution therefore seeks approval, subject to the EA removing their objection.

### **8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

None.

#### **10. CONCLUSION**

Taking all of the relevant planning considerations into account, the principle of the development is acceptable and there would be no issues with regard to unreasonable

impact on neighbouring properties, drainage, land use conflict, visual impact, and roads and access. The proposal would support a key aim of the London Plan by ensuring that an identified need is met and is also considered to be in accordance with the provisions of policies in the adopted development plan.

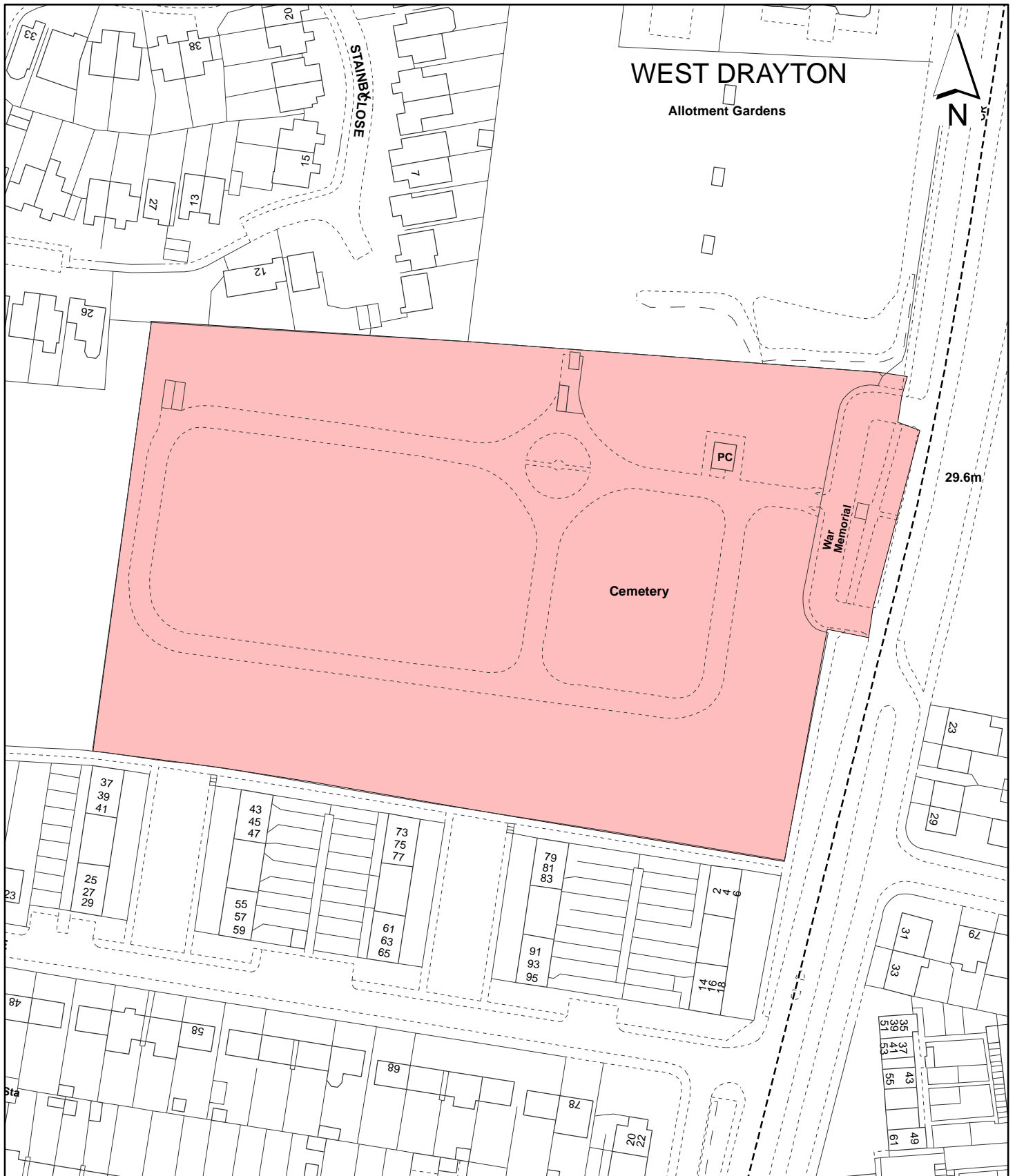
In the absence of any other material considerations to indicate otherwise, the application is recommended for approval subject to the conditions stated.

#### **11. Reference Documents**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (July 2011)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document: Accessible Hillingdon (May 2013)  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Noise  
Hillingdon Supplementary Planning Document - Air Quality  
Hillingdon Supplementary Planning Guidance - Land Contamination

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**Notes**

 Site boundary

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Site Address

**West Drayton Cemetery  
 Harmondsworth Road  
 West Drayton**

**LONDON BOROUGH  
 OF HILLINGDON**

**Residents Services  
 Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:

**70315/APP/2014/3404**

Scale

**1:1,250**

Planning Committee

**Major**

Date

**December 2014**



**HILLINGDON**  
 LONDON