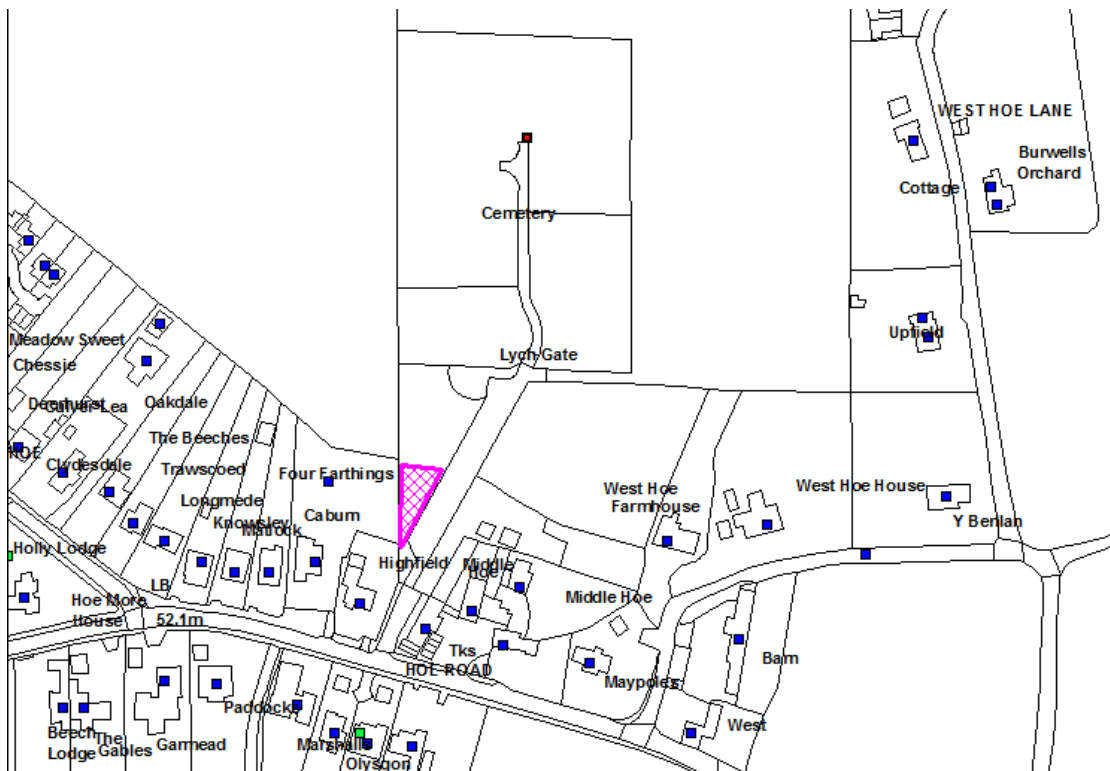


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 18/02844/FUL
Proposal Description: Change of use of open land to a pet cemetery
Address: Cemetery Hoe Road Bishops Waltham Hampshire
Parish, or Ward if within Winchester City: Bishops Waltham
Applicants Name: Mrs Lindsay Edge
Case Officer: Lisa Booth
Date Valid: 12 December 2018
Recommendation: Application Permitted



© Crown Copyright and database rights Winchester City Council License 100019531

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application is reported to Committee as the number of objections, received – 9 objections from 8 different addresses

The site area was plotted on the site plan incorrectly and an amended plan was submitted to show the extent of the land subject to the change of use application.

Site Description

The site is a triangular shaped grassed area of land measuring approximately 25m x 13m situated within the overall cemetery complex.

The Cemetery car park is accessed via an access road off Hoe Road. The area of land is directly adjacent to the car parking area.

The land is currently open to the car park on the eastern edge with a newly planted hornbeam hedge on the boundary. A picket fence and gate is in place along the northern boundary and trees and hedges along the western boundary. Mature hedges separate the main cemetery areas from the car park and grassed areas.

Proposal

The proposal is to change the use of the land for use as a pet cemetery. It will create a dedicated area for the interment of the ashes of small animals. Individual plots (50cm square) will be located in well-spaced rows, either as a simple plot or with a memorial tablet (30cm square).

Relevant Planning History

78/00971/OLD - Use of land as burial ground. PER 8th December 1978

89/00480/OLD - Lych Gate. PER 27th June 1989.

Consultations

WCC Engineers: Highways:

It is expected that the traffic generated would be fairly low – No objections.

WCC Head of Environmental Protection (Contaminated Land):

No adverse comments

Environment Agency:

No objection

Representations:

Bishops Waltham Parish Council

- No comments received – Parish Council application

Case No: 18/02844/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

10 letters from 9 different addresses received objecting to the application for the following reasons:

- Precedent will be set – no other pet cemeteries nearby.
- What would happen if full – more space would be required.
- Application is the cause of a lot of bad feeling/upsetting/morally wrong – don't feel pets should be buried with humans/not all people are pet lovers.
- Should use an alternative parcel of land, not within the cemetery grounds – pet cemetery is a specialist site.
- Bishops Waltham is a growing population – land will be needed for humans.
- Close to memorial garden.
- Will increase traffic and parking near to the gate and entrance.
- At present well kept and maintained – if not it will be visible from the road.

1 letters of support received.

- Will provide a much needed facility for pet owners in the area. While pet crematorium are available in the district, there are no pet cemeteries nearby for the interment of these ashes.
- Pet cemeteries adjacent to conventional cemeteries are becoming more widely available (such as at sites operated by Bath & North Somerset and Islington & Camden) so this seems a perfectly acceptable type of development and valuable amenity for residents.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA1, MTRA4, CP6, CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations
DM10, DM16, DM17, DM18, DM23

National Planning Policy Guidance/Statements:
National Planning Policy Framework 2018

Supplementary Planning Guidance
Bishops Waltham Village Design Statement

Planning Considerations

Principle of development

Bishops Waltham Parish Council have identified a need for the provision of a pet cemetery and are proposing to use a small area within the confines of the existing cemetery grounds. Policy CP6 of Local Plan Part 1 allows for 'new, extended or improved facilities and services', which includes cemeteries/burial grounds. Therefore, the principle of the provision of a pet cemetery, within the confines of the existing cemetery is considered to be acceptable in accordance with this policy.

Design/layout

The pet cemetery will be confined to a triangular, grassed area of land, which is partly fenced, with a newly planted hornbeam hedge along the boundary with the car parking area to the south-east.

Case No: 18/02844/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The cemetery will only be accepting ashes from registered crematoria removing the risk of contamination and will be for small animals such as dogs, cats, rabbits or guinea pigs. The area (approximately 40m on its longest length by 20m) will be separate from the main cemetery and will provide individual plots (50cm square) and will be located in well-spaced rows, either as a simple plot or with a memorial tablet (30cm square).

Impact on character of area and neighbouring property

The site is set back from the main road and will be screened by a hornbeam hedge on the south-east boundary and an established hedge on the western boundary. Although the site will be visible when entering the car park, it is not considered that it will result in demonstrable visual harm. The site runs along the dense boundary hedge with the dwelling Caburn. However, it is not considered that there will be any impact on the amenities of this property.

Landscape/Trees

There is a newly planted hornbeam hedge running along the south-east boundary, which is to be retained. There are no material impacts on any other trees or hedges.

Highways/Parking

The proposed use of the land is considered to be low key and will have minimal increase in traffic. The Highway Officer requested further information on expected traffic generation and raised no highway objections.

Other Matters

There have been a number of objections from families that have relatives buried within the main cemetery and have raised fairly emotive objections to the proposal. Although sympathetic to their feelings, the issue of morality is not a material planning consideration and cannot be taken into account when judging planning applications.

If there is any future need to increase the space for the pet cemetery, then such proposals would be judged on their individual merits based upon the circumstances that are relevant at the time of assessment.

There is no evidence to suggest that the proposal site will not be as well maintained as the existing cemetery grounds in accordance with the Cemetery Committee's rules and regulations which the Parish Council have a recognised role to uphold.

It is noted that the proposal has been registered with the Animal and Plant Health Agency and a visit has been undertaken by an Animal Health Officer.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

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

Case No: 18/02844/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,

- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues after the initial site visit.

02. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

03. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: MTRA1, MTRA4, CP6, CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM10, DM16, DM17, DM18, DM23

04. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

05. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

06. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

Case No: 18/02844/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

For further advice on this please refer the Construction Code of Practice
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>