

Planning Committee: 22 November 2006

Item Number:

Application No: W 06 / 1055

Registration Date: 20/06/06

Town/Parish Council: Bishops Tachbrook

Expiry Date: 15/08/06

Case Officer: Rob Young

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**Oakley Woods Crematorium, Newbold Road, Bishops Tachbrook,
Leamington Spa, CV33 9QP**

Proposed woodland burial site FOR Warwick District Council

This application is being reported to Committee as it is an application by the District Council and it is not a minor matter.

SUMMARY OF REPRESENTATIONS

Parish Council: No objection. However, feel strongly that the whole of this ancient woodland should be effectively managed and allowed to regenerate, not just the proposed woodland burial site. Therefore would like a condition attached to any planning approval that any proceeds / profit from the site be used for the management of the whole woodland, and not confined to the proposed burial site only.

Forestry Commission: *The application comprises some proposals that would not normally benefit the integrity of an Ancient Woodland Site (AWS) and may actually degrade the woodland. Under PPS9 S10 Sites and Biodiversity and Geological Conservation Value, any loss and deterioration as a result of the proposals would be contrary to Forestry Commission policy.*

Therefore the Forestry Commission recommends that no development should take place in relation to this proposal until full details of the species and habitats involved are studied in depth, and the impacts of and from the creation and management of this woodland burial scheme have been detailed and mitigation options identified. In particular the Forestry Commission has concerns about the long-term damage to AWS ground flora from ground disturbance during and after woodland burials taking place, and about how much ancient woodland site loss may be required in the longer term to accommodate the proposed burial site. The Forestry Commission supports the level and nature of information being requested by the County Ecologist.

Following a meeting with the applicant, the Forestry Commission have submitted a further letter, confirming that their previous comments still apply, but making further comments as follows:

I am aware of the diminished ecological quality of the woodland area within this planning application. The woodland was stripped of its native tree canopy many years ago and this was replaced with non-native conifers that have now matured, and with some natural regeneration of colonising species such as birch. The ground flora and shrub layer has poor diversity at this time due to shading and needle litter from the conifers. The work being proposed to silviculturally thin the

woodland adjacent to the crematorium would be of great benefit in reinstating some of the native ground flora and shrub layer by allowing more light to reach the woodland floor.

The one concern from the current planning proposal would be disturbance to the soil and soils structure as a result of the digging of woodland burial positions. On a small scale, and in a limited part of a larger woodland (as is currently proposed), the impact of such activity could be tolerated if the overriding public benefit can be demonstrated. However, on Ancient Woodland Sites such as Oakley Wood, this proposal cannot be considered as a sustainable, long term and expansive operation as it is simply not in keeping with local, regional, national and international biodiversity policies.

The Forestry Commission would recommend that an alternative, non Ancient Woodland Site be found so that this development can take place in the themed woodland environment proposed, but without impacting significantly on this important, but currently poor quality, woodland habitat.

WCC (Ecology): Ecosite 17/35, Oakley Wood (also pSINC SP35E1). Ancient Woodland (replanted). No known records of protected species within application site although records of badger and grass snake in surrounding area.

After a brief site visit the area of woodland that will be impacted on by the proposal consists of mixed plantation woodland with all trees of a similar age and a species poor understorey and ground flora. The development presents an opportunity to enhance the biodiversity of the site if it is brought into appropriate management. We therefore recommend that a management plan be created for the site before any work commences. The scheme should be created in accordance with the Woodlands and the Parks and Public Open Spaces Biodiversity Action Plans and include: thinning of trees along paths creating woodland rides and open areas; coppicing existing understorey species such as hazel and the controlling of bracken to allow natural regeneration of the ground flora.

As the site is within the boundary of an Ancient Woodland we recommend that the Forestry Commission be notified of this application. Recommend conditions on habitat creation / restoration scheme, and that any proposed planting on the site should use locally indigenous tree and shrub species, preferably of local provenance. Also recommend notes on badgers, grass snakes and nesting birds.

WCC (Archaeology): It is unlikely that these proposals would cause significant damage to any deposits of archaeological interest. I therefore have no further archaeological comment to make on this application.

RELEVANT POLICIES

- (DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)
- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- RA.1 - Development in Rural Areas (Warwickshire Structure Plan 1996-2011).

PLANNING HISTORY

There is no relevant planning history relating to the application site.

KEY ISSUES

The Site and its Location

The application relates to the Mid-Warwickshire Crematorium, which is situated within open countryside south of the M40. The crematorium is surrounded by an area of woodland that is designated as an ancient woodland. The application relates to part of the woodland to the west of the existing crematorium buildings and to the south of the memorial garden. This area of woodland is made up primarily of non-native conifers and naturally regenerated birch. A public footpath runs along the eastern boundary of the site.

Details of the Development

The application proposes to create a woodland burial site. It is proposed that the woodland would be selectively thinned of the poor quality timber and replanted with oak as part of the woodland burial. The burials would be completely natural, which means that as far as possible nothing artificial would be put into the ground. Funeral services could be held in the existing chapels at the crematorium, or at a different venue if preferred.

Assessment

The main issue relevant to the consideration of this application is the impact on the ancient woodland and the ecological value of the site.

I note the comments of the Forestry Commission, and in view of the poor quality of this area of woodland, and the small scale of the proposals, I am of the opinion that the proposals would have an acceptable impact on the ancient woodland. The proposals would allow for the management and regeneration of this part of the woodland, and therefore I consider that it would enhance the ecological value of the site. In line with the comments of the County Ecologist, a condition is recommend to require the implementation of a habitat creation / restoration scheme as part of the development. The Forestry Commission are concerned about future expansion into other parts of the woodland, but any such proposals would need to be the subject of a further planning application, at which point any concerns about expansion could be considered.

The proposals would not have a significant visual impact as no built development is proposed and the graves would only be marked by a tree. Furthermore, the site is well screened by the surrounding woodland.

There is parking available at the crematorium and the existing chapels could be used for funeral services.

I note the request from the Parish Council that any proceeds/profits from the site be used for the management of the whole woodland. However, I am of the

opinion that such a requirement would be beyond the scope of this planning application and would not be reasonably related to the development proposed.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted must be begun not later than 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, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) LE/OW/01WB, and specification contained therein, submitted on 20 June 2006, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 No burial shall take place until full details of a habitat creation/restoration scheme have been submitted to and approved in writing by the District Planning Authority, and the scheme shall be implemented in strict accordance with the approved details. The details shall include:
 - i) purpose, aims and objectives for the scheme;
 - ii) a review of the site's ecological potential and any constraints;
 - iii) description of target habitats and range of species appropriate to the site;
 - iv) selection of appropriate strategies for creating/restoring target habitats or introducing/encouraging target species;
 - v) selection of specific techniques and practices for establishing vegetation;
 - vi) sources of habitat materials (e.g. plant stock) or species individuals;
 - vii) method statement for site preparation and establishment of target features;
 - viii) extent and location of proposed works;
 - ix) aftercare and long term management;
 - x) the personnel responsible for the work;
 - xi) timing of works;
 - xii) monitoring; and
 - xiii) disposal of wastes arising from the works.

All habitat creation works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the District Planning Authority. **REASON** : To protect and enhance the biodiversity of this ancient woodland site, in accordance with Policy (DW)E27 of the Warwick District Local Plan 1995.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not prejudice the ecological value or integrity of this ancient woodland location, and is considered to comply with the policies listed.
