

LOCAL MEMBER, AM & MP OBJECTIONS & PETITION

COMMITTEE DATE: 19/09/2018

APPLICATION No. **18/01545/MJR** APPLICATION DATE: 03/07/2018

ED: **LISVANE**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council

LOCATION: LAND ON THE EAST SIDE OF THORNHILL ROAD AND NORTH OF M4, LISVANE, CARDIFF

PROPOSAL: CHANGE OF USE FROM AGRICULTURAL LAND TO A BURIAL SITE AND ASSOCIATED BUILDINGS, INFRASTRUCTURE AND ENGINEERING WORKS, INCLUDING NEW AND ALTERED VEHICULAR ACCESS TO/FROM THORNHILL RD, PROVISION OF ROADS, FOOTPATHS, CAR PARK, TOILET BLOCK, PUBLIC SHELTERS, BURIAL AREAS, LANDSCAPING WORKS (INCLUDING SUDS), AND RE-GRADING OF SITE LEVELS

RECOMMENDATION 1 : That planning permission be **GRANTED** subject to the following conditions :

1. C01 Statutory Time Limit
2. Subject to the provisions of the conditions below, the development shall be carried out in accordance with the following approved plans and documents:
 - 'Site Location' (drawing no. CO17144-01)
 - 'Existing Site Plan' (drawing no. CO17144-02)
 - 'General Arrangement' (drawing no. CO17144-03RevA)
 - 'Proposed Landscaping' (drawing no. CO17144-04RevA)
 - 'Proposed Drainage' (drawing no. CO17144-05RevA)
 - 'Proposed Long Section' (drawing no. CO17144-06RevA)
 - 'Proposed Sections Sheet 1 of 3 (drawing no. CO17144-07-1RevA)
 - 'Proposed Sections Sheet 2 of 3 (drawing no. CO17144-07-2RevA)
 - 'Proposed Sections Sheet 3 of 3 (drawing no. CO17144-07-3RevA)
 - 'Proposed Building & Shelter' (drawing no. CO17144-08RevA)
 - 'Flower Preparation and Bin Store' (drawing no. CO17144-09)
 - 'Development Extents' (drawing no. CO17144-11)
 - 'Vehicle Movements' (drawing no. CO17144-12)
 - 'Proposed Landscaping Post Construction' (drawing no.

- CO17144-3000-01RevA)
- 'Proposed Landscaping Mid Life Point' (drawing no. CO17144-3000-02RevA)
- 'Proposed Landscaping Fully Developed' (drawing no. CO17144-3000-03RevA)
- 'Drainage Standard Details Sheet 1 of 4' (drawing no. 70042065-WSP-XX-XX-CE-510)
- 'Design and Access Statement (Planning Stage)' Issue 2 August 2018'
- 'Transport Assessment Ver 1.4 July 2018'
- 'Landscape and Visual Impact Assessment Version 3 August 2018'
- 'BS5837 2012 Tree Information' (Treecare Consulting, 2018)
- 'Aerial tree Inspection' (Gritstone Ecology, Ref CA11281 dated August 2018)
- 'Addendum to Thornhill Crematorium Extension – BS5837 – Tree Data By Treecare Consulting Addendum prepared Jonathan Green CMLI, Cardiff Council - Arboricultural Impact Appraisal' including Appendix A: A1A Proposed Sections 1-4
- 'Ecological Impact Assessment' (Report number 002, Version 0.1 August 2018)
- 'Clarification regarding filter drain depth' (Word document ref 2075755)
- 'Preliminary Ecological Appraisal' (Report number 001- Rev A April 2018)
- 'Tier One Hydrological Risk Assessment' (Peter Mitchell Associates January 2015)
- 'An investigation into the soil condition and drainage status of land designated for a proposed extension to Thornhill, Cardiff' (TGMS Ltd Cemetery Development, Revision 2 6th April 2018)

It should be noted that drawing no CO17144-10 'Proposed Visuals' no longer forms part of the application.

Reason: For the avoidance of doubt.

CONDITIONS TO BE DISCHARGED

ACCESS DETAILS AND HIGHWAY WORKS

3. Notwithstanding the provisions of condition 2, prior to the commencement of development or any site clearance, details of (i) the proposed cemetery site vehicular and pedestrian access off Thornhill Rd, (ii) the vehicular and pedestrian access to the PROW off Thornhill Road, (iii) the internal pedestrian and vehicular access that links to New House Farm and (iv) the proposed footway, bus stops and location of the 30mph speed limit along Thornhill Road shall be submitted to and approved in writing by the Local Planning Authority. The details shall show the required vision splay and the alignment of existing and any diverted/proposed functional services above and below ground and their associated easements (e.g. the trunk and distribution watermains, the low pressure gas main and any power and communication cables).

Details submitted under criterion (ii) shall include a metalled waymarker post at the start of the PROW footpath where it joins off Thornhill Road. Details submitted under criterion (iii) shall include a directional waymarker showing the PROW footpath that goes off in the direction of the Farm shop. The development shall be carried out in accordance with the approved details prior to the development being put into beneficial use, with the implementation of the 30mph speed limit being subject to any associated Traffic Regulation Orders being approved. Reason: To ensure the provision of satisfactory access to and from the site.

ENTRANCE GATES

4. Notwithstanding the provisions of condition 2, no development or site clearance shall take place until details of all of the entrance gates and means of site enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the development being put into beneficial use.
Reason: To ensure that the visual amenities of the area are protected.

MATERIAL SAMPLES OF THE MAIN ENTRANCE

5. No development shall take place until samples of the external finishing materials of the main entrance off Thornhill Rd have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the development being put into beneficial use. Reason: To ensure that the visual amenities of the area are protected.

CYCLE PARKING

6. Notwithstanding the provisions of condition 2, no development shall take place until details showing the provision of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use and shall be maintained thereafter and shall not be used for any other purpose.
Reason: To ensure that adequate provision is made for the secure parking of cycles.

TREE ASSESSMENT

7. Notwithstanding the provisions of condition 2, no development or site clearance shall take place until a tree assessment has been submitted to and approved in writing by the Local Planning Authority. The tree assessment shall include:
 - a) A finalised Arboricultural Impact Assessment (AIA)
 - b) An Arboricultural Method Statement (AMS) setting out the methodology that will be used to prevent loss or damage to retained trees
 - c) A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown

graphically.

The development shall be carried out in full conformity with the approved AIA, AMS and TPP.

Reason: To protect the arboricultural and ecological resource.

HARD AND SOFT LANDSCAPING SCHEME

8. Notwithstanding the provisions of condition 2, no development or site clearance shall take place until full details of both hard and soft landscape works and an implementation plan have been submitted to and approved in writing by the local planning authority. The details shall include the following: proposed finished ground levels in relation to existing ground levels; retaining structures; existing and any diverted/proposed functional services above and below ground (e.g. the trunk and distribution water mains, the low pressure gas main, the high voltage power cable that is proposed to be undergrounded and any other drainage, lighting, power and communication cables) and their associated easements; vehicle, cycle and pedestrian circulation areas and any other hard surfacing materials; external lighting; minor artefacts and structures including litter bins and signs; finalised scaled planting plans (noting schedules of plants, species, plant sizes and proposed numbers/densities); top soil and sub soil specifications in accordance with the Soil Resource Survey and Plan required under condition 9 (SOILS); scaled tree pit sectional and plan drawings that show the Root Available Soil Volume for each tree; planting and post-planting aftercare methodology including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications; details of the proposed proprietary green roofs, proposals for remediation in the event that any element of the landscaping fails and a landscaping implementation programme. (The topsoil and subsoil specifications shall include full details of soil assessment, protection, stripping, storage, handling, amelioration and placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil is appropriate for the landscaping type proposed and not only meets British Standards, but exceeds them in terms of suitability for the proposed end use. The specification shall be supported by a methodology for handling, amelioration and placement.) The development shall be carried out in accordance with the approved details.

Reason: To maintain and improve the appearance of the area and in the interests of visual amenity.

SOILS

9. No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009). The

development shall be carried out in full conformity with the approved SRP unless modifications to the SRP are agreed in writing by the Local Planning Authority.

Reason: To ensure the successful delivery of green infrastructure proposals.

DRAINAGE SCHEME

10. Notwithstanding the provisions of condition 2, no development shall commence until a scheme for the disposal of foul, surface water and land drainage, including details of the implementation, inspection, maintenance and management of that scheme, has been submitted to and approved in writing by the Local Planning Authority in consultation with NRW, DCWW and Welsh Government Network Management Division. Before these details are submitted, an assessment shall be carried out of the site potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a period for its implementation; and
- iii) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The submitted details shall show the alignment of existing and any diverted/proposed functional services above and below ground (e.g. the trunk and distribution water mains, the low pressure gas main and any power and communication cables) and their associated easements. Details for the disposal of surface water shall include construction details and specifications, details of the construction of the attenuation pond(s), details of the connection to the existing M4 motorway drainage system and details of flow rate attenuation. Details for the disposal of foul water to a cesspit/pool shall include details of: the design and management of the installation of the cesspit, a level warning device to indicate when the tank needs emptying, and a maintenance and monitoring plan. The cesspit shall meet the requirement of British Standard BS 6297. The scheme for the disposal of foul, surface water and land drainage shall be implemented as approved prior to the development being put into beneficial use and shall be retained and maintained for the lifetime of the development. Reason: To ensure protection of controlled waters and the environment.

GREEN INFRASTRUCTURE MANAGEMENT STRATEGY

11. Notwithstanding the provisions of condition 2, no development or site clearance shall take place until a Green Infrastructure Management Strategy (GIMS) for the delivery, establishment and ongoing

management, maintenance and monitoring of green infrastructure for the site has been submitted to and approved in writing by the Local Planning Authority. The GIMS shall include the following details:

- a) Proposals for the protection, creation, enhancement, management and maintenance of habitats, including Llanishen Brook (North) SINC, hedgerows, trees, woodland, grasslands, water features and SuDs, and verges
- b) Assessment/survey, mitigation and enhancement measures to be delivered for European and other protected species affected by the development, including nesting birds, bats, dormice, badgers, reptiles, Great Crested Newts and common toad.
- c) A plan showing the location of proposed bat, bird and dormice nest boxes.
- d) A lighting scheme to control light spillage to wildlife corridors and habitats
- e) An independent assessment of, and proposals to ensure, the safety of the proposed pond(s) and SuDS features for the general public
- f) Treatment for the eradication of Japanese Knotweed and any other unsuspected invasive species found at the site
- g) Proposals for the laying out, operation and future maintenance of the burial areas and memorial garden landscaping
- h) Implementation programme

The approved GIMS shall be implemented in accordance with the approved details and programme for implementation. Should monitoring and/or surveys indicate a failure of the mitigation measures or a decline in a population, remedial measures shall be agreed in writing with the Local Planning Authority and shall be implemented as agreed.

Reason: To protect and enhance the Green Infrastructure resource of the site and to safeguard species protected by the Conservation of Habitats and Species Regulations 2017.

CEMP

12. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the storage of plant and materials; site hoardings and means of enclosure to prevent unauthorised access during construction; construction compounds; any temporary facilities for staff; site hoardings; site access; construction lighting; parking; wheel washing facilities; dust suppression measures and the methods to monitor emissions of dust arising from construction activities on site; a site waste management plan for the recycling and/or disposal of all waste resulting from construction works; a construction drainage scheme that also includes measures to prevent contamination of Llanishen Brook and harm to water quality of the SINC; a Green Infrastructure Construction Protection Strategy detailing measures for the protection of the ecological, aboricultural and soil resource during site clearance and construction; a detailed scheme for the treatment and disposal of soils affected by Japanese Knotweed during site clearance and the

construction phase; a list of on-site contacts and their responsibilities and arrangements for site inductions for contractors working on site. The clearance and construction phase shall be implemented in accordance with the approved CEMP throughout that phase.

Reason: To manage the impact of construction in the interests of highway safety, protection of the environment and public amenity.

CONTAMINATED LAND MEASURES – UNFORSEEN CONTAMINATION

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be undertaken and, where remediation is necessary, a remediation scheme and verification plan shall be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be submitted to the LPA for approval within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

IMPORTED SOIL

14. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale which shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

IMPORTED AGGREGATES

15. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local

Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale which shall be first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

USE OF SITE WON MATERIALS

16. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

COMPLIANCE CONDITIONS

BURIAL AREAS

17. Burials shall only take place in the areas identified as such on approved drawing titled 'General Arrangement' (drawing no. CO17144-03RevA).

Reason: The assessment of impact has been made on this basis.

REFUSE

18. The facilities for waste storage shall be provided before the development is brought into beneficial use and shall be thereafter retained for future use.

Reason: To secure an orderly form of development and to protect the amenities of the area.

VEHICULAR PARKING

19. The development shall not be brought into beneficial use until the car parking spaces have been laid out in accordance with the provision shown on the 'General Arrangement' plan (drawing no. CO17144-03RevA) and thereafter the spaces shall be retained and shall not be used for any purpose other than the parking of vehicles.

Reason: To make provision for the parking of vehicles.

LANDSCAPING IMPLEMENTATION

20. Any retained or planted trees or plants which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the planting season following their death with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

PROTECTION OF GROUNDWATER

21. All burials in the cemetery hereby approved shall be positioned a minimum of 50m from a potable groundwater supply sources, a minimum of 30m from a watercourse or spring and a minimum of 10m distance from field drains and there shall be no burial into standing water and the base of the grave shall be above the local water table.

Reason: To protect controlled waters in the area.

INFORMATIVES

RECOMMENDATION 2 : That the developer be advised of the advice from:

- Wales and West Utilities dated 12/07/2018, a copy of which was sent to the Agent 13/07/18. WWU advise that they have pipes in the area, and that their apparatus may be affected and at risk during construction works and provide general conditions for the protection of apparatus and the prevention of disruption to gas supplies. The developer is advised to contact them to discuss their requirements in detail prior to commencement, that any diversion works would be fully chargeable and that the developer must not build over any of their plant or enclose their apparatus.
- DCWW dated 17/07/18 and 03/09/18. DCWW advise that the site is crossed by a 10" trunk watermain and 110mm distribution watermain, and provides advice on development near watermains, noting that no structure is to be sited within 5m from the centreline of the water main pipe, that it may be possible to divert it the cost of which will be re-charged to the development and that the developer must consult DCWW before any development commences on site.
- NRW dated 18/07/18 and 03/09/18 who provide advice in respect of European Protected Species, Foul Drainage and the Protection of Groundwater.

RECOMMENDATION 3 : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils.

In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

RECOMMENDATION 4 : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 5 : That the developer be advised of the following advice from Network Management Division, Welsh Government:

- The applicant shall demonstrate the design as compliant with HD22/08 of the Design Manual for Roads and Bridges, in order to maintain the integrity of the M4 embankment.
- The soft estate between Junctions 30 – 32 is known Dormouse habitat and the presence of this European Protected Species is highly likely. The South Wales Trunk Road Agent has previously worked under a protected species disturbance licence to carry out works on the soft estate at this location. The applicant must ensure that the potential disturbance to habitat is considered as part of any works that might affect protected species and apply for any licences required through Natural Resources Wales. Additionally, vegetation clearance/cutting should be done outside of the bird nesting season.
- Regardless of whether a licence is required or not, WG would require that any work (in connecting drainage) should be done so as to have as minimal an impact as possible, both in designing the drainage system and with any required clearance or damage to vegetation; or soil excavation, undertaken on that basis. Ideally through an agreed method statement with WG / SWTRA. The method statement should also include details regarding reinstatement, replanting and aftercare (should that be required). This would best be achieved through direct liaison with SWTRA's Principal Engineer (Environment).
- That a suitably detailed engineering scheme be submitted for the

approval of WG showing exactly how surface water drainage outfall connection from the site will be made to the adjacent existing M4 drainage system within the motorway embankment area. This will include detailed drainage calculations, storm simulations and engineering details showing how the outfall discharge rate from the site will be maintained at the current undeveloped greenfield run off rate from the site.

- The applicant shall enter into a suitable legal agreement with Welsh Government to formalise the proposed surface water connection into the motorway drainage system. Detailing future maintenance obligations, responsibilities, discharge quality and quantity considerations and absolving WG from all water quality issues emanating from the site and entering the motorway drainage system and natural watercourse downstream.

RECOMMENDATION 6 : That the Developer be advised that prior to the commencement of development, the Developer must notify the local planning authority of the commencement of development , and must display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016

RECOMMENDATION 7 : If any European Protected Species are discovered on site during development, all works must cease until further advice has been sought from a qualified ecologist or Natural Resources Wales.

RECOMMENDATION 8 : That the Developer be advised that it will be necessary for an amended TRO to be produced, moving the location of the 30mph speed limit to the north of the proposed access junction.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This full application, as amended, has been submitted by the Director of Cardiff Bereavement Services, Cardiff Council for a change of use from agricultural land to a burial site and associated buildings, infrastructure and engineering works, including new and altered vehicular access to/from Thornhill Rd, provision of roads, footpaths, car park, toilet block, public shelters, burial areas, landscaping works (including SuDS) and re-grading of site levels.
- 1.2 In addition to a package of plans and drawings, the application is accompanied by a Design and Access Statement (as amended), Pre-Application Consultation (PAC) Report, Transport Assessment (as amended), Tier 1 Hydrological Risk Assessment, Site Investigation Report, Landscape and Visual Impact Assessment (LVIA) report (as amended), Aerial Tree Assessment, Arboricultural Impact Assessment, Preliminary Ecological Appraisal, Ecological Impact Assessment, North Cardiff Cemetery Needs Assessment and Alternative Site Assessment, and an Equality Impact Assessment.
- 1.3 The proposed elements of the application include:

Access and Hard Landscaping

- 1.4 The site would be accessed from a new vehicular access to/from Thornhill Road. The existing farm and PROW access off Thornhill Road would remain and a self-closing gate installed to improve access to the PROW in place of the existing style. The existing PROW footpath would fall outside the cemetery itself and would remain as a grass surface. Within the site, an access road link will be provided to New House Farm and the PROW, which would provide the potential for visitors to the cemetery to visit the farm and its facilities. There would be lockable vehicle and pedestrian gates, which would be operated by Bereavement Services and locked when the site is non-operational. A 30-space car park, with 6 disabled bays, would be provided and finished in tarmac. An additional 56 additional spaces would be provided in parking laybys adjacent to the access roads within the site. Two Sheffield type parking stands are proposed.
- 1.5 The main internal vehicle access roads would be 6m wide and, along with the car park, would be finished in tarmac. Secondary vehicle access roads would be 3m wide and finished in tarmac, with parking bays to the side finished in a permeable cellular paving system manufactured from recycled waste and infilled with buff coloured gravel. Footways would be provided within the site adjacent to the main internal access road and main site facilities, and where footways are not provided, a 'shared surface' approach is proposed. Footpaths would be 3m wide and would also be finished in the above buff coloured gravel material. Illuminated bollards would provide low level lighting adjacent to the access from the main entrance. A formal entrance is proposed, set back from Thornhill Road, comprising two pillars and cast iron gates (details of which are required by condition). A slate entrance sign is proposed in the form of a slate monolith to create a visual link to the main cemetery at Thornhill. The site would be enclosed by 2.4m high metal fencing in a green finish (details of which are required by condition).
- 1.6 The footway along Thornhill Rd adjacent to the site would be widened to 3m and resurfaced along the site frontage down to the M4 Bridge to enhance access to the site, and local facilities and bus stops in the area. Two bus stops would be provided near the southern end of the site on Thornhill Road, with the southbound direction including a shelter. A pedestrian crossing is also proposed and the existing 40 mph speed limit would be changed to 30 mph by extending the current 30 mph limit south of the M4 bridge. The high-level power cables running across the site would be undergrounded.

Soft Landscaping

- 1.7 The site is proposed to be re-profiled to improve access for all, and a soil resource survey and plan is proposed to be undertaken to minimise harm to the soil resource. A landscaping scheme is proposed which includes:
- An attenuation pond in the south west corner to assist drainage and create a valuable wetland habitat
 - An ornamental pond to the north of the access road into the cemetery

- A memorial garden, which would include stones and boulders incorporating memorial plaques, and ornamental planting opposite the pond and car park area
- The creation of a perennial wildflower meadow in the eastern sections which would gradually be replaced by burial ground
- 4 new native species hedgerows –adjacent to the northern boundary to screen the site from the PROW, within the site to the east and south of the car park, and to the SW of the site, separating the cremated remains burial area from the infant burial area
- Approximately 50 standard trees distributed within the site
- An avenue of flowering trees to the north of the access road into the site, leading visitors into the cemetery and serving to help screen the mast to the north of the site and the site from the PROW
- Native woodland edge planting, including extra heavy standard trees around the perimeter (with the exception of the areas where the retained and created hedges are located to the north) to ensure a continuous field boundary habitat, reinforce the boundaries, soften views into the site and reduce noise from Thornhill Road and the M4. Evergreen oak and holly within the planting mixes would help to reduce noise and visual intrusion from Thornhill Road and the M4 throughout the year.
- Enhancement of the Thornhill Road boundary with a wildflower verge, in addition to additional native hedgerow and woodland planting.

1.8 Through the landscaping, new habitats would be created to enhance the biodiversity of the site, including a pond, wildflower meadows, wetland area, new trees, hedgerows and woodland edge areas. Hedgerows would include native species to enhance them as Dormice habitats. Bat, bird and dormice nest boxes, and insect hotels/log piles for invertebrates are also proposed to be incorporated into the scheme.

Burial Plots

1.9 Burial plots will be delivered across the site over many years in a phased manner. Burial areas identified for immediate use would be grass seeded and would receive regular cuts to maintain a close cut sward. Those areas identified for longer-term development would be planted and maintained as wildflower meadows incorporating fine grasses. As and when burial plots come into use, these areas will be managed such that the grasses become dominant.

1.10 A range of burial options would be provided, including traditional graves, lawn graves, cremated remains graves, and a dedicated natural burial area and infant burial area. It is estimated that 3500 full size graves and 4000 cremated remains graves would be provided.

1.11 *Traditional graves* are a full size grave space with space for up to 2 adult burials (10' x 4' and dug to a depth of 6'6"). The memorialisation permitted can cover the whole grave space and the grave would often have a set of stone kerb edgings which measure 7' long x 3' wide. Further to the amended submission, the area outside of the graves would be maintained as lawn. The memorialisation of area inside the edging would be down to the grave owners;

they can sometimes be covered with a single piece of stone referred to as a landing or left open and planted with seasonal bedding plants. The headstone would sit at the top of the grave and would measure a max of 5' high x 3' wide. Regulations permit a natural material to be used for memorials, the most common option taken up being granite.

- 1.12 *Lawn graves* are also a full size grave space, with space for up to 2 adult burials (10' x 4' and dug to a depth of 6'6"). The memorialisation permitted consists of a single headstone up to a max of 5' high x 3' wide. The remainder of the grave space is grass and being laid out back to back provide large open runs of grassed areas around 20' wide, offering a well maintained and more soft landscaped environment than traditional graves. Regulations also permit a natural material to be used for memorials, the most common option taken up being granite.
- 1.13 *Cremated remains graves* are generally 3' wide x 3' wide, and are dug to a depth of 3' to accommodate up to 3 sets of ashes. There are two basic types offered; the first being a grassed area that has 2 flat tables measuring 15" x 11" placed flat on the grave with the surrounding area maintained as a lawn area. The second, more popular option, is a more hard landscaped area consisting of paved footways adjoining 3'x3' grave spaces with memorials set on top of a hard foundation and an area of 3' x 18" in front of the memorial to accommodate floral tributes or seasonal bedding.
- 1.14 The *woodland burial area* offers woodland graves set within a wooded glade. The grave spaces are 10'x4' and generally dug to a depth of 5' to accommodate a single burial. No stone memorialisation would be permitted on the grave spaces and the area would be planted as a perennial wildflower meadow. Graves are marked with a single wooden post, which is left to weather. The DAS notes that woodland burial is an option that only a small percentage of the population require.
- 1.15 *Infant and baby graves* are a particularly sensitive issue. The grave spaces are approx 4' long x 2' wide and accommodate a small granite headstone measuring 10" x 15" on a hardstanding. The area in front of the grave is covered in gravel or is personalised by the family with flowers soft toys or coloured chippings. Given the sensitive natures of these types of burials and the minimal amount of maintenance required, this type of personalisation is permitted.

Structures and Buildings

- 1.16 A timber, single storey public toilet facility housing 3 unisex accessible WC's, a plant room and cleaners cupboard and an external covered seating area is proposed adjacent to the car park. This has a proprietary 'living' green roof and would be 13.3m long, 6.3m wide with a sloping roof falling from 3.4m to 3.0m high. In addition, two timber public shelters (3.3m high, 4.95m wide, 4.95m long) with a 'living' green roof and five flower preparation tables (1.7m high, 3.4m long, 1.1m wide), complete with water supply and waste bins are proposed. The flower preparation tables would be finished in timber cladding with polished concrete worktops and splashbacks.

Opening Hours

- 1.17 The facility will only be open to the public during daylight hours, and hours of opening are anticipated to be:
April to Sept: Mon – Fri 9am – 6pm, weekends & bank holidays 10am – 6pm
Oct & March: Mon – Fri 9am – 5pm, weekends & bank holidays 10am – 5pm
Nov & Feb: Mon – Fri 9am – 5pm, weekends & bank holidays 10am – 4:30pm
Dec & Jan: Mon – Fri 9am – 5pm, weekends & bank holidays 10am – 4:00pm
- 1.18 Amended plans were prepared (issued for consultation 14 and 17 August) which included the following key changes:
- retention of existing trees and hedgerow along the Thornhill Rd frontage, with the exception of removals necessary to create the new access
 - all boundary planting to be strengthened to help prevent sound and obscure visibility into the site
 - omission of a second pond with a cascading water feature to the north of the site
 - all pathways to and around individual burial plots to be formed from grass to minimise hard landscaping
 - reduction in width of some internal carriageways from 6m to 3m to reduce the impact of hard landscaping
 - all footpaths and off-road vehicle parking areas would be constructed using a permeable cellular paving system manufactured from recycled waste infilled with a buff coloured gravel
 - creation of additional off-road parking, increasing car parking spaces to approx 86
 - Reduction in the number of pillars at the cemetery entrance from 3 to 2, and the number of signs from 2 to 1
 - Minor amendment to the cemetery boundary to allow continued access to the septic tank located in the northeast corner of the site.
- 1.19 The description was amended to make it clear that the proposed alterations to vehicular access included the creation of a new access.
- 1.20 The initial needs assessment submitted as part of the application describes this application as an initial phase and that an area of (2.02ha) 5 acres would then be developed to provide further graves for the next 15 to 20 years. It did not identify the location of this site and this further phase does not form part of the current application.
- 1.21 A Planning Committee site visit took place on 06/08/2018.

2. DESCRIPTION OF SITE AND LOCATION

- 2.1 The broadly rectangular site comprises approximately 3.7ha of agricultural land, in the form a single, semi-improved grassland field, currently used for grazing and which forms part of New House Farm. The site is located on the East side of Thornhill Road and North of the M4.

- 2.2 The site lies outside of the Cardiff Settlement Boundary (and is, therefore, defined as open 'countryside') and within the Green Wedge, as defined on the Proposals Map of the adopted LDP. The majority of the site comprises Grade 3a Best and Most Versatile agricultural land, with the remainder Grade 3b. The land does not constitute Public Open Space.
- 2.3 There is an existing vehicular access to the site to/from Thornhill Road. The site is also accessed from New House Farm via Capel Gwilym Road. A PROW (Lisvane No.15 footpath) is accessed from the same access off Thornhill Road and runs within the site, along part of the northern boundary before exiting the field, and crossing the farm access road and field before terminating on Capel Gwilym Road.
- 2.4 The site is gently sloping, with the land falling its highest point in the northeast corner (approx 130m AOD) towards the southwest corner by up to 16m. High voltage power cables operated by Western Power Distribution run at a high level across the south from north to south supported on timber poles, with a pole mounted transformer just beyond the northern boundary. A septic tank is located in the northeast corner of the site.
- 2.5 The site is bounded by:
- the M4 and its embankment to the south, with the boundary formed by fencing and a strip of planted woodland and scrub on the sloping highway embankment
 - the A469 Thornhill Road to the west, which is separated from the site by fencing and a block of semi-natural broadleaved woodland protected by a TPO, with agricultural land and Manor Parc Hotel further to the west
 - a covered reservoir and agricultural land to the north, which are separated from the site by a hedge, trees and gate, with woodland, a pub/steakhouse and an extended frontage individual dwellings further north to Capel Gwilym Rd
 - Agricultural land to the east, separated from the site by a fence, two gates and a line of trees
 - New House Farm, farm shop and cafe, and caravan site to the northeast, separated from the site by fencing and a hedge.
- 2.6 A narrow footway runs along the eastern side of Thornhill Road and the site, and is positioned below the level of the carriageway in places. There are no current Traffic Regulation Orders (TROs) restricting parking on Thornhill Road near the site. A recent speed limit change to 30mph has been introduced on Thornhill Road from the M4 Bridge south to just north of Heol Llanishen Fach where the original 40 mph limit started. There are bus stops located on Thornhill Road at the Capel Gwilym junction and Bassett's Field junction near the site. There are further bus stops along Excalibur Drive and near the existing Thornhill Crematorium and Cemetery site. The closest crossing facility on Thornhill Road is approx 430m to the south of the proposed site and is located at the Bassett's Field junction.

- 2.7 Streams run from north to south approx 400m to the west and 300m to the east of the site. A poorly maintained ditch runs along the western boundary, considered to no longer be viable. A French drain has been installed along the top of the motorway cutting, flowing into three deep gullies, which the drainage scheme for the site would connect to. The site does not lie within a flood plain or within the total catchment of a groundwater source protection zone. No wells are located within a 250m radius of the site. Arable fields and blocks of woodland make up the majority of the landscape surrounding the site to the north, east and west. The surrounding topography is gently undulating, rising towards the Caerphilly ridge to the north and west of the site.
- 2.8 The site is located approximately 350m northeast of the existing Thornhill Crematorium and Cemetery site (approx. 650m between the access into each site). The site is located approx. 72m from the nearest residential property south of the M4 (Woodruff Way). An ancient monument, Castell Morgraig (GM031) lies approx 800m north of the application site. There is a Site of Importance for Nature Conservation (SINC) approx 55m to the south of the M4 (Coedifanbychan/Coedtirhwnt) comprising semi-natural woodland, and a SINC approx 215m to the west (Briwnant Wood). Llanishen Brook (North) SINC is located approx 0.27km to the east.
- 2.9 The field that forms the application site forms part of New House Farm, Capel Gwilym Road. The land is owned by Cardiff Council, but is leased to the tenant farmer who uses it for grazing and who owns Thornhill Farm shop, cafe and caravan site. The land is subject to a Farm Business Tenancy lease, which still has 18 years to run. The Council will need to amend the lease to regain control of the site and it is hoped that the site will come back into Council administration by October 2019, subject to planning permission and serving the appropriate notice.

3. **RELEVANT RECENT SITE HISTORY**

- 3.1 SC/17/00014/MJR – Screening opinion in respect of new burial site.

4. **POLICY FRAMEWORK**

Local Policy

- 4.1 **Cardiff Local Development Plan 2006-2026** (Adopted January 2016)

Key Policies:

KP1: LEVEL OF GROWTH

KP3(A): GREEN WEDGE

KP3(B): SETTLEMENT BOUNDARIES

KP4: MASTERPLANNING APPROACH

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP6: NEW INFRASTRUCTURE

KP7: PLANNING OBLIGATIONS

KP8: SUSTAINABLE TRANSPORT

KP12: WASTE

KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS

KP14: HEALTHY LIVING

KP15: CLIMATE CHANGE
KP16: GREEN INFRASTRUCTURE
KP18: NATURAL RESOURCES

Detailed Policies:

EN1: COUNTRYSIDE PROTECTION
EN3: LANDSCAPE PROTECTION
EN5: DESIGNATED SITES
EN6: ECOLOGICAL NETWORKS AND FEATURES OF IMPORTANCE FOR BIODIVERSITY
EN7: PRIORITY HABITATS AND SPECIES
EN8: TREES, WOODLANDS AND HEDGEROWS
EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT
EN10: WATER SENSITIVE DESIGN
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T1: WALKING AND CYCLING
T2: STRATEGIC RAPID TRANSIT AND BUS CORRIDORS
T5: MANAGING TRANSPORT IMPACTS
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
C3: COMMUNITY SAFETY/ CREATING SAFE ENVIRONMENTS
C6: HEALTH
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

- 4.2 The application site lies outside Cardiff's settlement boundary and within the Green Wedge as identified on the Proposals map of the Adopted Cardiff Local Development Plan (LDP).

Supplementary Planning Guidance (SPG) and other local guidance

- 4.3 Relevant SPG approved following the adoption of the Cardiff Local Development Plan:
'Green Infrastructure' (approved November 2017)
'Managing Transport Impacts (Incorporating Parking Standards)' (April 2018)
'Planning Obligations' (approved January 2017)
'Waste Collection and Storage Facilities' (approved October 2016)

National Planning Policy

- 4.4 Planning Policy Wales and the Wales Spatial Plan set out the land use policies of the Welsh Government. These are supplemented by a series of Technical Advice Notes and Circulars.

Planning Policy Wales (Edition 9, November 2016)

- 4.5 Section 1.2 explains that the purpose of the planning system is to manage the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It notes that the planning system should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. It recognises that a

well-functioning planning system is fundamental for sustainable development (para 1.2.1).

- 4.6 PPW has been updated to take into account the Well-being of Future Generations (Wales) Act 2015 more fully, and includes information on the provisions of the Act. It notes that the Act establishes a 'sustainable development principle' which it notes means that a defined public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs and lists a series of key principles that they expect all those involved in the planning system to adhere to. PPW sets out a series of sustainability objectives that reflect the vision for sustainable development and which should be taken into account in taking decisions on individual planning applications in Wales, structured around 7 well-being goals: a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language, and a globally responsible Wales.

Technical Advice Notes (TANs)

- 4.7 Key TANs and Circulars include:
- TAN 5: Nature Conservation and Planning (2009)
 - TAN 6: Planning for Sustainable Rural Communities (2010)
 - TAN 11: Noise (1997)
 - TAN 12: Design (2016)
 - TAN 15: Development and Flood Risk (2004)
 - TAN 18: Transport (2007)
 - TAN 21: Waste (2014)
 - TAN 24: The Historic Environment (2017)
 - Circular 008/2018 'Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants'.

5. INTERNAL CONSULTEE RESPONSES

- 5.1 **Waste Management** advise that the proposal to use the existing waste contract for the site would be acceptable and that refuse facilities must be retained for future use.
- 5.2 **Pollution Control (Contaminated Land)** advise that the risk of water contamination is low and confirm they have no objection, subject to conditions to control unforeseen contamination, the importation of soils and aggregates and the re-use of site won materials, and advisory notices in respect of contamination and unstable land.
- 5.3 **Pollution Control (Noise)** recommends a construction site noise advisory notice.
- 5.4 The **County Ecologist** provided the following advice in respect of the initial submission:

- *The application has been submitted with a Preliminary Ecological Appraisal (PEA), which, as set out in Section 2.1.5 of that document, does not constitute an ecological impact assessment (EclA), and does not consider the proposed layout of the site. Normally, for a major development on a greenfield site, I would expect an EclA of the full impact of the finalised plans for this site to be submitted.*
- *I have some queries in relation to some of the information that has been submitted. For example, on the amended Proposed Landscaping plan, there is a linear area of land parallel to the Thornhill Road which is hatched in a colour which is not described in the key. We should ask the applicant to clarify this.*
- *Also I am not clear as to the fate of the hedgerow which runs along the north of the site, in the section to the west of the access track. To the east of this track the proposal is to lay and bolster plant the hedge, but to the west a new native species hedgerow is proposed. Therefore I am not clear what is to happen to the existing hedgerow at this point. Generally I would resist any unnecessary hedgerow removal at this site, as the site's main ecological value lies in the surrounding hedges, trees, scrub etc.*
- *One of my main concerns with this application is the proposed removal of the vegetation along the Thornhill Road, and in this respect, cross sections of the site at this point are helpful. However, with the two cross sections provided, it is not clear whether the depicted vegetation is meant to be that which is existing or that proposed. In fact, cross sections showing what is there at present, and what is proposed to be planted afterwards, would both be useful. Similarly, the proposed and existing levels change from north to south, so a greater number of sections (for example, at least four), would be useful in depicting this transition.*
- *Specifically in relation to the southern Section (Section 2) I am not clear as to why the levels need to be altered, especially as this would entail substantial clearance of native vegetation. With Section 1 it is evident that the change is needed to accommodate a level footway adjacent to the road, but this does not appear to be necessary in Section 2, apart from a very small wedge behind the bus stop.*
- *I would emphasise that with the arrangement along Thornhill Road, it is critical that clearance of trees and bushes etc is kept to the minimum necessary to provide a widened road and level footway adjacent to it. Any alterations which exceed this minimum should not be accepted.*
- *The Proposed Landscaping plan appears to show a swathe of 'Close-cut general amenity grass mix' between the site and Thornhill Road. I recognise that a more formal treatment is necessary around the entrance to the site, but not along the whole length of the boundary with Thornhill Road. Away from the main entrance, a wildflower meadow treatment should be used.*
- *I note that eight trees were recorded as having low or moderate bat roost potential, though I would query some of these categorisations. For example Tree 6 is described as a large mature oak with multiple knot holes present on the tree's southern face, which suggests a 'moderate' rather than 'low' bat roost potential. However, the PEA recommends that all eight trees are subject to further survey, so there is no value in disagreeing*

with the categorisations. The results of these surveys should be provided in support of the application.

- *With reference to Section 5.1.14, and for the avoidance of doubt, all surveyors undertaking survey techniques which may cause disturbance to bats should hold a bat licence issued by Natural Resources Wales, not Natural England.*
- *A better understanding of the extent of tree loss along the Thornhill Road would subsequently inform an assessment of impact upon Dormice. As I have explained to the applicant, it should be possible to assume the presence of this species at the planning stage, and secure appropriate mitigation accordingly. However, this approach would be dependent upon the vegetation being cleared in such a way as to avoid harm to any Dormice present. Normally, one would clear the above-ground vegetation during the winter while the dormice are in hibernation at ground level, then clear out the roots and stumps in the summer when they have made their way to remaining vegetation nearby. Also, the replacement habitat would have to be capable of supporting Dormice, and so should consist of native species woodland edge planting. Assurance that these measures would be in place should be provided prior to determination of the application. This would enable us to demonstrate that we have had due regard to the protection afforded to this species, and would provide comfort that a subsequent EPS licence application would be successful, in accordance with our duty under Reg 9(3) of the Habitats Regs.*
- *Should planning consent be granted, NRW should then be approached for an EPS licence to allow works to take place. They may or may not require further survey work to inform this licence application.*
- *I would not say that a reptile survey is needed, as the area of suitable habitat is limited to the northern margin of the site, and the likely species present, together with the impacts upon them, can be readily predicted and mitigated accordingly.*
- *I agree with the Reasonable Avoidance Measures (RAMs) proposed in respect of nesting birds, Badgers, Hares, Hedgehogs, Otters, Water Voles, Great Crested Newts and all other species/groups listed. These measures, and others to mitigate impacts upon dormice, reptiles and bats, and to control Japanese Knotweed, should be consolidated in a GIMS or similar, secured by planning condition.*
- *The PEA for this site pre-dates the Aerial Tree Assessment (ATA), so the latter supersedes the parts of the PEA which consider bats. As the two sections are different, any subsequent EclA or amendment to the PEA should adopt the more recent findings of the ATA.*
- *There are some aspects of the ATA which I would like to see amended or clarified:-*
 - *In Appendix 1 – Results – T4 is listed as an Ash, but the ‘Comments’ section for that tree states ‘Mature Beech in northwest corner of the site...’. The report should be clear whether T4 is a Beech or an Ash*
 - *Appendix 1 – Results - identifies two trees as having high bat roost potential, and two as having moderate potential, however the key in Appendix 2 – Tree Locations – does not depict any trees with high bat roost potential*

- *In Appendix 1 – Results – T1 is assessed as having moderate bat roost potential, however in Appendix 2 this is depicted as ‘Low’ potential according to Figure 2*
- *Appendix 2 – Tree Locations – is a duplicate of ‘Figure 2 – Extended Phase 1 Habitat Survey Results’ from the PEA. Given that the ATA post-dates the PEA, Appendix 2 of the ATA should be updated with the results of the ATA survey.*
- *However, subject to these clarifications, I agree with sections 5 and 6 of the ATA in that should any trees of high or moderate bat roost potential need to be felled as part of the proposals for this site, further surveys and mitigation may be necessary. Further surveys would take the form of emergence / re-entry surveys at an appropriate time of year (roughly April to September inclusive). When the full extent of tree loss at this site is established it will become apparent which further surveys are needed. These surveys should be carried out in the active season immediately before tree removal, though it is not essential that this is prior to determination.*

5.5 The County Ecologist provided the following comments in response to the amended proposals:

I am broadly happy with the amended plans and with the Ecological Impact Assessment as submitted. The EclA contains a number of recommendations for avoidance and mitigation of harmful impacts, as well as for compensation for habitats lost and enhancement of habitats. The question is then how best to secure implementation of these measures. In most cases the proposed mitigation measures are set out in sufficient detail that we could use a condition to secure the implementation of Sections 4 and 5 of the EclA. However my preference would be to apply a condition requiring the submission and implementation of a green infrastructure mitigation and management strategy, to secure consideration of all elements of green infrastructure relevant to this site in a holistic way, including ecology, trees, landscaping and drainage. The ecological elements of a GI strategy are summarised in Table 3 of the EclA.

5.6 The **Tree Officer** provides the following comments in respect of the initial submission:

- *The submitted tree assessment does not incorporate an Arboricultural Impact Assessment, Method Statement or Tree Protection Plan based on the proposed development plans.*
- *There is no Soil Resource Survey or Plan. These should be prepared in accordance with the Soils and Development TGN in order to inform planting proposals and the landscape specification, including a planting and aftercare methodology prepared in accordance with the Trees and Development TGN.*
- *A sense of enclosure can be important when visiting a place of burial or cremation, and whilst I acknowledge that over time, the landscaping proposed to replace what appears to be the complete loss of existing vegetation on the Thornhill Road boundary, may help to create a sense of enclosure, I am unclear why it is necessary to remove all of the existing vegetation and am concerned that the proposed landscaping in mitigation*

for this loss is not fit for purpose. Large species trees comprising hornbeam, English oak and the evergreen/semi-evergreen Lucombe oak are proposed at spacing that will result in gross mutual suppression. These are low spreading trees with mature radial branch spreads exceeding 10m, that have been spaced between 2m up to a maximum of 4.5m apart. I suggest an alternative approach as follows – plant *Quercus petraea* at 12m centres, staggered, and never closer than 3m to footways or highways, but use single Lucombe oaks either side of the main entrance to tie in with the more ornamental, formal character here. *Quercus petraea* is considered a good choice because it is quicker growing, more upswept and of more regular form than *Q. robur*, and has a better tolerance to extremes of wet and dry. Under-plant with the proposed woodland edge mix but remove the *Pinus sylvestris*, which I fear will be suppressed in the context of oaks and use occasional specimen *Ilex aquifolium* ‘J.C. Van Tol’ at 6m centres to help establish a stronger broad-leaved evergreen under-storey. *Ilex aquifolium* works well with oaks, sitting beneath them happily, and broad-leaved evergreens represent the best option for screening and buffering sound pollution. The site, even with the existing established landscaping, is notably noisy and will certainly not be a pleasant environment to visit unless there is a strong visual and sound buffer to Thornhill Road.

- I note that there is an existing low pressure gas pipe running along the Thornhill Road frontage. The presence of this pipeline may impede or prohibit some of the proposed screen and entrance feature planting along this frontage. Wales & West guidelines state that only hedging is permissible over the pipeline, with birch, maple (it doesn't specify which), 'most conifers' and oak to be planted no closer than 6m. 'Dense mass planting' (density and species not defined) is not permitted within 10m whereas where screening is required, blackthorn, hazel, elder and hawthorn may be planted close to the pipeline. If the gas pipe does impede or prohibit certain planting, it means that it will be even more difficult to mitigate the loss of the existing trees and vegetation in a way that results in an effective visual and sound buffer to Thornhill Road.
- S1 is annotated a different colour to the other woodland edge mixes – is there a reason for this?
- The x5 Lucombe oaks lining the eastern edge of the internal road facing Thornhill Road are a good choice in terms of a visual and sound buffer, but are large and low spreading trees, so should be positioned at 10m centres and no closer than 3m to footways and highways. This means x4 trees, x2 in the northern quadrant and x2 in the southern quadrant. To function best in terms of a visual and sound buffer, they should be supported by a broad-leaved evergreen hedge bounding the access road. I suggest *Ilex aquifolium* ‘J.C. Van Tol’ or *Quercus ilex*. In this way there should be year round buffering at a low and high level, helping to give the sense of enclosure I think is so important here. Each *Quercus* will need to be allocated at least 30m³ root available soil volume (e.g. a tree pit of 6m x5m x1m depth) and it will need to be borne in mind that Lucombe oak is low spreading, so cremation and burial features should not be located where low branches will interfere with them. Preferably, a clearly defined green

corridor will be proposed here rather than cremation plots coming close to trees.

- *Sorbus aucuparia* is the only small-medium sized flowering tree used within the burial/cremation quadrants. It is a short-lived and disease prone tree that should be used sparingly as part of structural landscaping and at minimum 6m centres, at least 1.50m from highways and footways. I suggest mixing in some different species such as standard grown *Crataegus monogyna* and *laevigatum*, to give continuity of flowering. Specimen hollies would also be appropriate as a native tree with traditional links to burial grounds – I suggest specimens with different characteristics such as ‘J.C. ‘Van Tol’, ‘Handsworth New Silver’ and *f. bacciflora* (yellow berried).
- The semi-mature *Quercus robur* should be positioned at least 3m from footways.
- *Carpinus betulus* is used extensively but is not locally native and is a tree requiring lots of space, so would need to be planted at 12m centres minimum and at least 3m from footways or highways. It is a dense, low spreading tree and should be used sparingly in unconstrained locations – the proposed numbers should be reduced in favour of *Quercus petraea*, which is quicker growing, more upswept and more tolerant of dry and wet soils, but will require the same spacing as the *Carpinus*.
- Gross mutual suppression will result as a consequence of the tight spacing of large species trees on the southern boundary. The narrow width of this verge means that root architecture may be distorted and large species trees will be in danger of damaging highway infrastructure. Given the importance of providing a visual and sound buffer on this boundary, a doubling of the verge width would be supported. Otherwise, unless a root barrier can be installed and root available soil is readily available beyond the site boundary to the south (I assume it is), smaller trees must be proposed here. Otherwise I would suggest *Quercus petraea* at 12m centres with selected specimen *Ilex aquifolium* ‘J.C. Van Tol’ as per the Thornhill Road boundary, to give visual at sound buffering at lower level.
- Proposed *Taxus baccata* should be at least 3m from footways and highways.
- I would not use *Prunus avium* as a linear planting adjoining the main entrance. It is a short-lived, disease prone pioneer tree with disruptive roots, and is better used as stand-alone specimens as per the woodland cemetery. I suggest that *Quercus robur* ‘Fastigiata Koster’ or *Acer campestre* ‘Streetwise’ be used instead, at 6m centres and at least 1.5m from the footway and highway, assuming a root-barrier edging.
- X2 groups of x3 *Prunus padus* are proposed in the SW corner adjoining the attenuation pond. *Prunus padus* is a spreading, suckering tree and planted at the density shown will grossly mutually suppress and become structurally unstable. I suggest that they are reduced to single trees, or perhaps replaced by single *Alnus glutinosa*.
- I cannot see a schedule for the ornamental shrub planting.
- A full landscape specification is required comprising topsoil and subsoil specification, tree pit section and plan view, planting and aftercare methodology.

5.7 The Tree Officer provides the following response in respect of the amended plans:

- *The submitted Arboricultural Impact Assessment (AIA) reports that x1 category 'B' tree along with part of a category 'B' group of trees will be lost to development, whilst the 'B' category trees T11a, T12, T13 and T14 will see incursions into their Root Protection Areas, though the extent of this is not made clear and the assessment refers to further information being provided as the detailed construction drawings are developed. The worst-case scenario is the loss of a total of x5 'B' category trees and part of a 'B' category group. It is clear from the submitted landscaping drawings that new planting will more than offset these losses (though the potential conflicts with drainage should be noted below), so I could not object on the basis of unacceptable harm to trees of amenity value, but it is important to consider that the losses could be focused on the western boundary, where vegetation is especially important for screening in visual and noise pollution terms, and new planting with large species trees may be constrained by a gas pipe. Consequently it would be helpful to have a little more clarity in the AIA since we do not want the impact to worsen once detailed construction drawings are prepared. The section concerning the impact on tree T13 for example, is incomplete. A finalised AIA should inform an Arboricultural Method Statement and Tree Protection Plan.*
- *Prior to consultation, Geoff Whittington (Landscape Architect) sent me the landscaping plan. I annotated it with my suggested amendments (attached) and my comments were as follows: - I'm suggesting a slight reduction in tree numbers to avoid mutual suppression problems and the use of the native Sorbus torminalis by the main entrance instead of the Pyrus. The Pyrus is proving problematic in terms of weak forks – the leader typically bifurcates and I've seen several cases of failure. Also, as it has become a very popular urban tree in recent times, its associated diseases have also become more common, particularly scab and mildews which can be disfiguring. The Sorbus is a more imposing tree with equal if not greater visual amenity in terms of flower, leaf shape, autumn colour and berries – I think it will be well-suited to the soils, has a more naturalistic feel than the Pyrus and should attract lots of wildlife. I think you could mix up the Ilex a bit to avoid having too many 'J.C. Van Tol'. The odd yellow berried holly would contrast nicely (Ilex aquifolium f. bacciflava), as would variegated forms such as Ilex aquifolium 'Handsworth New Silver' – used particularly in the 'internal' areas these could contrast nicely with the red berried 'J.C. Van Tol' but give the same sense of enclosure. I'm a bit worried about availability of Quercus x lucombeana 'William Lucombe' (I believe the correct current name is Quercus x crenata, but Quercus x hispanica 'Lucombeana' or 'William Lucombe' is likely to be the trade name encountered), particularly in numbers and at reasonable size, and you may need to consider alternatives unless you've found a good source. I've avoided Quercus ilex due to its invasive characteristics. Quercus suber is a possibility, as is Quercus x turneri. I think broad-leaved evergreens will offer the best return in terms of visual and sound buffering and evergreen oaks will have a more naturalistic feel than other species.*
- *The plan submitted with the application does not address my comments and it varies slightly from the one Geoff sent in that the submitted plan*

shows the addition of x3 Quercus petraea and x1 Carpinus betulus on the eastern boundary adjoining a swale. These trees are planted too close such that mutual suppression and structural problems will result. Just x2 Quercus petraea should be specified, well-spaced, though I seek clarification on the soil volume available for these trees, assuming the swale will represent a barrier, adequate soil volume should be available off-site to the east.

- *Potential conflict between drainage and tree planting is apparent and I've highlighted areas of concern.*
- *The x5 Quercus 'William Lucombe' proposed towards the western edge are key in my view to ensuring there is some sense of enclosure and buffering of sound pollution from Thornhill Road. I see this as a really important element in ensuring that people visiting the cemetery can feel at ease. Consequently I had expected a landscape corridor here or a staggered avenue with Quercus or Ilex planted on the opposite side of the access road, though I appreciate that the alignment of the gas pipe may constrain space here. What we have is trees planted within isolated and relatively small beds, with no scope for under-storey planting with Ilex, which was my original conception to give a continuous evergreen corridor. I fear that the Quercus, which by nature are very spreading, low to the ground (this is ideal in terms of sound and visual buffering) will require crown-lifting and other pruning to constrain their size in relation to the plots and highway, limiting the benefit they provide. Each tree will require access to 30m³ root available soil volume and it needs to be clear that they will have this assuming that the plots will be edged by root barriers*
- *Finalised landscaping details should comprise the following, and be informed by a Soil Resource Survey and Plan prepared in accordance with our Soils and Development TGN: A landscaping implementation programme, Finalised, scaled planting plan, Evidence to confirm that the design of landscaping does not conflict significantly with proposed or existing services, drainage, lighting or CCTV, Finalised schedules of plant species, sizes, numbers and densities, Scaled tree pit sectional and plan drawings that show the Root Available Soil Volume for each tree, Topsoil and subsoil specification for all planting types, including full details of soil assessment, protection, stripping, storage, handling, amelioration and placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil is appropriate for the landscaping type proposed and not only meets British Standards, but exceeds them in terms of suitability for the proposed end use. The specification shall be supported by a methodology for handling, amelioration and placement, Planting methodology and post-planting aftercare methodology, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.*

5.8 **Parks Services** provide the following comments in respect of the initial submission:

- Given confirmation of the low pressure gas main by Wales and West, the location and depth of this needs to be established, as it will affect both the planting along the front of the site (with planting being restricted to outside the easement) and the regrading proposed. This could significantly influence the design.
- I share Matt Harris' comments about the removal of all the existing trees and other vegetation along the Thornhill Road. My view is that although the vegetation along the existing frontage would benefit from additional planting, the current trees and shrubs serve 3 valuable functions
 1. The overall design of the cemetery is to blend in with the surrounding landscape, and in many respects this has been achieved, but removal of all the vegetation along the frontage will change the character of the site and open it up visually for a few years when viewed from Thornhill Road
 2. It provides valuable ecological connectivity along Thornhill Road, and although the replacement planting will provide this again over time, it will take some time to establish
 3. When inside the cemetery site, noise and visual disturbance from Thornhill Road and the M4 are key factors in detracting from the sense of peace. Therefore having good quality screening for both is vital and again removal of all the vegetation along the front seems contradictory to this.
- Removal of vegetation around the entrance is definitely necessary to achieve the visibility splay and provide a high quality formal entrance to the cemetery. However I agree with Matt that it is less clear as to why all sections need removal. Some selective vegetation removal and replacement is desirable but complete removal depends only on levels. It needs to be clarified if removal results from :
 - a. a requirement for level changes within the site in order to make it work in terms of burial space, drainage and roads and / or
 - b. removal is as a result of the proposed highway works to accommodate a 3m wide footpath and bus shelter
- I remain unclear as to why a 3m wide highway footpath is needed rather than the standard 2m width. This gives a very hard frontage to the development and seems to be to accommodate the bus stop; if a bus shelter is required could the path be widened in this location rather than the whole way along. The remaining footway to the south along Thornhill Road is much narrower and limited in width where it crosses the M4.
- I agree with Matt Harris that given the significant change in levels down Thornhill Road some additional existing and proposed sections across the front area would be useful.
- Replacing some of the amenity mix with wildflower meadow mix would also be beneficial along the front.
- Planting along the M4 boundary will provide additional visual and noise screening, with good variety of species. I'm unclear following on discussions held at pre-application stage whether any work was done to identify if this planting is sufficient to provide enough of an acoustic barrier, particularly during winter where there is less leaf cover.
- Although I welcome the internal design of the cemetery has many positive elements and has improved in a number of respects from pre-application stage. Relocation of the attenuation basin further towards the southern

boundary makes sense; I'm assuming that this will be an attenuation feature only rather than providing public access. The ponds at the top of the site will provide attractive features and seating will give good views over the countryside although seating is not shown on plan but is mentioned in DAS.

- *Enclosure of car park by hedge provides good visual screening but pedestrian access to the southern cremated remains area requires quite a convoluted and long walk and there is a risk that people will seek a more direct desire line.*
- *Couldn't see any information on knotweed treatment near to the entrance.*
- *Layout of graves / cremated remains shows them extending very close to the edge of the road, which will create a hard feel to the area. This may simply be representational on the drawing but setting them back further from the road edge as happens in phase 2 (pond section of Thornhill Crematorium) would give a softer feel (accepting limitations from the need to create significant burial / cremated remains space).*

5.9 Parks Services provide the following comments in respect of the amended plans and additional information:

- *Having looked at the updated plans many of my earlier comments have been addressed.*
- *The revised levels mean that only selective removal of the existing trees and other vegetation along the Thornhill Road is required, rather than complete removal. This will be enhanced by additional planting. It appears that the location of the gas main will limit new tree planting, but allow other low level planting. Loss of additional tree planting on the frontage has been largely overcome by additional tree planting within the site. As a result my concerns about the ability of the burial area to blend in with the surrounding landscape, loss of ecological connectivity, and internal screening of the burial area from noise and visual disturbance created by Thornhill Road and the M4, have all been addressed.*
- *The amenity mix along the front has been replaced with wildflower meadow mix, which supports my previous comments.*
- *I still remain slightly unclear as to why a 3m wide highway footpath is needed rather than the standard 2m width (except where the bus shelter is placed) as its connectivity to elsewhere down Thornhill Road, and presence of the bus shelter makes it difficult to envisage joint use for cycling and pedestrians. However given the other changes along the front of the site in terms of vegetation the visual impact of a 3m width of tarmac will be significantly lessened.*
- *I couldn't see any information on knotweed treatment near to the entrance; if this hasn't been provided to date it could be conditioned.*
- *I welcome the introduction of pull in areas demarcated by a change in surfacing next to a number of burial areas. This has enabled a reduction in the width of the tarmac road, and will provide valuable additional parking when required, increasing parking capacity well above that provided by the car park alone. It will also guide visitors where to park rather than them potentially obstructing the road.*

5.10 The **PROW team** advise that PROW Lisvane no 15 footpath crosses the proposed development along the Northern boundary and that they have no objection to the proposed development, noting that:

- *. PROW Lisvane No.15 footpath crosses the proposed development along the Northern boundary and does not appear to be affected other than where proposed vehicle access to the farm shop is being considered.*

Signage

- *A metalled waymarker post is required at the start of the PROW footpath where it joins off Thornhill Road.*
- *Additional signage will need to be installed at the junction of the lockable gate accessing the cemetery and the improved access to the farm shop.*

Access

- *Confirmation request: The design plan does not indicate an access gate off Thornhill Road. Currently there is a blocked stile which we would like to have removed and replaced with either a self-closing gate or bollards to prevent vehicle access. Either option needs to be moved closer to the Thornhill Road footway with appropriate PROW signage.*

5.11 In response to the amended submission, the PROW team reiterate previous comments and advise that a directional waymarker is required to show the PROW footpath that goes off from the internal access to the PROW towards the Farm shop.

5.12 The Operational Manager **Transportation** provide the following comments in respect of the initial submission:

- *As the report is accompanying a planning application, it is recommended to remove the sentence in Section 1 referring to it only being a Draft document whilst Public Consultation is undertaken.*
- *The principle of a new highway access in the proposed location is accepted, but the wording in the fourth paragraph of 4.1 needs to be amended as this states that “the precise location of the main junction will be determined following a detailed investigation...”, and the location of the access point needs to be fixed. There would be a condition added relating to the access and some further details could be covered via that subsequently, but not the location.*
- *An amendment to the existing speed limit TRO would be required, in order to move the 30mph limit to the north of the proposed access point, and this would need to follow the standard TRO process.*
- *4.3 should set out some further details on why a figure of 30 spaces in the main parking area has been selected. Whilst having some additional overflow parking beyond that figure may be acceptable, there is concern with the wording of “unrestricted parking is available around the site”, as this suggests there could potentially be a large number of additional vehicles trying to access the site and parking at various locations.*
- *In terms of meeting Cardiff’s aspirations to encourage cycling I would like to see a greater number of cycle spaces than the 2 no. proposed (accepting that cycling is unlikely to be a major travel mode, but it will be an option for some burial attendees, as well as potentially for staff). It would be preferable if 6 spaces (thus 3 Sheffield stands) could be provided, and*

these should be covered and secure. It is not clear from the submitted plans where the currently proposed two spaces are intended to be located.

- It appears that a 3m footway/cycleway is proposed on the eastern side of Thornhill Road to the south of the access, although this is not dimensioned and its southern extent is not shown, but this needs to form a continuous route from the site to the existing footway network to the south (the references to “ambition to” and “further investigation” should be removed, as the details need to be confirmed/agreed as part of this planning application.)*
- It is noted that a zebra crossing is proposed to the north of the access to Manor Parc, and that there will be bus stops on either side of the junction. Whilst in principle such provision is welcomed, at pre-application stage we were discussing the provision of bus stops much closer to the site access, as this reduces walk distances. It would be useful for some explanation of why bus stops are now proposed further south. In addition, a southbound bus shelter is proposed but this seems to block most of the footway, and so the footway should be widened at this location.*
- The seventh paragraph of 4.4 states “In view of the issues associated with traffic islands, this option will not be explored”. It is not clear exactly what option this is referring to, but this sentence should be clarified.*
- Given the specific nature of the development and its use, and considering the non-car measures being discussed, it is not considered a Travel Plan will be required.*
- It appears that Section 5.1 refers to the usage at the existing Thornhill site, and that this has been used to forecast the usage of the new facility. It may be this means that the figures in Table 5.1 are robust, although it is noted that the table shows a worst case of 50 vehicles, which is some way larger than the proposed main car park that will accommodate 30 vehicles.*
- The last paragraph of Section 5 makes it sound like additional work is being progressed and it may be easiest for this paragraph to be removed?*
- Appendix A.9 (Swept Path Analysis) does not indicate what vehicle has been used. However, it appears it is a Large Car, and SPA should also be undertaken for the largest vehicles likely to regularly use the site. This is likely to be refuse vehicles, and the TA should also set out the refuse/delivery strategy for the site.*
- The dimensions of the car park spaces should be confirmed/marked, although ideally the standard spaces should have minimum dimensions of 5m x 2.5m.*
- The TA should add a section on the access road linking through to New House Farm, and why it is being produced and who will be using it.*

5.13 Following preparation of an amended Transport Assessment, the Operational Manager Transportation provided the following comments:

- It has been confirmed that as well as the main car park that will accommodate 30 vehicles, it will also be possible that parking can occur in designated parallel lay-bays alongside a number of the on-site burial access roads, and that this latter parking can accommodate a total of 56 vehicles.*

- *The TA indicates that funeral services will take place between 0930 and 1530 hours, and will therefore not generally coincide with the standard peak highway hours. The average funeral time will be up to 40 minutes, and thus there should be at least 20 minutes available for attendees to disperse the site before traffic for the next funeral arrives. If Bereavement Services are aware of a funeral that may have higher than average demand, then the following hour would remain free in order to have additional time for vehicles to disperse. The predicted off-peak worst case for parking is 66 vehicles, comprising 50 people associated with a funeral, and 16 people visiting existing plots. This is below the overall maximum parking available throughout the site, and thus is able to deal with some additional use at busy times. Given the extent of the parking being provided there is no reason that vehicles cannot be accommodated with the burial site.*
- *The anticipated additional traffic is a maximum of 10% in the highest hour (although much less in the standard highway peaks) and it is not considered that the proposed access junction would result in any traffic safety concerns, or that the junction should operate as a left-turn exit only. It is accepted that there may be some short-term queuing and congestion in the immediate locality at times of busy funerals, but drivers on the network will see when a funeral is in operation, and highways are content with the potential parking and traffic impacts of the scheme, subject to appropriate conditions.*
- *Whilst it is accepted that the majority of visitors to this site are likely to arrive by car (whether as driver or passenger), it will be necessary for some cycle parking to be provided. This is shown to the north of the toilet block, although will need to be secure and covered. Cycle parking can be covered by condition.*
- *It is proposed that a zebra crossing and two bus stops/boarders will be provided on Thornhill Road to the south of the site, together with a new 3m footway on the eastern side of the road between the M4 bridge and the access junction, to include a cantilever bus stop on the eastern side of the road. This will help to maximise the staff and visitors who can access the site by sustainable travel modes.*
- *The TA confirms that the vehicular link between the site and New House Farm will only be accessible at times when the funeral site is in operation and will be controlled via a lockable gate and thus there is no reason that this will end up being a link that would be used by extensive numbers of vehicles that are not visiting the cemetery.*
- *It is recommended that the following conditions be added to any planning permission: Access Junction Details, Vehicular Parking, Cycle Parking Details, Construction Management Plan, Details of the footway/bus stops to be submitted, and implemented prior to the site becoming operational.*
- *In addition, and as set out in the TA, it will be necessary for an amended TRO to be produced, moving the location of the 30mph speed limit to the north of the proposed access junction.*

5.14 **Drainage Services** commented as follows in respect of comments from Welsh Government in respect of the proposal to connect to the existing M4 drainage system within the M4 motorway embankment:

- Welsh Government is not looking for Cardiff Council to adopt any of their system. Cardiff Council will be responsible for the drainage up to the point of connection, or last boundary fence (to be determined as part of a legal agreement). The legal agreement will fall outside the planning process so we can draw this up at a later date.
- Welsh Government is looking for assurity should our system fail and cause pollution or flooding to their system and this will be via a legal agreement.
- A drainage condition is recommended.

5.15 Further to the submission of amended plans, Drainage Services provide advice on condition wording.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **Caerphilly County Borough Council** have no objection.

6.2 **Network Management Division, Welsh Government** confirm that they accept the principle of development / connection to its drainage system, subject to a condition to require full details of drainage proposals, including that for the construction of attenuation pond(s) and the connection to the existing drainage infrastructure, to be submitted to the LPA for approval prior to development on site. Advice is also provided for the Applicant's attention (attached as an advisory).

6.3 Network Management Division, Welsh Government subsequently confirm they accept the principle of the scheme, subject to condition. They advise that once the finer detail is agreed following planning, the Applicant would be required to enter into an appropriate legal agreement with the Welsh Government as the asset owner of the drainage system. For avoidance of doubt, they advise the Applicant would take responsibility for their drainage to the connection to the WG system and that they are not seeking for the Applicant to take responsibility for the highway drainage asset on the M4.

6.4 The Asset Lead for Drainage, Welsh Government advises that WG has no issues in principle with the development and to the surface water connection into their existing drainage system, subject to details to be developed and agreed to protect their interests downstream. The details can be covered in the legal agreement (and supporting plan) and developed to suit the specifics of the site and their concerns detailed below that need to be adequately addressed and controlled by the design and detailed within the agreement are:-

- Flow rate attenuation
- Flow quality considerations, both long term and during construction activities.
- Inspection, management and maintenance responsibilities and extent to point of tie in with M4 system
- Construction details and specifications

These should not be purely planning considerations but would be beneficial if included as conditions to be satisfied as part of the PP process.

6.5 **Wales and West Utilities** advise that they have pipes in the area, and that their apparatus may be affected and at risk during construction works. The developer is advised to contact them to discuss their requirements in detail prior to commencement, that any diversion works would be fully chargeable and that the developer must not build over any of their plant or enclose their apparatus.

6.6 **Dwr Cymru Welsh Water** advise that:

- the site is crossed by a 250mm trunk watermain, with the approximate position being shown along the Thornhill Rd frontage and provide advice in respect of development near watermain (including that no structure is to be sited within a minimum of 5m from the centreline of the watermain).
- it may be possible to divert the watermain, the cost of which will be re-charged to the development.
- the developer must consult DCWW before any development commences on site.
- there is no public sewerage in the area and any new development will require the provision of satisfactory alternative facilities for sewerage disposal.
- whilst noting that the proposal does not intend to connect to the public sewer network, a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

This advice is reiterated in response to the amended plans and additional information, but it is additionally noted that the site is also crossed by a 110mm distribution watermain.

6.7 **Natural Resources Wales** provide the following comments in respect of the initial submission, noting that they have significant concerns but that they would not object to the application providing conditions are attached in respect of European Protected Species, foul drainage and protection of groundwater.

European Protected Species – Bats, dormice and Great Crested Newts

Dormice The hedgerows surrounding the site were assessed as having the potential to support dormice. Limited works, which could impact on the species, are proposed.

Bats The linear features and adjacent woodland are likely to be used as flightlines and foraging habitat by bat species. In addition, four trees with moderate bat roost potential and four trees with low bat roost potential may be impacted by the proposal.

Great Crested Newt The presence of great crested newts in the hedgerows, scrub and woodland on and adjacent to the site could not be discounted, due to the fact that at least two ponds, which could not be assessed for suitability, lie within 500 metres of the site.

Bats, dormice and great crested newts, and their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2017. Where these species are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requirements is that the development authorised will “not be detrimental

to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.”

These requirements are translated into planning policy through Planning Policy Wales (PPW) July 2016, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. The planning authority should take them into account when considering development proposals where a European protected species is present.

We welcome the proposed mitigation measures to avoid and minimise potential impacts on the above protected species, set out in section 5 of the Preliminary Ecological Appraisal report.

On the basis of the information provided, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range, provided that suitable avoidance and mitigation measures are implemented.

Therefore, should your authority be minded to grant permission, we advise that the following condition is attached to any permission granted:

Condition 1 The scheme should be implemented in accordance with the recommendations in sections 5.1.9, 5.1.11, 5.1.12, 5.1.13 and 5.1.14 (in relation to bats); 5.1.19 and 5.1.20 (in relation to dormice); and 5.1.24 (in relation to great crested newts) of the document ‘CITY OF CARDIFF COUNCIL THORNHILL CEMETERY - PRELIMINARY ECOLOGICAL APPRAISAL NOVEMBER 2017’ by Wardell Armstrong. Reason: To safeguard species protected by the Conservation of Habitats and Species Regulations 2017.

If any European Protected Species are discovered on site during development, all works must cease until further advice has been sought from a qualified ecologist or Natural Resources Wales.

Foul Drainage

We note that the proposed method of disposal for foul water is a cesspool/pit, due to the limited space on site for soakaways. We, therefore, request the following condition be attached to any planning permission granted:

Condition 2

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage to a cesspit/pool has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. Reason: To ensure protection to the controlled waters.

Details on the design and management of the installation of the cesspit should be submitted to support the discharge of the condition to ensure protection of the controlled waters.

It is essential that any cesspit is installed correctly. Incorrectly maintained cesspools can cause pollution by contamination the ground, groundwater and, sometimes surface water. Any damage to the fabric of the cesspool, such as cracks or holes, is difficult to detect but needs to be rectified immediately in order to prevent pollution. The cesspit should meet the requirement of British Standard BS 6297. It should be fitted with a level warning device to indicate when the tank needs emptying.

Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations. We also refer the Applicant

to [Guidance for Pollution Prevention 4](#) which provides further information.

Protection of Groundwater

Based on the information submitted and the 12 months monitoring of groundwater levels, we agree with the scoring for the environmental setting, but note the high burial rate per year, which results in the site having a high-risk score. We note the layout of the site has been designed to accommodate the higher groundwater levels in the south western corner of the site. In order to protect the water environment, we therefore request the following condition is imposed on any planning permission granted.

Condition 3

All burials in the cemetery shall be:

- a minimum of 50 m from a potable groundwater supply source;*
- a minimum of 30 m from a watercourse or spring;*
- a minimum of 10 m distance from field drains.*

In addition, there shall be no burial into standing water and the base of the grave must be above the local water table. Reason: To protect controlled waters in the local area.

- 6.8 NRW provided further clarification in respect of cesspools/pits, noting that an environmental permit is not required for them and that they do not have to be registered with NRW as an exemption, such that the LPA could specify a requirement for a maintenance plan and monitoring if necessary as part of the drainage condition.
- 6.9 NRW also provided further clarification in respect of the proposed filter drains and their recommended condition in respect of field drains, noting that the filter drains are okay as they are quite shallow and designed to collect the surface water from the paths and track around the site, and that field drains are normally for lowering the water table so would sit a bit deeper in the ground.
- 6.10 Following confirmation that the filter drains are proposed at a max of 2.35m from the proposed ground level, NRW requested clarification as to why the filter drains had to be so deep, noting:
- they understand the filter are to be installed to only collect surface water from the internal road, so actually need to be shallow the collect the water and convey away for discharge.*
 - The risk is that deep drains could collect surface water and also groundwater, which has the potential to pick up leachate from the burials that may contain contaminated water*
 - From the drawing it looks like the trenches for the drains (not the catch pits chambers as these are lined with concrete) are lined with a geotextile – this fabric is normally permeable so would allow groundwater to infiltrate into the drain. Parts of the site will be above the water table so unlikely to collect groundwater, but the south western section of the site has a shallow water table so likely to be intercepted by the trenches.*
- (The Applicant's response to this issue was issued for public consultation 17/07/18).
- 6.11 Further to the submission of amended plans and additional information, NRW recommend that permission should only be granted subject to conditions

relating to European Protected species, drainage and the protection of ground water, and provided the following detailed comments:

European Protected Species – Bats, Dormice and Great Crested Newts

We note the submission of the document titled 'CITY OF CARDIFF COUNCIL THORNHILL CEMETERY - ECOLOGICAL IMPACT ASSESSMENT, August 2018,' by Wardell Armstrong, CA11281, Report No 002, Version VO.1:

In our letter of 18 July 2018, reference CAS-65119-Y4H3, we provided advice on bats, dormice and great crested newts and requested a condition based on the recommendations set out in in section 5 of the CITY OF CARDIFF COUNCIL THORNHILL CEMETERY - PRELIMINARY ECOLOGICAL APPRAISAL NOVEMBER 2017' by Wardell Armstrong. We note that this document has been appended to the submitted Ecological Impact Assessment. Therefore, should your authority be minded to grant permission, we advise that that condition is attached to any permission granted:

Condition 1 The scheme should be implemented in accordance with the recommendations in sections 5.1.9, 5.1.11, 5.1.12, 5.1.13 and 5.1.14 (in relation to bats); 5.1.19 and 5.1.20 (in relation to dormice); and 5.1.24 (in relation to great crested newts) of the document 'CITY OF CARDIFF COUNCIL THORNHILL CEMETERY - PRELIMINARY ECOLOGICAL APPRAISAL NOVEMBER 2017' by Wardell Armstrong.

Reason: To safeguard species protected by the Conservation of Habitats and Species Regulations 2017.

If any European Protected Species are discovered on site during development, all works must cease until further advice has been sought from a qualified ecologist or Natural Resources Wales.

Drainage

We have reviewed the additional information received in respect of the filter drains. ...With regards to the installation of filter drains to collect surface water runoff from the internal road network, we had concerns that the proposed drainage scheme would not be sealed from the surrounding groundwater at the proposed depth of 2.35m. Unsealed filter drains would allow burial leachate to infiltrate into the filter drains and then cause pollution of receiving waters. The document referenced above states that the filter drainage will be constructed with impermeable membranes instead of the proposed permeable geotextile as outlined in drawing number 70042065-WSP-XX-XX-CE-510. We agree to the sealed filter drainage and require this to be secured through condition.

In this respect, we have reviewed your draft foul, surface water and land drainage condition (set out in your email of 17 August 2018) and agree the wording addresses our interests. This includes the requirement for sealed filter drainage. The applicant should demonstrate this through discharge of this condition. (The recommended condition reflects that recommended.)

Protection of Groundwater

Based on the information submitted and the 12 months monitoring of groundwater levels, we agree with the scoring for the environmental setting, but note the high burial rate per year, which results in the site having a high-risk score. We note the layout of the site has been designed to accommodate the higher groundwater levels in the south western corner of the site. In order to protect the water environment, we therefore request the following condition is imposed on any planning permission granted.

Condition 3

All burials in the cemetery shall be:

- *a minimum of 50 m from a potable groundwater supply source;*
- *a minimum of 30 m from a watercourse or spring;*
- *a minimum of 10 m distance from unsealed field drains.*

In addition, there shall be no burial into standing water and the base of the grave must be above the local water table; Reason To protect controlled waters in the local area.

- 6.12 **Cadw** advise that there are no schedule monuments or registered historic parks and gardens that would be affected by the proposed development, and that they have no comments to make.
- 6.13 **South Wales Police** advise that the advice they provided at the pre-application consultation stage has been included within the Design and Access Statement and that as long as these recommendations are implemented South Wales Police have no further observations. In response to the amended plans, SWP restate their previous advice.
- 6.14 **Lisvane Community Council OBJECTS** to the application on the following summarised grounds:
- Little or no regard has been taken of the views expressed following the pre-application consultation.
 - Parking and highway safety –up to 100 cars could be parked at the same time, with only 30 car parking spaces provided and with excess cars proposed to park on internal roads, impacting on pedestrian safety. A larger car park is sought.
 - Increased traffic congestion on Thornhill Rd and harm to the safety of road users and pedestrians. A left-turn only exit is recommended.
 - Potential for the link between the proposed cemetery and New Farm to become a vehicle short-cut. The lockable gate should be closed and locked at all times except for emergency use.
 - Recommend that advice is taken from road safety agencies, including WAG, Road Safety Wales, Highways agency, Police.
 - Conflict with green wedge policy and concern that a precedent would be set.
- 6.15 Further to the submission of amended plans and additional information, Lisvane Community Council submitted a further **OBJECTION** , summarised as follows:
- The car park with a capacity of 30 spaces is inadequate
 - Increased traffic congestion on Thornhill Road with harm to road safety, including challenge to the assertion that the busiest period for the cemetery coincides with the quietest period of road use and concern over dangers of crossing Thornhill Rd.
 - The need for left-turn only exit and for the link between the proposed cemetery and New House Farm to be locked at all times is restated.
 - Conflict with green wedge policy restated.

7. REPRESENTATIONS

- 7.1 The application was subject to an initial 21-day consultation period, being advertised by press and site notices (16 no.) as a major application, a departure from the approved development plan and as affecting a PROW, and neighbour notification letters also sent. The amended submissions were subject to a 14-day consultation.
- 7.2 A valid **petition of objection** has been submitted by the tenant of New House Farm, signed by 780 people, albeit that not all of the signatories are valid. The petition was submitted on grounds of *'keep[ing] the green-wedge land North of the M4 as agricultural land to be enjoyed by our customers here at the Farm Shop, our guests on the caravan site and of course our animals that live and graze on the land. We feel it would have a negative impact on our family-run business and would set a precedent to exploit more green spaces in North Cardiff in the future'*.
An on-line petition was also submitted, 'signed' by 383 people. However, this petition is not valid.
- 7.3 Four objections were received from the owner/occupier of New House Farm Thornhill (the tenant), 41 Heol Uchaf, 32 Woodruff Way, Cardiff and 26 Agincourt Square, Monmouth in respect of the initial submission. The objections and representations received are summarised as follows:
- (i) The PAC report indicates that the Council have responded but haven't.
 - (ii) Pleased to see that the proposals consider the Japanese knotweed.
 - (iii) Concern over close proximity to family housing
 - (iv) Concern over close proximity to the existing cemetery
 - (v) Harm to the local environment
 - (vi) Exacerbation of traffic and congestion, resulting in driver frustration
 - (vii) Disruption to traffic and access from building works
 - (viii) Reduced accessibility of local businesses/amenities to the north
 - (ix) Concern over resulting location of their home between two parts of the cemetery, restricting movement and enjoyment of the area
 - (x) Cemetery development is not in principle 'inappropriate' in the Green Belt, but the proposal should respect green wedge objectives of preventing urban sprawl by keeping land permanently open. The proposal is urban in form and will suburbanise the land.
 - (xi) The DAS does not demonstrate that alternatives been considered which could (a) protect the openness of the countryside, (b) put less pressure on wildlife and (c) meet high-level environmental commitments, which can be achieved without compromising the use of the land for burials.
 - (xii) What is proposed is a mis-match - right design, wrong location or right location, wrong design. The format of Thornhill has been used as a template, but the site is different, outside the development boundary, in open countryside on green wedge land.
 - (xiii) The DAS should steer the design to meet site parameters, but seeks to justify a pre-conceived design. This objection does not oppose the use of the land for burials; it calls for more sensitive design, reflecting commitments to landscape, environment and sustainability.

- (xiv) Adverse impact on New House Farm's popular farm shop, threatening the employment of their 15 employees, and on New House Farm's caravan site, which adjoins the site. Both ventures were given planning permission and landlords permission by the Council
- (xv) The drainage of the site isn't very good and has rain run off
- (xvi) The site doesn't offer the tranquillity required for a burial site as it's next to the M4. Questions whether a noise pollution survey has been carried out
- (xvii) The application is believed to be phase 1 and phase 2 is already being talked about. Questions how many phases are proposed. Concern that once phase 1 is approved, future phases will be easier to achieve
- (xviii) Concern over precedent for other types of development beyond the M4
- (xix) Public transport to the site is very bad especially from Caerphilly.
- (xx) There was no mention of this in the LDP and questions why not, as it might have been refused then.

7.4 The Director of Leedham Natural Heritage, a company who specialise in developing and managing sustainable natural burial grounds around the UK and operate eight sites, including the Cardiff and Vale natural burial ground on the western edge of Cardiff, provided comments summarised in (x) - (xiii) above, and also provided a further 11 page letter of **OBJECTION**, which are summarised in the following Executive Summary. The full document is available to view on the Council's website.

The design process should have

- *met the Council's published commitments to the landscape, environment and sustainability*
- *recognised the incongruity of a modern cemetery in the countryside*
- *researched alternative possibilities and re-evaluated standard practise*
- *tailored the facility to the location*
- *taken measures to avoid visual impact*

The proposal will harm the landscape

- *urban form will sprawl beyond the development boundary*
- *hard infrastructure will intrude on the openness of the green wedge compromising its objectives*
- *it contains materials and features which are alien to the countryside*
- *major engineering works will alter ground levels and damage soil structures*
- *the maintenance regime will create a marked contrast with surrounding land*

Sustainability issues

- *the proposals do not address the design's economically sustainable future*
- *once the income from plot sales ends it will be another long-term liability*
- *maintenance regime impacts on ecology*
- *extensive infrastructure consumes finite resources and energy*

The environmental concerns are

- *excessive hard infrastructure with visual impact and environmental damage*
- *trees protected by TPOs will be felled*

- *the layout is specifically design to receive environmentally-destructive imported materials*
- *features of the design exacerbate environmentally damaging behaviour*
- *unnecessary light nuisance*
- *toxic and polluting materials are interred.*
- *cemeteries can be barren, wildlife deserts.*

7.5 In response the amended plans and additional information, The Director of Leedham Natural Heritage provided a further objection summarised as follows:

- The revised design fails to preserve the openness of the green belt and conflicts with its purposes.
- The new proposals are not materially different from the original design. In terms of the openness of the site:
 1. the revision of road width from 6m of Tarmac to 3m of Tarmac + 3m of buff-coloured stone (as a parking strip) does not diminish the extent of hard landscaping. Buff-coloured stone is not locally sourced and is alien to the landscape, and will stand out even more than Tarmac.
 2. car parking still relies on a large number of cars occupying open space, negatively impacting on the openness of the countryside
 3. the visual impact of memorials, roads, earthworks, paths, gravelled areas, floral tributes and grave goods on the openness of the landscape remains inadequately represented in the submission.
 4. The countryside character of the greenbelt would remain compromised by this urban-style cemetery development.
- The applicant has submitted a Needs Assessment to support the premise that the new cemetery needs to replicate the Thornhill offer. It argues that it is an essential requirement to provide meaningful options that the public want. However, meaningful options is not defined and no reference is made to published research to support the claim. The application does not demonstrate that other design options have been given fair consideration.
- What an individual or small minority might want needs to be balanced against the cost to all other members of a community and their environment. Some people choose to express their grief in a highly visible way; their displays 'shout' so loudly, others feel compelled to compete to show that they too grieve. Those who wish a simple grave are engulfed by visual noise and clutter, causing anxiety, mental stress and fatigue.
- No environmental impact assessment accompanies the application, though the area of the site is large enough to require one and application fails to address the harmful environmental impact of the development. This should include the burial of toxic and non-biodegradable materials; the use of herbicides and the impact of the maintenance regime; the environmental cost of the multitude of imported memorial stones that will occupy the land; the encouragement of placing hot-house and imported cut-flowers at graves.
- If the application is given consent a condition should be included to mitigate the visual impact by
 1. sub-dividing and further compartmenting the burial areas with native

- hedging and extra tree planting to act as visual screens.
- 2. restricting areas where adorned graves are permitted
- 3. requiring only locally sourced gravel and stones to be used
- 4. the restriction of gravelled and hard-surface[s]

In addition, photographs and a description are provided of different types of graves in order to demonstrate their negative impact on the openness of the countryside in the green wedge and their lack of charm and beauty.

7.6 Cllr David Walker OBJECTS to the proposal on the following summarised grounds:

- Land north of the M4 has long been protected from development, with a large number of applications refused on grounds that the green open space cannot be built on. The Council cannot ignore this when proposing their own development. Doing so would set a precedent.
- The search for alternative sites is limited, and has ignored other local authority land and other sites the Council owns. The requirement for convenience in having a site close to Thornhill may have limited the search.
- The site is only medium term in and pressure may be put on other nearby fields north of the M4 in future years until this area becomes a large cemetery, with the decision regretted and seen as environmental short termism.
- The lack of EIA.
- Traffic impact, congestion, delays and highway safety concerns, particularly for vehicles travelling south and turning right. Lack of accessibility by bus and problems crossing safely to use bus stops.
- Impact on the business of the adjacent farm shop and café, which overlooks the proposed burial site, and threat to 15 local jobs. The owner has organised a petition that has gained local support.

7.7 Cllr Phil Bale OBJECTS to the proposal on the following summarised grounds:

- the design does not meet tests for a new cemetery within the green wedge land, given its urban form, elevated position and visibility across the city, and lack of consideration to advances in burial site design to sufficiently mitigate impacts on openness and setting of its green wedge location
- If granted, further expansion will be sought on green wedge land north of the M4, such that design standards need to meet a much higher test to protect openness and setting
- The Council could opt for further expansion of this site and stop its efforts to identify an additional burial site in eastern Cardiff
- The Council has failed to provide sufficient evidence that alternative sites have been considered within Cardiff or the south Wales region or to conduct an adequate needs assessment. No evidence has been provided of consultation with neighbouring authorities. Many will regard this as a betrayal so soon after the campaign to adopt green wedge policy in the LDP.
- Fear of precedent.
- Loss of agricultural land.

- No Environmental Impact Statement was undertaken. No public evidence has been provided in the screening opinion to explain why this green wedge farmland is not 'particularly environmentally sensitive and vulnerable location nor have the potential to have unusually complex and potentially hazardous environmental effects'. A full Environmental Statement should be undertaken.
- The Transport Assessment highlights significant problems with existing vehicle, active travel and public transport access arrangements. Public transport, cycling and walking options to the site are poor, and cycling and walking routes rarely used. The closest bus service only runs at 30min frequency and there are no proposals to increase frequencies.
- Visitors could park cars on Thornhill Rd should parking not be sufficient.
- Traffic queues frequently extend up from Caerphilly Road crossroads to beyond the M4 motorway, harming access to the site.
- The proposed changes to the public footpath and highway would harm the rural character of the area.
- The development site is not a resilient location; it would be impacted by increases in noise levels or future expansion of the M4, its topography and geology leave it more vulnerable to climate change, the loss of farmland reduces food security and the proposal will permanently reduce the openness and character of one of the city's last largely rural settings.
- The development, together with its expansion plans, will harm a successful local business.
- Should permission be granted, the following mitigations and benefits are sought:
 - The development must not impact on the continued operations of Thornhill Farm & Shop. The farm business needs unimpeded access for its staff and customers to the farm, shop and short let caravan holiday accommodation
 - Section 106 funding should compensate for the loss of open space and be used for improvements to off-site open space.
 - Restrictions should be placed on any further expansion of the site. The consideration of future burial space needs should form part of the proposed Strategic Development Plan for the Cardiff Capital Region.
 - Section 106 funding should be secured for enhanced bus services for at least 5 years.
 - Regular inspections should be required to monitor the risks identified in the report, in respect of topography, drainage, geology and the need to protect ground water and wildlife species
 - Opening hours to be revised to 10am on weekdays to minimise traffic impact.

7.8 **Cllr Shaun Jenkins OBJECTS** to the proposal on the following summarised grounds:

- Negative impact on Thornhill Farm Shop and the need to support local businesses
- The proposals are on Green Wedge land and no information has been provided as to how a cemetery meets the requirements of a Green Wedge

- Disappointment that the Council wishes to develop Green Wedge land given the effort that went into securing its Green Wedge status
- Need to consider medium and long term impacts of the development and how third party developers could interpret the Council's actions
- Impact on the character of Thornhill and surrounding area – Thornhill Cemetery has already been extended and this cannot continue indefinitely. There is land to the west of the city that could accommodate a cemetery and other options available for additional cemetery space and the Council is urged to re-think the proposal.

7.9 Anna McMorris MP/AS OBJECTS to the proposal on the following summarised grounds:

- disappointment that concerns raised during the pre-application consultation process have been given little or no regard
- the land constitutes protected green wedge land and insufficient weight has been given to harm to the green wedge
- whilst supportive of the need for additional burial space, there is a need to consider if we can continue justifying expanding our cemeteries onto green spaces, and explore other alternatives
- appreciates that cemeteries constitute an exception to inappropriate development where the development maintains the openness of the green wedge, but can not imagine it will, given its scale and infrastructure
- the expansion of a cemetery does not outweigh the harm to the green wedge as only 1/5 of the site would be developed as natural / woodland burial area
- undeveloped green spaces are key to Cardiff's character, hence the land's green wedge status
- the Council has not put forward an argument of exceptional circumstances which could justify their development in this location
- the Council are going back on their LDP commitment to protected green wedge land
- impact on the future of Thornhill Farm Shop and the security of the 15 employees.
- highlights that the statements in the submission on the discussions with the leaseholder and his views are not reflective of his current position. Mr Phillips has launched an online (324 signatures) and paper petition.
- Exacerbation of traffic congestion, due to numbers visiting the cemetery and the proposed new zebra crossing and bus stop
- Parking concerns, with very small parking provision compared to the assessment of usage, with concerns that the proposals to park excess cars on the internal roads would impact on pedestrian safety.

7.10 Julie Morgan AC/AM OBJECTS to the proposal on the following summarised grounds:

- The proposal will involve developing land designated as Green Wedge, which was the subject of campaigning and a petition
- They are aware that cemeteries constitute an exception if the openness of the green wedge is maintained, but thinks this unlikely

- Appreciates that additional burial space is needed in the near future but does not think this is the correct location. Opportunities for agreements with adjacent Councils and even to consider alternatives to continually expanding our cemeteries need to be considered
- The council has indicated that if permission is granted, further expansion will be sought on more green wedge land, such that there is a danger that this application would set a precedent
- Concerned that no EIA was undertaken and that the Council ruled this was not required. This is needed to ensure a decision will be made on the basis of all the facts
- Increased traffic on an already extremely busy Classified Distributor Road
- The proposed new bus stop and zebra crossing may lead to even greater congestion
- The car park may not be large enough to cope with demand; the assumption that extra vehicles will park on the main road is also a concern
- Impact on Thornhill Farm Shop – the owner and current leaseholder to the land objects to the proposals on grounds of the impact on his business, arising from the visibility of the site from his premises making it less attractive as a destination. Fear of job losses with 15 staff employed. The owner has started a petition of objection.

8. **ANALYSIS**

8.1 The key issues for consideration are:

(i) *Whether the proposal would be inappropriate development in the Green Wedge, having regard to the effect on the openness of the Green Wedge and the purposes of including land within it*

8.2 The site lies outside the settlement boundary and within the Green Wedge as defined on the Proposals Map of the Adopted Cardiff LDP. LDP Policy KP3 (A): Green Wedge states that development that prejudices the open nature of Green Wedge land will not be permitted.

8.3 Planning Policy Wales (PPW) provides specific guidance on the consideration of planning applications within the Green Wedge designation. Paragraphs 4.8.14 to 4.8.18 state that:

4.8.14 When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Local planning authorities should attach substantial weight to any harmful impact which a development would have on a Green Belt or green wedge.

4.8.15 Inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan.

4.8.16 The construction of new buildings in a Green Belt or in a locally

designated green wedge is inappropriate development unless it is for the following purposes:

- *justified rural enterprise needs;*
- *essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it;*
- *limited extension, alteration or replacement of existing dwellings;*
- *limited infilling (in those settlements and other development sites which have been identified for limited infilling in the development plan) and affordable housing for local needs under development plan policies; or*
- *small scale diversification within farm complexes where this is run as part of the farm business.*

4.8.17 The re-use of buildings in a Green Belt or green wedge is not inappropriate development provided that:

- *the original building is substantial, permanent and capable of conversion without major reconstruction;*
- *the new use will not have a greater impact on the openness of the Green Belt or green wedge and the purposes of including land within it. Strict control will need to be exercised over the extension, alteration or any associated use of land for re-used buildings; and*
- *the building is in keeping with its surroundings.*

4.8.18 Other forms of development would be inappropriate development unless they maintain the openness of the Green Belt or green wedge and do not conflict with the purposes of including land within it.

8.4 PPW provides guidance on the shared purposes of Green Belt and Green Wedge designations, but highlights their difference in permanence:

4.8.10 Local designations such as green wedges may be justified where land is required to serve the same purpose to a Green Belt (see 4.8.3), but these designations do not convey the permanence of a Green Belt.

4.8.3 The purpose of a Green Belt is to:

- *prevent the coalescence of large towns and cities with other settlements*
- *manage urban form through controlled expansion of urban areas*
- *assist in safeguarding the countryside from encroachment*
- *protect the setting of an urban area; and*
- *assist in urban regeneration by encouraging the recycling of derelict and other urban land.*

8.5 Interpreting national policy:

- The construction of new buildings in a green wedge which provide essential facilities for cemeteries is listed in PPW as an exception to the inappropriateness of new buildings in a green wedge, where such facilities maintain the openness of the green wedge and do not conflict with its purposes (PPW, para 4.8.16).

- However, this application is for the *creation* of a new cemetery, rather than the construction of new buildings in an existing cemetery, which is not listed as an exception. As such, it is considered that this application should fall to be considered as an 'other form of development' which would be inappropriate in a green wedge unless it maintains the openness of the green wedge and does not conflict with the purposes of including land within it (PPW, para 4.8.18).
- To be deemed to be appropriate development and to be granted permission, the proposed cemetery must meet the tests of maintaining the openness of the green wedge and of not conflicting with the purposes of including land within the green wedge (PPW para 4.8.16 and 4.8.18).
- Where the development fails to meet those tests, to be granted planning permission, 'very exceptional circumstances' have to be demonstrated which clearly outweigh the harm to the green wedge (PPW para 4.8.15).

Impact on Openness of the Green Wedge

8.6 The concept of 'openness' is not defined in national or local planning policy. Inspectors have held that the concept of openness is commonly defined as an absence of development and that it has a spatial aspect as well as a visual impact (APP/B5480/W/16/3161631). The Courts have held that

The word "openness" is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents. (Turner [2016] EWCA Civ 466, Arden, Floyd and Sales LJ)

8.7 Turning to the consideration of how built up the green wedge is now, the application site comprises a grassland agricultural field currently used by the tenants of New House Farm for livestock grazing. The only development within the site is a concrete apron for a septic tank, which is very small scale, at ground level and not visible when viewed from across the site, site enclosures and an overhead power cable, which crosses the site North to South.

8.8 Whilst the surrounding Green Wedge land to the north of the M4 is mostly rural in character and the land use predominantly agricultural, comprising blocks of woodland and open fields, there is an extended frontage of built up development further north, to the East of Thornhill Road which has an urbanising effect, including the Miller and Carter pub buildings and related signage, low boundary wall, access and car park, which are very visible from Thornhill Rd, with a continuously built up frontage of dwellings extending northwards beyond the pub site as far as Capel Gwilym Rd. Other built development in close proximity to the site includes New House Farm, the caravan site, Farm shop and café, and associated facilities, including car parking and overspill parking areas to the NE of the site, and Manor Park Hotel to the west. Whilst the site is generally well screened, visual intrusions that can be seen from within the site include an overhead power cable, and caravans and buildings forming part of New House Farm, which can be glimpsed between the vegetation on the NE boundary. The most significant

visual intrusion is the transformer that is located just beyond the northern boundary and extends to a considerable height.

- 8.9 To help assess the site's visibility and visual impact, the Applicant has submitted a Landscape and Visual Impact assessment which concludes that visual effects are generally limited to receptors within or adjacent to the site, and will decrease over time as proposed planting within the site matures. The site is generally well screened by surrounding vegetation and the rolling topography of the wider landscape. Whilst there are long views from within the site towards Cardiff and the Bristol Channel, the site is well screened from immediately adjoining land by hedges and trees along its Northern, Western and Southern boundaries, including from the existing access, which is set back from Thornhill Road and currently overgrown. A notable exception to this screening and resulting inter-visibility is the Eastern boundary, which is 'gappy', being formed by a line of trees which afford open views from the adjacent field. This is used by the tenants of New House Farm as an Animal Paddock, which is open to the public. The site can also be viewed from New House Farm shop café and caravan site, although the views are oblique and partially screened by vegetation. Open views of the site are also available to the public from PROW Lisvane no 17, from both its location within the site along the northern boundary and as it leaves the site and runs north towards New House Farm.
- 8.10 Development on the site would materially increase as a consequence of development, taking the site from an essentially undeveloped and open green field to a new cemetery. New buildings proposed would include the public toilet facility, two shelters and five flower preparation tables. There would be significant areas of hard surfacing, including internal access roads and a 30 space car park finished in tarmac, layby parking and a network of footpaths providing graveside access finished in a buff coloured gravel material. Whilst the surfaces of the roads, paths, car parking would be generally flush with the surrounding ground, and the graves only extending to a max of approx 1.5m in height, they would be visible from within the site, given the slope of the land. The toilet facility and car park would be located in close proximity to the entrance on some of the highest ground and would be visible through the main entrance. Its visibility from within the site and other views, however, would be reduced by the hedge that would be planted to the south and east. The impact of the burial areas would differ, particularly as a result of their varying proportions of hard and soft landscaping, ranging from a natural burial area on the highest ground to the NE of the site, lawned burial areas with head stones set in lawns, traditional burial areas - larger beds separated by rows of grass strips, infant burial areas, through to the cremated remains burial areas, one option of which would appear entirely hard surfaced. The arrangement of the graves in densely packed rows has a further visual effect and they would be viewed as permanent built features, with those that are colourfully decorated with flowers and other paraphernalia being more apparent. Whilst significant parts of the site would comprise green infrastructure and appear undeveloped, including the attenuation area and wetland habitat planting to the SW of the site, the natural / woodland burial area to the NE, with enhanced planting along each of the boundaries and the burial areas being developed in a phased manner over time, the majority of the site would appear developed when full,

with its buildings and hard surfacing apparent within the site, diminishing the openness of the site. The intensified use of the site would also draw attention to its more developed nature, albeit that the level of activity would fluctuate and diminish once the cemetery reaches capacity.

- 8.11 Inspectors have held that when openness is reduced, the harm takes place regardless of whether or not it is visible or witnessed, but note that the extent to which it is visible has some effect on the level of harm (APP/B5480/W/15/3132860). Visitors to the site and those using the PROW would be well aware of the development of the site and the impact on openness. However, due to the screening provided by existing and proposed planting, particularly along the site boundaries, the majority of people beyond the site boundaries would notice little change from the site as it is now over time. To the extent that visitors to the raised Farm shop cafe terrace, animal paddock and caravan site could see into the site, this effect would be limited in time by the proposed woodland and other planting proposed in the NE of the site. Whilst the new entrance is intended to form a feature to draw attention to the site's use as a cemetery and would involve clearing vegetation to form a vision splay, that entrance gates would be set back from Thornhill Road and would not be visible in long views along Thornhill Road. Moreover, given the extent and visibility of the entrance features associated with the Miller and Carter pub and other development in the Green Wedge along Thornhill Rd, the effect would be reduced.
- 8.12 Taking the above into consideration, whilst there are factors as described above which would materially limit the extent of the development's impact on the openness on the Green Wedge, it is considered that the proposed development would not maintain the current degree of openness possessed by the site, assessed against para 4.8.18 of PPW.

Impact on the Purposes of Green Wedge

- 8.13 The purposes of green belts and wedges are set out in para 4.8.3 and 4.8.10 of PPW and listed above. In considering the first three purposes listed (coalescence with other settlements, managing urban form, safeguarding countryside from encroachment), it is noted that whilst the site lies beyond the Settlement Boundary defined on the LDP Proposals Map, the site boundary does not mark the outermost edge of the built up area of Cardiff. As noted previously, there is a significant frontage of built up development north of the site up to Capel Gwilym Rd. Whilst the proposal would result in more development on the site and an intensification of its use, given the limited number of buildings on the site and the character of the burial areas, it is considered that the development would not be read as an extension to Cardiff's built up urban area. Inspectors have noted that cemeteries are commonly found in urban, urban fringe and countryside settings, to the extent that a cemetery use in itself is not considered to constitute an intrusion into a rural area (APP/B5480/W/15/3132860). That same Inspector also noted that 'the safeguarding of the countryside from encroachment is not achieved by limiting development [in the Green Belt] to that which is 'typical' in the countryside. It is also noted that the site boundaries (with the exception of that part of the

boundary that would form the main entrance) and woodland area would remain essentially rural in character and appearance.

8.14 With regards the fourth purpose - protection of the setting of an urban area, whilst the Caerphilly Mountain ridge forms a very important role as forming a setting to Cardiff's urban area, the development of this particular site is not considered to harm that setting, given the extent of the site's visibility within the wider ridge, resulting in part from the site levels and screening, particularly along Thornhill Road.

8.15 With regards to the fifth purpose of encouraging the recycling of derelict and other urban land, it is considered that the proposed use of a new cemetery does not directly relate to this purpose, which is primarily aimed at strategically encouraging urban regeneration, as opposed to preventing the expansion of urban areas. Having considered each of the five in turn, it is concluded that the proposed development would not conflict with the purposes of including land within Green Belts/Wedges, as assessed against para 4.8.18 of PPW.

8.16 In conclusion, taking the above and the objections raised into consideration, it is considered that, whilst there are factors that would limit the impact of the proposed development on the openness of the Green Wedge and that the development would not conflict with the purposes of including land within the Green Wedge, the development would not maintain the current degree of openness possessed by the site, assessed against para 4.8.18 of PPW. As such, it has to be concluded that development should be regarded as 'inappropriate development' in the Green Wedge assessed against para 4.8.18 of PPW. In line with PPW, LPAs should attach substantial weight to any harmful impact which a development would have on a Green Belt or green wedge and inappropriate development should not be approved except in very exceptional circumstances.

(ii) Whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations, so as to amount to 'very exceptional circumstances' to justify the proposal

8.17 It is considered that the proposal is a form of development that is inappropriate within the Green Wedge, such that the development should not be approved except in 'very exceptional circumstances' (VER). VER will not exist unless the potential harm to the green wedge by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Whilst there is no policy requirement to submit an assessment of the need for the burial site and alternative sites, the Applicant has done so, in order to demonstrate that very exceptional circumstances exist. The report sets out the following summarised key considerations:

- *Wider Need* - Cardiff is one of the fastest growing cities in the UK and this is set to continue, with the LDP setting out provision for over 40,000 new homes. Coupled to this, the death rate is set to increase substantially over the next 10 years due to the 'baby boom' generation beginning to die. An increased population ultimately results in an increased death rate and it is essential that there is adequate infrastructure to cope with current and future demand.

- The first Cardiff Bereavement Services Strategy was published in 2005 setting out a 10 year plan for the service, and flagged up issues around the decline in burial space and identified areas in current sites for extension. An updated Strategy was approved by Cabinet in October 2014 and this highlighted the need to find new burial space.
- Cardiff Bereavement Services currently carry out on average 1350 burials per year, 800 of which are full size graves and 550 are burials of cremated remains. This uses approx 0.5 acres of virgin land per year.
- Cremation is the more popular option for disposal of the dead in Cardiff and the ratio to burial mirrors that seen in the UK of around 70/30 in favour of cremation. The 30% that choose burial do so for a number of reasons, ranging from religious belief and family tradition to personal choice and even specific instruction from the Coroner.
- As a diverse and multicultural city, Cardiff must recognise that the choice as to how its residents treat their dead is an important factor and the option of burial must remain in order to meet the needs of the whole population and must not be limited to one particular type.
- The Council welcomes diversity and promotes freedom of choice. Through providing a cremation facility, as well as a range of burial options, which include traditional graves, lawn graves and natural burial options, the Council can ensure that the residents of Cardiff have a choice of options to meet their needs which, in turn, helps promote a healthy grieving process where the disposal option selected reflects the deceased's wishes or religious beliefs. The bereaved should be recognised as a vulnerable group and the Council must ensure that it puts in place adequate resources and facilities to assist them. The inability to grieve in a healthy way impacts on social wellbeing and can lead to serious mental health issues, putting additional strain on local health services and impacting negatively on workforce and productivity.
- *Existing Site Availability* - Cardiff Bereavement Services provides burials at a total of seven sites around the city; at Thornhill Cemetery, Pantmawr Cemetery, Cathays Cemetery, Western Cemetery, Llanishen Curchyard, Llandaff Cemetery and St Margaret's Churchyard in Roath. Of these, only Thornhill, Pantmawr and Western cemeteries are able to offer new grave spaces.
- Western Cemetery covers the west side of Cardiff from areas such as Riverside, Grangetown, Cardiff Bay, Ely, Careau, Llandaff, Canton and Radyr. The site was extended in 2013 and will provide burial space up to around 2033 based on current usage (450 burials per year with 250 in new graves, with the difference accounted for by the reopening of existing graves or burials in pre-purchased graves).
- Pantmawr Cemetery operates as a localised cemetery, being only 10 acres in size and serving primarily the residents of Rhiwbina and Pantmawr. There is 1 acre of land immediately available for use and just of 1.5 acres currently used for grazing within the site. At the current rate of 110 burials per year with 50 in new graves, the site will not be full until 2038, with scope to extend into the grazing paddock to provide around 20 years of burial space. However, should a new burial site not be established elsewhere, the burials currently using Thornhill would have to go to other sites and providing another 300 burials per year at Pantmawr would result in the site

being full within 6 years, including the undeveloped area. However, the report notes that the infrastructure of the site and vehicle access would not be able to cope with the increased number of funerals, with the need for a new car park meaning that the site would become full within 3 - 4 years.

- Thornhill Cemetery is the busiest site, dealing with over 700 burials per year and providing over 200 new graves each year. The site services residents mainly in the north east and south of the City. It was opened in 1952 covering a total of 40 acres including the crematorium facility. The grounds were extended in 2010 by a total of 5 acres on land adjacent to the site, already in council ownership and which had been previously identified for cemetery space. There are no existing options for further expansion of the current site. The site has approximately 2 years remaining, based on current usage before it is full for new burials. It is essential that the Council identify and develop new areas for burial to meet the needs of the City and avoid the position of not providing a major burial location. Current estimates are that the existing site at Thornhill will not be able to provide any further new graves after June 2020.
- *Alternative Disposal Options* - The way the UK population treat the dead is slow to change and traditional practices are difficult to diverge from. Natural or woodland burial started in the UK 25 years ago and, whilst its popularity has grown, it is not the first preference for the vast majority who prefer more traditional options. There is a natural burial section at Thornhill, however, only 1% of families opt for this method of burial, despite it being available for the last 20 years. Whilst other options for burial are being discussed within the industry, such as resomation, promession and green cremation, at present there is no other legal option for the disposal of the dead other than burial or cremation.
- *Other Service Providers* - There are alternative providers for both burial and cremation outside of the City boundary, which are in the main provided by private operators or other Local Authorities. There is no requirement for a person to be buried or cremated in the area that they lived, however, in the main, people do not want to travel long distances to visit graves or memorial gardens. However, some will if the service they require is not available locally or is of a better standard. A good example of this is natural burial.
- A dedicated natural burial ground provider will only provide that one type of burial and memorial options etc will be limited. For some this is not acceptable, as they want to purchase a headstone and leave flowers on a regular basis and, whilst not requiring them, the Council offer these facilities to ensure the needs of the wider population can be met. Others do not wish to travel outside of the city boundary.
- Cost is also a factor influencing demand for other service providers. Fees for going to another local authority run cemetery for burial where you were not a resident of that area are, in many cases, doubled or even trebled. This impacts on the ability to pay for a funeral and contributes to funeral poverty and increased debts. Cardiff was able to remove its out of area fee a number of years ago due to how the service is financially structured.
- *Grave Re-Use* - The re-use of existing graves in older cemeteries is a way of extending the supply of burial space, albeit a sensitive one. Specific legislation exists in London to allow the disturbance of human remains to

make additional burial space available in existing graves and, in some instances, the Church has issued cemeteries a facility to permit the removal of remains to another part of a cemetery in order that land can be re-used. However, that option is not available in Cardiff; there is no legislation that allows the disturbance of buried remains to occur to facilitate additional or new burials and the Church in Wales does not have the same powers as the Church in England to permit disturbance. Until there is a change in legislation, the only option Authorities have is to keep developing free land for burial space to meet the needs of the population.

Alternative Site Assessments

- A brief was prepared to assist in identifying possible sites for consideration, with the following 'essential requirements' identified:
 - ✓ North of the city
 - ✓ Have a realistic time scale for development before the end of 2020
 - ✓ Large enough to accommodate at least 20 years of burial space
 - ✓ Be able to offer a range of burial options for service users i.e. cremated remains graves, lawn graves traditional graves and natural burial options.
 - ✓ Good access for funeral corteges and access for cemetery plant and equipment
 - ✓ Good Transport links to the site
 - ✓ Satisfy Natural Resources Wales (NRW) requirements e.g. low water table etc.
 - ✓ Where practical as close to the existing site as possible to allow financial savings against the need to develop new buildings such as depots and offices.
 - ✓ Sites in Council ownership to save on purchase costs and to avoid the need for compulsory purchase orders
 - ✓ A suitable topography to allow the cemetery to be workable
- An initial desk top assessment was undertaken of a large number of sites, which included the consideration of candidate sites submitted as part of the LDP process and sites within Council ownership. Fourteen sites were shortlisted and subject to a more detailed assessment, the proforma for which are included in the Applicant's report. Many sites were deemed unsuitable following a more detailed assessment and the application site was identified as the most suitable site. A Tier 1 assessment was undertaken by TGMS Ltd in 2014, followed by a ground water survey which was undertaken during 2015/16. The results were favourable and the process of seeking formal cabinet approval began and was granted in March 2018.

8.18 Notwithstanding the objections received, it is considered that the Applicant has adequately demonstrated that there is a need for the development, that alternative sites have been assessed in a structured and sufficiently robust way, that the alternative sites assessment includes sites not in the Green Wedge and that sufficient evidence has been put forward to demonstrate that there are no suitable, alternative sites that are not in the Green Wedge, in the countryside or on BMV agricultural land. On this basis, it is considered that 'very exceptional circumstances' exist which clearly outweigh the harm to the

Green Wedge sufficient to justify granting planning permission. In coming to this view, substantial weight has been given to the impact on the Green Wedge.

(iii) *Landscape impact - whether the development would unacceptably harm the character and quality of the landscape and setting of the city*

8.19 The conservation of landscape is a key PPW objective for the conservation and improvement of the natural heritage (paragraph 5.1.2). At the development plan level, policy KP4 requires major development to accord with the 'Masterplanning General Principles', which include the need to '*sympathetically integrate existing landscape, biodiversity and historic features of the site into the development taking opportunities to protect, enhance and manage important features along with mitigation and enhancement measures to provide satisfactory compensatory measures*'. KP5 requires all new development to '*respond to the local character and context of the built and landscape setting*'. At a detailed policy level, Policy EN3: Landscape Protection states that development that would unacceptably harm the character and quality of the landscape and setting of the city will not be permitted, with particular priority to be given to protecting, managing and enhancing the character and quality of Special Landscape Areas identified on the LPD Proposals Map. Para 5.85 of the written justification lists criteria that should be used to assess unacceptable harm, namely:

- the impact of the proposed development on key features of the landscape in terms of physical character, vegetation and habitats, land use and settlement patterns, visual character, historical character and cultural associations
- the need for the proposed development in relation to its impact
- the availability of alternative locations
- the ability to provide appropriate mitigation measures.

8.20 In the 2008 Review of Landscape Character areas, the site is located within Landscape Character Area 9(LCA)7: Caerphilly Ridge Foothills. The area is defined as '*a broad tract of gently rolling landscape located at the foot of the Caerphilly ridge running down to the northern edge of Cardiff at the M4 motorway...the northern boundary is marked by a distinctive break in the slope at the foot of the Caerphilly Ridge...and along its southern edge by the M4 motorway which more or less defines the urban edge of Cardiff...*'. The 2008 Review identified positive attributes of the LCP, including important areas of woodland, remnant semi-improved habitats, extensive views to and from the City and its relatively unspoilt, rural landscape character. Negative attributes include visual and noise impact from the M4, general urban fringe land management issues and increased use of land for horse grazing, and disruption to landscape pattern and character by golf course development. Strategically, the area forms the lower part of the backdrop of encircling hills and ridges to the north of Cardiff and is, therefore, an important component of the wider landscape setting of the city. In respect of policy EN3, the site does not form part of designated Special Landscape Area.

8.21 A Landscape and Visual Impact Assessment of the site has been submitted in support of the application. The landscape character of the site and surrounding study area is assessed as being of low-medium sensitivity, taking

into consideration the landscape designations (Green Wedge, TPOs on site boundaries and SINCs in the study area), the LANDMAP characterisation of the site and surrounding area as of low to moderate value, and the landscape character. The character of the site is noted to be rural, but affected by noise impacts from the M4, existing development in close proximity, but with inter-visibility between the site and wider landscape limited by topography and vegetation. Overall, it is considered that the susceptibility of the landscape to changes from the proposed development is low, taking into consideration the proposed planting, which would exceed that lost, the restricted inter-visibility between the site and surrounding area as a result of existing and proposed boundary vegetation and topography, and the scale of development. Overall, the effect of the development on the landscape character of the site and surrounding area is assessed in the study as 'slight adverse'.

8.22 The proposed development would undoubtedly change the rural character of the site, from its existing status as a grassland field in agricultural use to a cemetery. The site itself has a distinctly rural character, despite its close proximity to the M4 and long range views of the built up area of Cardiff, and is generally well contained by hedgerows and trees. However, it is not considered that the development would cause unacceptable harm to the character and quality of the landscape and setting of the city in this instance, taking into consideration the following factors, in addition to those noted above:

- the proximity to and noise from the M4, harming the tranquillity of the site
- the existing visual intrusion from the transformer, overhead power cable, and the glimpses of the caravans and farm shop and cafe development to the NE of the site
- the limited number of buildings proposed on site, which would not be unduly intrusive, being single storey and constructed from timber, with shallow pitched green roofs and a functional appearance not inappropriate to the rural character of the location. Inspectors have held that buildings in themselves are not an urban feature; it is generally their number and density which, amongst other characteristics, distinguishes an urban location from a rural one ((APP/B5480/W/15/3132860)
- other facilities, including the 5 flower preparation tables, low level lighting, seating and cycle parking would not be unduly obtrusive
- roads, paths and car parks are necessary in all locations and whilst accepting that the proportion of the site given over to them is high, their impact would be reduced by retained and proposed planting
- whilst the burial areas, particularly those that have a more 'hard' landscaped appearance and adorned with flowers and other items, would appear unnatural and conspicuous in their ordered rows, they are limited in height and not in themselves an urban feature
- the majority of the site would remain largely hidden from view for those outside its boundaries, limiting the effect on the surrounding area
- the proposed boundary woodland, trees and hedgerows, which form key landscape features of the site would be retained and enhanced, with the exception of the part of the Thornhill frontage which would be lost to form the main entrance
- the change in the view resulting from the new access would be reduced by the fact that it would be set back from Thornhill Road and not seen in long

views. A condition is proposed to control the detailed design of the main entrance

- Whilst this entrance would be likely to have an urbanising effect, it is noted that the rural character of the Thornhill Road frontage north of the site up to Capel Gwilym Road has been compromised by built development and urbanising boundary treatments, which would influence how the site frontage is perceived and reduce its impact
- the proposed undergrounding of the existing overhead power cables would be a positive contribution to the landscape
- the enhanced screening of the caravan site, farm shop and cafe terrace from within the site, by the proposed woodland area would be a further positive contribution to the landscape
- whilst the Caerphilly Mountain ridge forms a very important role as forming a setting to Cardiff's urban area, the development of this particular site is not considered to harm that setting, given the extent of the site's visibility resulting in part from the site levels and screening, particularly along Thornhill Road
- the need for the proposed development in relation to its impact, considered in part (i) and required to be assessed by para 5.85 of the LDP
- the lack of suitable, alternative locations, considered in part (i) and required to be assessed by para 5.85 of the LDP.

(iv) whether the development is acceptable in principle in this countryside location outside the settlement boundary

8.23 LDP policy also requires the development to be assessed against policies designed to protect the countryside. Policy KP3 (B): Settlement boundaries states that in all areas outside the defined settlement boundary, otherwise referred to as countryside, there will be a corresponding presumption against inappropriate development. Policy KP16: Green Infrastructure states that natural heritage assets, including the undeveloped countryside are key to Cardiff's character, value, distinctiveness and sense of place and if development results in overall loss of green infrastructure, appropriate compensation will be required. Policy EN1: Countryside Protection states that development beyond the settlement boundaries will only be permitted where the use is appropriate in the countryside, respects the landscape character and quality and biodiversity of the site and surrounding area and where it is appropriate in scale and design. It also states that a landscape assessment and landscaping scheme will be required for significant development proposals.

8.24 Policy KP3(B) does not define what is 'inappropriate development' in the context of countryside protection. Whilst policy EN1 provides further guidance on land uses that are appropriate in the countryside, cemeteries are not specifically mentioned. Inspectors have noted that cemeteries are commonly found in urban, urban fringe and countryside settings, to the extent that the cemetery use in itself is not considered to constitute an intrusion into a rural area (APP/B5480/W/15/3132860). That same Inspector also noted that 'the safeguarding of the countryside from encroachment is not achieved by limiting development to that which is 'typical' in the countryside. Taking into consideration the above, the material considerations identified above in the assessment of landscape impact, the scale and design of the development, the

proposed landscaping scheme and proposals, the need to locate the development on this countryside site (assessed in section ii), and the impact on the biodiversity of the site (assessed in section vi), it is considered that the development would not be inappropriate development within the countryside.

(v) *The loss of agricultural land, including BMV land*

- 8.25 National planning policy on the conservation of agricultural land is set out in PPW (November 2016) and the accompanying TAN 6: Planning for Sustainable Rural Communities (2010). PPW paragraph 4.10.1 states that land of grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system is the best and most versatile agricultural land should be conserved as a finite resource for the future. The paragraph advises that:

'considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade'.

- 8.26 TAN 6, para 6.2.2, advises that once agricultural land is developed, even for 'soft' uses such as golf courses, its return to agriculture as best and most versatile agricultural land is seldom practical.
- 8.27 At the development plan level, KP18: Natural Resources requires development proposals to take full account of the need to minimise impacts on the city's natural resources, which extends to the protection of the best and most versatile agricultural land.
- 8.28 The site comprises approximately 3.7ha of agricultural land in the form a single, semi-improved grassland field currently used for grazing. The development of this site would lead to the loss of best and most versatile agricultural (BMV) land; the majority of the site comprises Grade 3a agricultural land (which is classed as best and most versatile agricultural land) and the remainder Grade 3b.
- 8.29 Assessing the application against this context, it is considered that the return to agriculture would be extremely unlikely. PPW states that land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development and either previously developed land or land in lower agricultural grades is unavailable. It is considered that the need for the development as demonstrated by the Applicant would amount to an exceptional overriding need and that it has been satisfactorily demonstrated that there are no suitable alternative sites on either previously developed or lower quality agricultural land. A condition is recommended to ensure the effective use of the valuable soil resource by requiring the submission and implementation of a Soil Resource Survey and Plan.

(vi) *Impact on wildlife and habitats*

- 8.30 The conservation of biodiversity and, in particular, the conservation of native wildlife and habitats is a key PPW objective for the conservation and improvement of the natural heritage (paragraph 5.1.2). PPW recognises the role of the planning system in creating new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. It also recognises the importance of minimising or reversing the fragmentation of habitats and improving habitat connectivity through the promotion of wildlife corridors, whilst ensuring development minimises species and habitat impact (para 5.2.8).
- 8.31 In respect of protected species, PPW notes that the presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat (para 5.5.12). It goes on to state that
- ‘Developments are always subject to the legislation covering European protected species regardless of whether or not they are within a designated site. New developments for which development works would contravene the protection afforded to European protected species require derogations from the provisions of the Habitats Directive. A derogation may only be authorised if there is no satisfactory alternative and if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. The development works to be authorised must be for the purposes of preserving ‘public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’. Derogations are granted by a licence issued by Natural Resources Wales. Local planning authorities are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, planning authorities should take the above three requirements for derogation into account when considering development proposals where a European protected species is present.’*
- 8.32 At the development plan level, policy KP16 provides a framework for the protection, enhancement and management of Cardiff's natural heritage assets, including its biodiversity interests. At a detailed policy level, policy EN5 provides protection for designated sites, policy EN6, protection for ecological networks and biodiversity features of importance, whilst policy EN7 provides for the protection of priority habitats and species. Policy EN8 provides for the protection of trees, woodlands and hedgerows for their amenity, natural and cultural heritage value.
- 8.33 The application has been the subject of a Preliminary Ecological Appraisal (PEA) and a full Ecological Impact Assessment (EclA). The assessment was informed by desk top research, an Extended Phase 1 Habitat Survey of the site combined with an assessment of the potential for protected species (30 August

2017), and an aerial inspection of trees which have the potential for roosting bats (May 2018).

- 8.34 A full site description is presented in Section 2 of this report, and confirms that the site does fall within a designated site. There are four designated sites of nature conservation (Cardiff Beach Woods SAC, Fforestganol A Chwm SSSI, Cefn Onn SSSI and Wern ddu Claypits SSSI) and 41 non-statutory designated Sites of Importance for Nature Conservation (SINC) within 2km of the site boundary.
- 8.35 The PEA and EclA report that the site supports a range of habitats, comprising semi-improved neutral grassland, scrub, other tall herb and fern ruderal habitats, invasive species in the form of Japanese knotweed, scattered broadleaved trees, species poor intact hedge, semi – natural broadleaved woodland, fence and hardstanding. The desk study identified records for hazel dormouse, otter, badger, bats, birds, common reptiles, great crested newts, common toad, polecat, other small mammals and invertebrates, fungi species and protected plant species within 2km of the site. Following on from the desk studies and survey work, the following designations, habitats and species were identified as sensitive receptors (Important Ecological Features – Llanishen Brook (North) SINC, semi-natural broadleaved woodland, hedgerows, invasive species (Japanese knotweed), nesting birds (general), bats, badger, hazel dormouse, reptiles, Great Crested Newt and common toad. The report concludes that in the absence of mitigation, an adverse effect on each of the above important ecological features with the exception of common toads is likely to result from the proposed development. A series of mitigation measures are proposed during the construction and operational phases, as well as enhancement opportunities. These include:
- implementation of a Precautionary Working Method Statement to ensure reasonable avoidance measures are undertaken to reduce harm to great crested newts, hazel dormice and common reptiles.
 - enhancements for common reptiles and amphibians through the creation of a hibernacula
 - pre-construction checks for nesting birds if works carried out during bird breeding season
 - enhancement for birds and bats including the provision of nest/bat boxes to be erected on suitable trees
 - enhancement for invertebrates through the use of insect hotels and/or creation of log piles
 - landscape planting to include native species
 - details of how retained habitats and fauna will be protected during construction works provided within a Construction and Environmental management Plan
 - details how retained and created habitats will be managed and maintained and enhancements for fauna groups provided within a Biodiversity Management Plan.
- 8.36 With appropriate mitigation in place, no significant negative effects are predicted on the various Important Ecological Features, in respect of both the construction and operational phases, and no direct or indirect effect on the

statutory or non-statutory designated sites are predicted. NRW and the County Ecologist have raised no objection, subject to a condition to require implementation of the recommendations of the ecological reports. NRW advise that they do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range, provided that suitable avoidance and mitigation measures are implemented via condition. Conditions are, therefore, recommended to require both a Construction Environmental Management Plan for the construction phase and a Green Infrastructure Management Plan for the operational phase to be submitted for approval and implemented.

- 8.37 Taking into consideration the above, including PPW advice in relation to EPS, the lack of objection from the Council's Ecologist and NRW, the objections received, it is considered that the impact on ecology and biodiversity interests is acceptable, and would conform to the respective legislative protection and comply with both national and local planning policy requirements, subject to the recommended conditions.

(vii) Impact on Heritage Assets

- 8.38 An ancient monument, Castell Morgraig (GM031) lies approx 800m north of the application site, and a Grade II listed (Pantysgawen) building lies approx 250m west of the application site. Policy KP17 provides a high level framework to protect, manage and enhance Cardiff's heritage assets. Policy EN9 provides a more detailed development management policy to protect the historic environment and states that development will only be permitted where it can be demonstrated that it preserves or enhances that assets architectural quality, historic and cultural significance, character, integrity and/or setting. Taking into consideration the separation distance, topography and intervening vegetation, the site will not be visible from these assets and it is considered that their setting would not be harmed. Cadw have been consulted and confirm that there are no scheduled monuments that would be affected by the proposed development. (They have no remit to consider the effect on the setting of listed buildings.)

(viii) Impact on air quality, noise, light pollution and contaminated land

- 8.39 The PPW objective for the management of environmental effects and pollution is to *'maximise environmental protection for people, natural and cultural resources, property and infrastructure, and prevent or manage pollution and promote good environmental practice'* (paragraph 13.1.12). At the local level, policy EN13 seeks to protect unacceptable harm caused by air, noise, light pollution or land contamination.
- 8.40 The development would not cause or result in unacceptable harm as a result of air quality, noise, light pollution and contaminated land, taking into consideration the recommended conditions by, and the lack of objection from Pollution Control, Drainage Services and NRW. Conditions are recommended to control land contamination, drainage, and imported soils and aggregates, and an advisory notice to control noise from construction activities.

(ix) Impact on residential amenity of nearby properties

8.41 PPW provides that *'insensitive infilling, or the cumulative effects or development or redevelopment, including conversion and adaption, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing'* (paragraph 9.3.3). At the development plan level, policy KP5 requires all new development to ensure no undue effect on the amenity of neighbouring occupiers. The third party responses are noted. Whilst a resident has raised concerns over the proximity of the site to family housing, it is considered that there would be no harm arising to nearby occupiers as a result of loss of privacy, overshadowing or any other matter sufficient to warrant a refusal of the application given the separation distances involved, intervening vegetation and scale of the development.

(x) Impact on Thornhill Farm Shop

8.42 Third parties have raised objections on grounds of the impact of the development on Thornhill Farm Shop, in respect of the impact on the business, the job security of their 15 employees, their customers' enjoyment of the café arising from the visibility of the site from the premises, and access to the farm.

8.43 In respect of impact on the business, it is noted that the farm shop does not fall within a shopping frontage or local centre protected by the LDP policies, such that the shop and business is not afforded protection in land use policy terms. The visibility of the proposed development from the café has been considered in section (i) and it should additionally be noted that the loss of a view is not a material planning consideration. In term of the access, the farm access off Thornhill Road would remain available to the tenant farmer, with a new self-closing gate to be installed, and that access would be separated from the proposed development by a new boundary fence, a new hedgerow and an avenue of trees. An access to the Farm from the cemetery is proposed as part of the application; the TA notes that the access will not be used as the main entrance to new House Farm by day to day traffic or for vehicles wishing to gain access onto Capel Gwilym Road, but to allow an option for those visiting the cemetery to visit the farm shop and café. There would be lockable vehicle and pedestrian gates on the proposed access, which would be operated by the Applicant and locked when the site is non-operational. None of the above issues are considered to provide reasonable grounds to sustain an objection to the application.

(xi) Whether the proposal would make satisfactory provision for access, parking and circulation

8.44 The Council's transport strategy underpinning the LDP is focused on seeking to reduce car use by encouraging people to use more sustainable modes of transport. Policy KP8 aims to ensure that development is properly integrated with transport infrastructure to achieve a shift away from car-based travel and sets out this 50:50 mode split as a target. Policy T1 favours development which includes design features and facilities for walking and cycling. Policy T2 identifies the A469 as forming part of the Northern Bus Corridor, one of four Rapid Transit Corridors identified as a focus for public transport enhancements that will serve the main LDP strategic sites and feed into the City Centre.

Policy T5 requires new development to make appropriate provision for safe and convenient access by all modes. Policy T6 aims to protect the transport network and its users from developments which would cause unacceptable harm to the operation and use of key transport networks and routes.

8.45 The Applicant has submitted a Transport Assessment which has been independently audited. The application's access, parking and transportation proposals are set out within Section 1 above. The third party objections raised in respect of traffic impact, parking, highway safety have been considered. The Operational Manager Transportation has provided detailed comments (replicated in full in section 5) and has no objection subject to conditions. Their suggested conditions are all recommended and include those relating to: *Access Junction Details, Vehicular Parking, Cycle Parking Details, Construction Management Plan, Details of the footway/bus stops to be submitted, and implemented prior to the site becoming operational.* It is considered that the development complies with planning policy in respect of highways and transportation matters, and that there is sufficient capacity on the adjacent highway to accommodate the traffic generated by the proposals.

(xii) Flood Risk, Protection of Ground Water and Drainage

8.46 Reference to the development site maps contained in TAN 15 Development and Flood Risk indicate that the site is considered to be at no risk of fluvial or tidal/coastal flooding and low risk of surface water flooding. As such, a Flood Consequences Assessment has not been submitted.

8.47 A hydrogeological risk assessment and site investigation was undertaken, including a 12 month dip-well monitoring of ground water to assess the suitability of the site as a cemetery, which concluded that there would be a low risk of water contamination as a result of the proposed development. The assessment indicated that there is no ground water within the upper 3 to 5m aside from a discrete area, coinciding with the base of a swale in the lowest elevated part of the site, and the report concludes that a land drainage scheme will not be necessary. The high annual burial rate, however, results in the development having a high risk score and all burials will need to be carefully managed. The site layout has been designed to respond to the elevated groundwater levels in the south west corner of the site. NRW have no objection and recommend a condition to protect controlled waters.

8.48 A sustainable urban drainage system is proposed with site run-off entering an attenuation pond in the south west corner of the site to control surface water outfall. This would connect to the existing M4 motorway drainage system. A system of filter drains is proposed to collect surface water runoff from the internal road network; these would be constructed with impermeable membranes. As there is no public sewerage system in the area, a cess pit is the proposed method of foul drainage. DCWW have no objection to the proposed development, and recommend a drainage strategy condition. They also note that the development is crossed by a trunk and distribution watermain along the Thornhill Rd frontage and provide related advice. NRW have carefully considered the reports and additional information, including the detailed design of the proposed field drains, and agree that the recommended condition

addresses their initial concerns regarding the detailed design of the filter drains. Drainage Services have no objection with the recommended condition. Welsh Government has no objection, confirming that they accept the principle of the scheme, subject to condition. They advised that following the planning stage, the applicant would be required to enter into an appropriate legal agreement. The conditions requested by the above consultees have all been recommended. Advisory notices are also attached to bring Welsh Government and DCWW advice to the attention of the Applicant.

Other Legislation

(xiii) Crime and Disorder Act 1998

- 8.49 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision. The Applicant has responded to the advice provided South West Police who have no objection to the application.

(xiv) Equality Act 2010

- 8.50 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. An Equality Impact Assessment has been submitted as part of the application. The DAS notes that all aspects of design have been considered to ensure that there are no barriers created and that the facilities, including the toilet facility building, can cater for and be accessed by all sections of society. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

(xv) Well-Being of Future Generations Act 2016 and whether the proposal would be a sustainable form of development

- 8.51 Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

(xvi) The Environment (Wales) Act 2016

- 8.52 The Environment (Wales) Act 2016 enshrines in law principles and policies for managing natural resources in a sustainable way. Amongst other things, it introduces a new biodiversity duty on public authorities to seek to maintain and enhance biodiversity when exercising their functions, and in so doing to promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions. This duty and the resilience of ecosystems have

been considered and discharged in the evaluation of this outline application, and has taken into consideration the following aspects of ecosystems - diversity, connections between and within ecosystems, scale, condition and adaptability. The mitigation measures sought in respect of green infrastructure, habitat connectivity, habitat compensation and protection of species are aimed at delivering the Biodiversity and Resilience of Ecosystems Duty (BRED). Additionally, conditions are recommended that would serve to create and enhance local opportunities for wildlife and enhance biodiversity through new woodland, wetland and grassland habitat creation that will provide increased opportunities for wildlife. This duty would be further considered in the future discharge of condition applications.

(xvii) Response to third party and other objections

8.53 The objections raised by third parties and other objectors have been duly noted. The following comments are provided in respect of matters not addressed above:

- (i) The Agent acting for the Applicant was notified of that the resident had not received a response to the pre-application consultation as indicated in the PAC report.
- (ii) The need for a burial site was not identified as an issue in the LDP and this site did not form a candidate site for use as a burial site. However, the LPA has a statutory duty to determine the application before it.
- (iii) The Applicant's initial needs assessment indicated that a further 2ha site may be developed to provide further graves, but did not indicate the location of this site. It does not form part of this application and has no status. The LPA has a statutory duty to determine the application before it. There is no requirement for the Council to consult WAG in respect of the loss of best and most versatile agricultural land, as both the 3.7ha application site and the potential further 2ha site would fall well within the 20hectare or more threshold for consulting them (Appendix B2, Tan 6).
- (iv) It would not be reasonable to place a restriction on any further expansion of the site onto land outside the red line boundary. The LPA has a statutory duty to determine the application before it and each application must be assessed on its individual merits. A condition is recommended to ensure that the burial areas do not extend beyond the areas shown on the submitted drawings.
- (v) The drainage of the site has been adequately assessed as part of the application and Welsh Government, Drainage Services and DCWW have no objection, subject to a drainage condition.
- (vi) Pollution Control has considered the application, have not required a noise assessment and have no objection. The landscaping proposals along the boundary with the M4 will help reduce the noise impact from the M4.
- (vii) The Transport Assessment sets out local public bus service information and Transportation has not raised any concerns on such grounds.
- (viii) The land does not constitute 'open space', such that s106 funding to compensate for loss of open space cannot be sought. The TAN 16 definition of open space which is quoted in the Council's SPG is '*open space is defined in the Town and Country Planning Act 1990 as land laid*

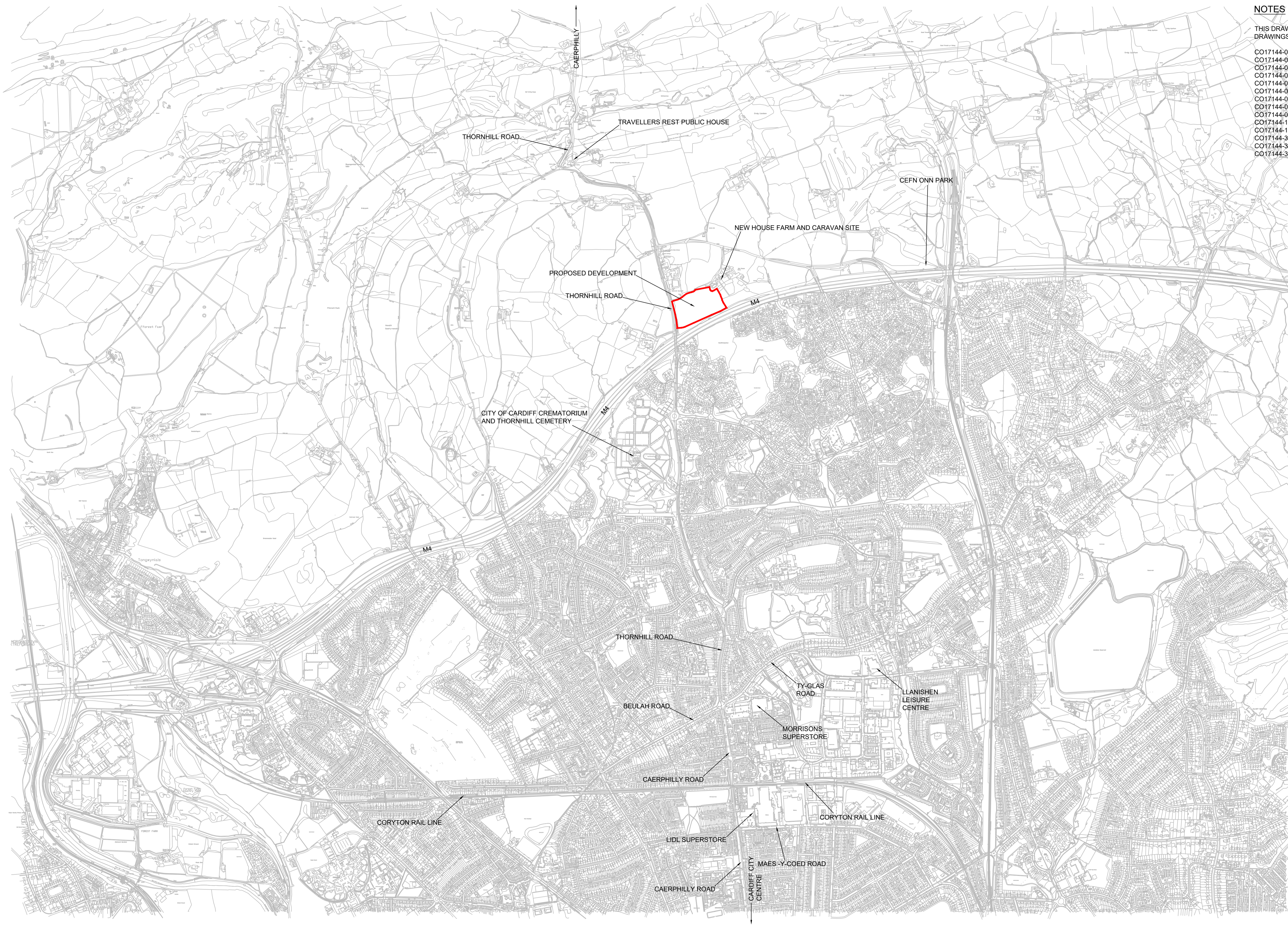
out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground’.

- (ix) A screening opinion was requested by the Applicant prior to the submission of the planning application to ascertain whether the proposal would be subject to the requirement for an Environmental Impact Assessment (EIA) (Town and Country Planning (Environmental Impact Assessment) Regulations 2017). The application was assessed in accordance with the Regulations and the screening response, dated 09/01/18, concluded that the development described was not considered likely to realise such significant environmental effects as to require the submission of an Environmental Statement to allow the local planning authority to determine a planning application for the proposal. The site is not within a 'Sensitive Area' as defined by the Regulations. The nearest Site of Special Scientific Interest is c1.2km to the west (Fforestganol a Chwm Nofydd) and the nearest Scheduled Ancient Monument is c.0.8km north (Castell Morgraig). The Local Planning Authority did not consider the development to be of more than local importance, did not consider the development would occur in a particularly environmentally sensitive and vulnerable location nor have the potential to have unusually complex and potentially hazardous environmental effects. It was noted that the visual, transportation drainage and hydrology, ecological, arboricultural and contamination impacts could be assessed through the submission of surveys accompanying a future application. Although the site exceeds one of the thresholds for urban development projects in Schedule 2 of the regulations, it does not automatically follow that EIA is required. As noted in section 1, the application is supported by a large number of technical assessments and it should also be noted that none of the internal and external technical consultees have requested any additional assessments prior to determination of the application, and that they have no objection, subject to recommended conditions.

9. CONCLUSION

- 9.1 A key consideration in the determination of this application is whether the proposed development would maintain the openness of the Green Wedge and whether it would conflict with the purposes of including land within it (para 4.8.18, PPW). The analysis concluded that the proposed development would not conflict with the purposes of including land within the Green Wedge and set out various factors relating to the application site, the surrounding area and the proposed development that would materially limit the impact of the proposed development on the openness of the Green Wedge. Additionally, the report set out a series of improvements to the scheme that have been secured through amended plans, which materially reduce the development's impact. Never-the-less, it was concluded overall that the development would not maintain the current degree of openness possessed by the site, given its current use and appearance as an open, grassland agricultural field. As such, it has to be concluded that the proposed development is 'inappropriate development' in the Green Wedge, assessed against para 4.8.18 of PPW, and substantial weight has been given to this impact.

- 9.2 To be granted planning permission in this circumstances, PPW requires that 'very exceptional circumstances' have to be demonstrated which clearly outweigh the harm to the green wedge (PPW para 4.8.15). As set out in the above analysis, it is considered that those 'very exceptional circumstances' exist in this instance, arising from the need for the development and the lack of suitable, alternative sites, that would justify granting planning permission, in line with PPW. In addition to delivering a much needed new cemetery, the arboricultural and ecological resource of the site would be enhanced through the delivery of a pond, a wetland area, wildflower meadows and verge, over 50 new trees, 4 new hedgerows and strengthened existing hedgerows, and new and strengthened woodland edge areas. Hedgerows would include native species to enhance them as Dormice habitats. Bat, bird and dormice nest boxes, and insect hotels/log piles for invertebrates are also proposed.
- 9.3 The proposal has been fully assessed against local and national policies and guidance, and the responses to consultation and objections fully considered. It is considered that there are no demonstrable or compelling reasons which indicate sufficient harm to warrant refusal of the application, with all material factors, policy implications and issues raised through consultation satisfactorily addressed. It is recommended that planning permission be granted, subject to the recommended conditions.



- NOTES**
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 - CO17144-04 PROPOSED LANDSCAPING
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 - CO17144-3000-01 PROPOSED LANDSCAPING POST CONSTRUCTION
 - CO17144-3000-02 PROPOSED LANDSCAPING MID LIFE POINT
 - CO17144-3000-03 PROPOSED LANDSCAPING FULLY DEVELOPED

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Andrew Gregory
 DIRECTOR FOR PLANNING, TRANSPORT AND ENVIRONMENT
 CYNLLUNIO, TRAFNIDIATH A'R AMGLYCHEDD

FOR PLANNING					
Rev	By	Date	Description of Amendment	Chk. by	Date

Project	THORNHILL CEMETERY NORTHERN EXTENSION		
Title	SITE LOCATION		

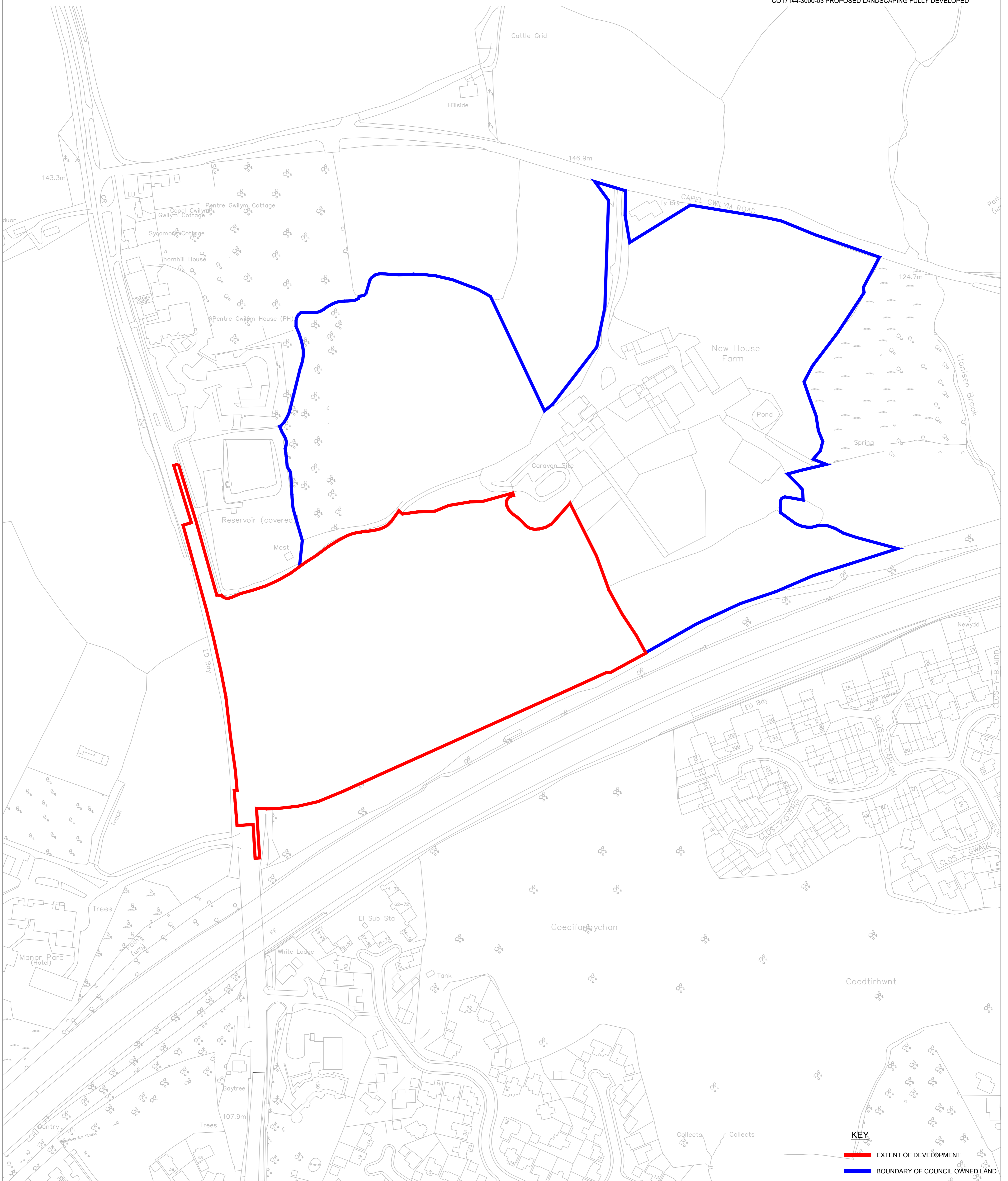
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Scale 1:10000	CO17144
Date APR'18	Drawing Number
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KEY

- EXTENT OF DEVELOPMENT
- BOUNDARY OF COUNCIL OWNED LAND

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 DIRECTOR FOR PLANNING, TRANSPORT AND ENVIRONMENT
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FOR PLANNING

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Project THORNHILL CEMETERY EXTENSION	Checked
Title DEVELOPMENT EXTENTS	Date JUN18

Path OM	Project Number CO17144	Drawing Number 11
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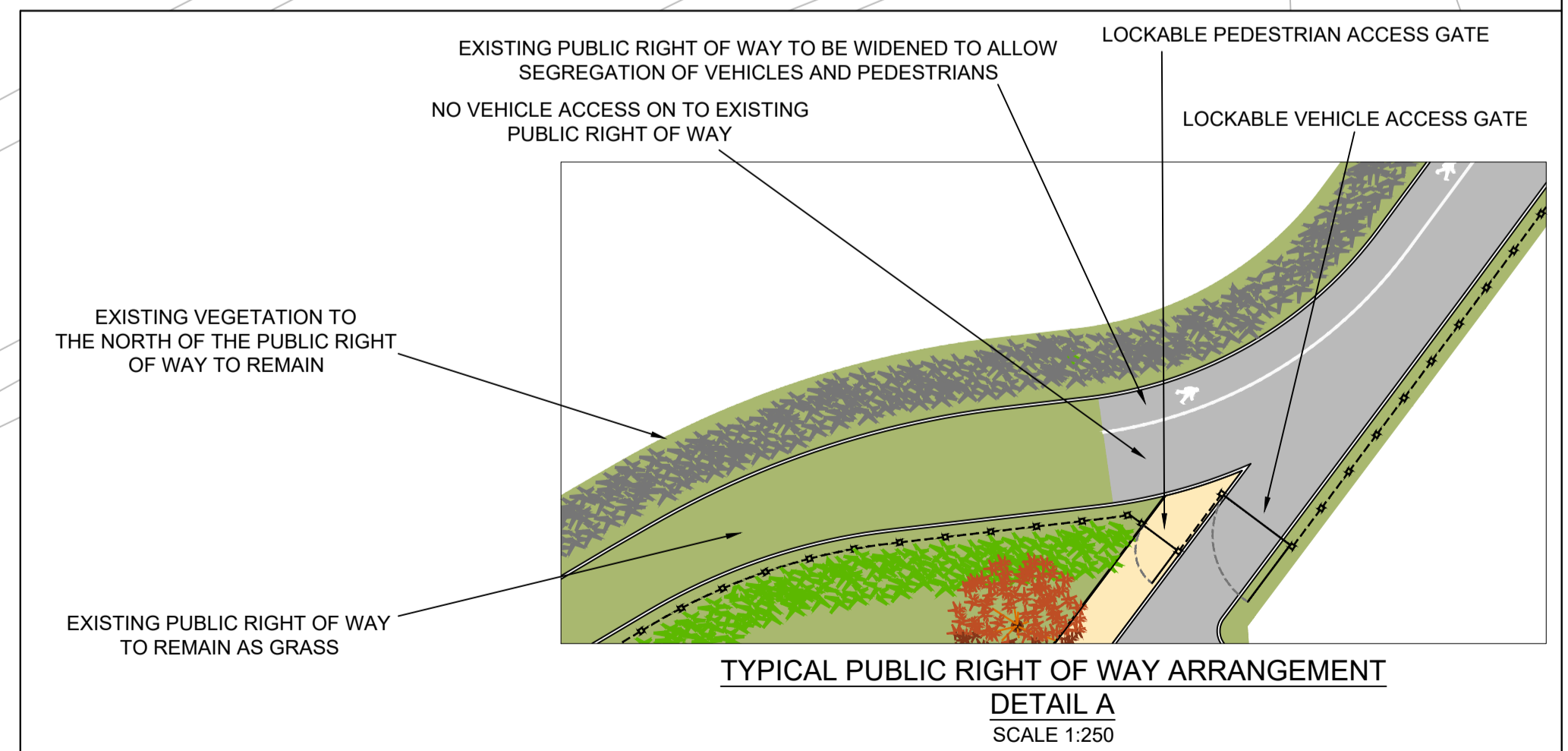
- CEMETERY ROADS TO BE TARMAC
- PARKING AND PEDESTRIAN AREAS TO BE BUFF COLOURED GRAVEL
- PROPOSED GRASSED AREA

NOTES

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THIS DRAWING IS A VISUAL REPRESENTATION OF THE SITE AFTER 25 YEARS DEVELOPMENT



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Andrew Gregory
DIRECTOR FOR PLANNING, TRANSPORT AND ENVIRONMENT
CYNLUNIO, TRAFNIDIATH A'R AMGYLCHEDD

FOR PLANNING					
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A	OM	AUG'18	AMENDMENTS TO PROPOSED LAYOUT		

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GENERAL ARRANGEMENT			
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- 1 Proprietary 'Live' green roof system at 5° slope - Refer to Proposed Planting layout
- 2 Cladding - Stained timber weatherboard
- 3 Powder - coated aluminium downpipe
- 4 Timber columns stained to match weatherboarding
- 5 Timber benching
- 6 Permeable resin bound paving
- 7 Hardwood double glazed windows to match weatherboarding
- 8 Hardwood doors stained to match weatherboarding
- 9 Staffordshire blue facing birch plinth up to DPC/ fill
- 10 Timber fascias + soffits
- 11 Electrically operated security shutters in powder coated aluminium

A Additional information for planning application SYT 09.08.18

revision		
title	Thornhill Cemetery - New Burial Site	
detail	Proposed Building and Shelter	
filepath	Y:\DESIGN - CONSTRUCTION\LIVE PROJECTS FROM 01 04 15\1099 Thornhill - New Burial Space	

project number	RSSC1099	drawing number	C017144-08	revision	A
scale	1:50 @A1	checked	RI	drawn	SYT
		date			Jun 2018

DATBYLGIAD ECONOMAIDD
ECONOMIC DEVELOPMENT
PROJECTAU DYLUNO A DATBYLGIAD
PROJECTS, DESIGN & DEVELOPMENT

Gavin M Traylor
RHEOLWR GWEITHREDOL
ACTING OPERATIONAL MANAGER

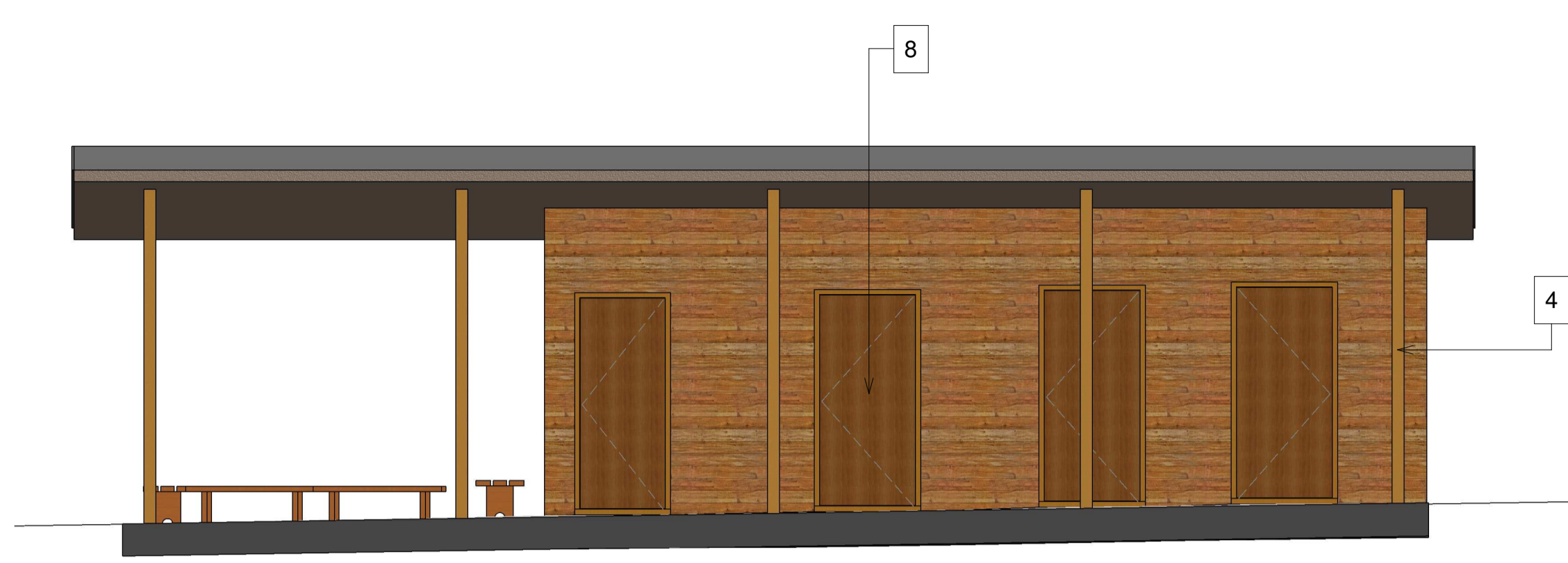
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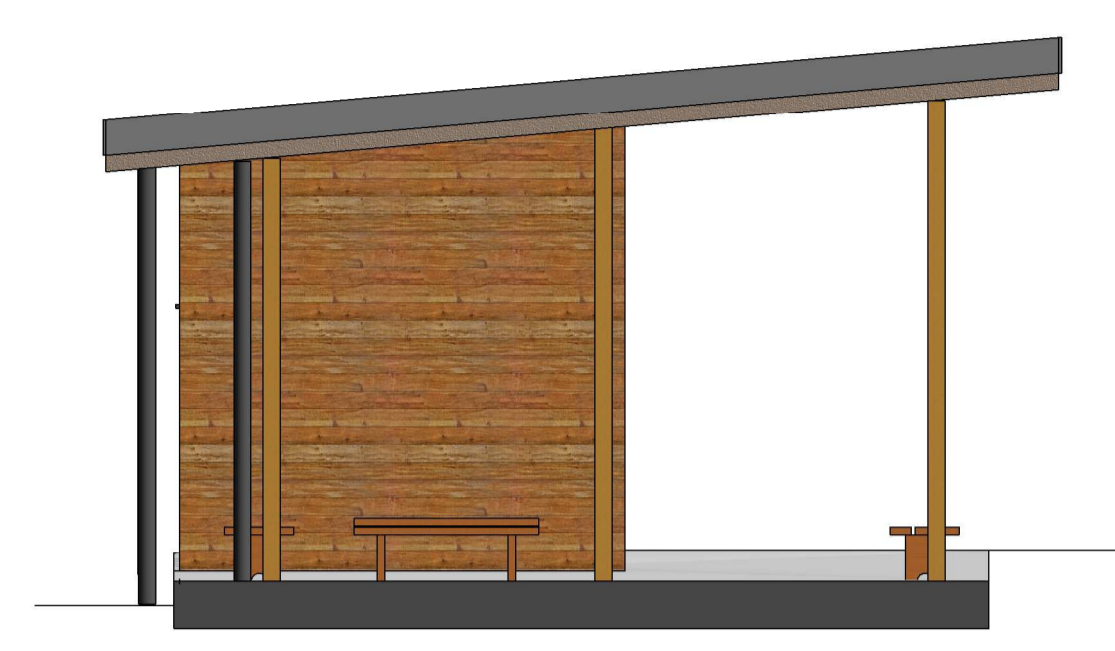
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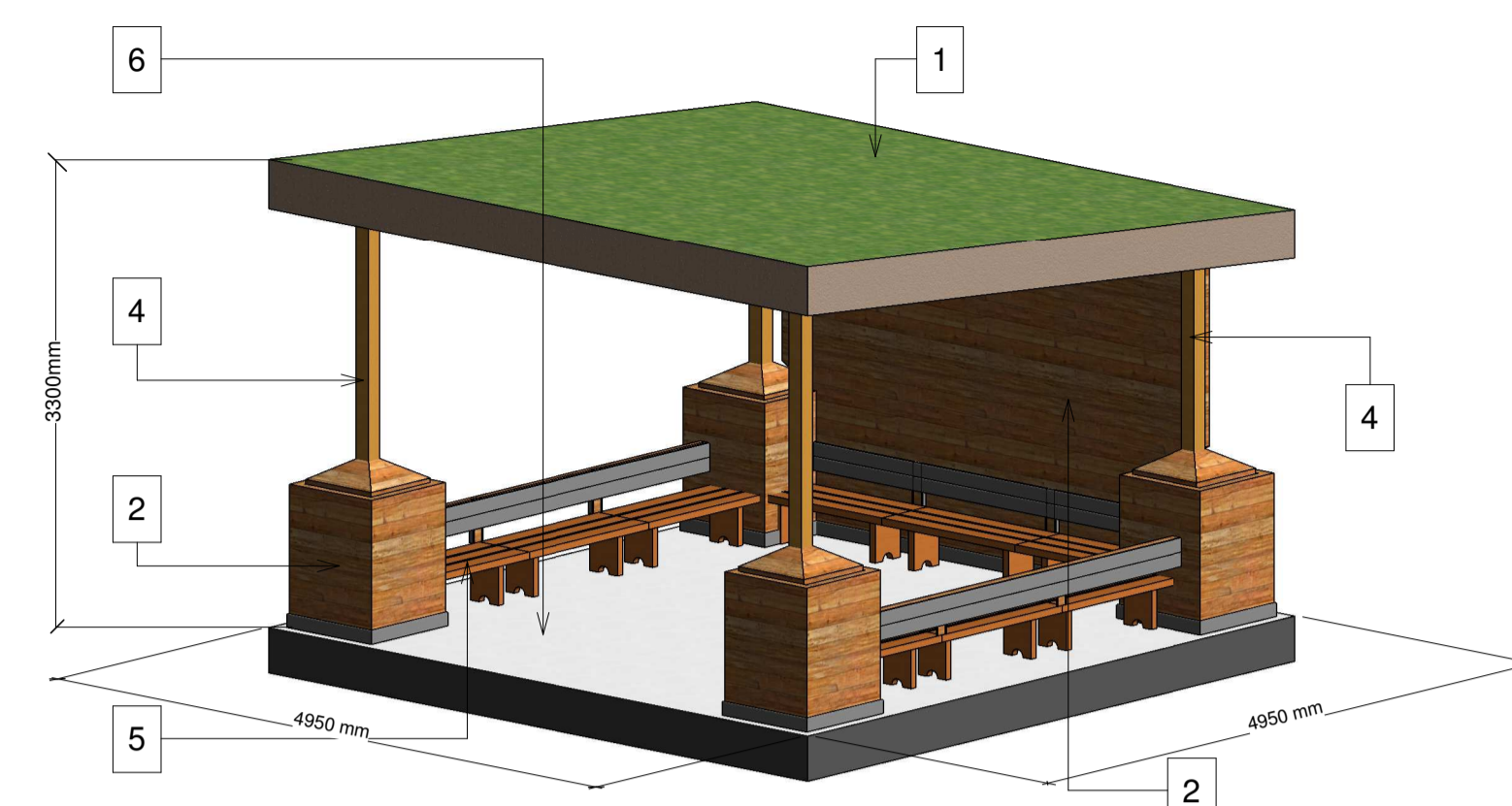
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Elevation 1 - East Facing to Car Park



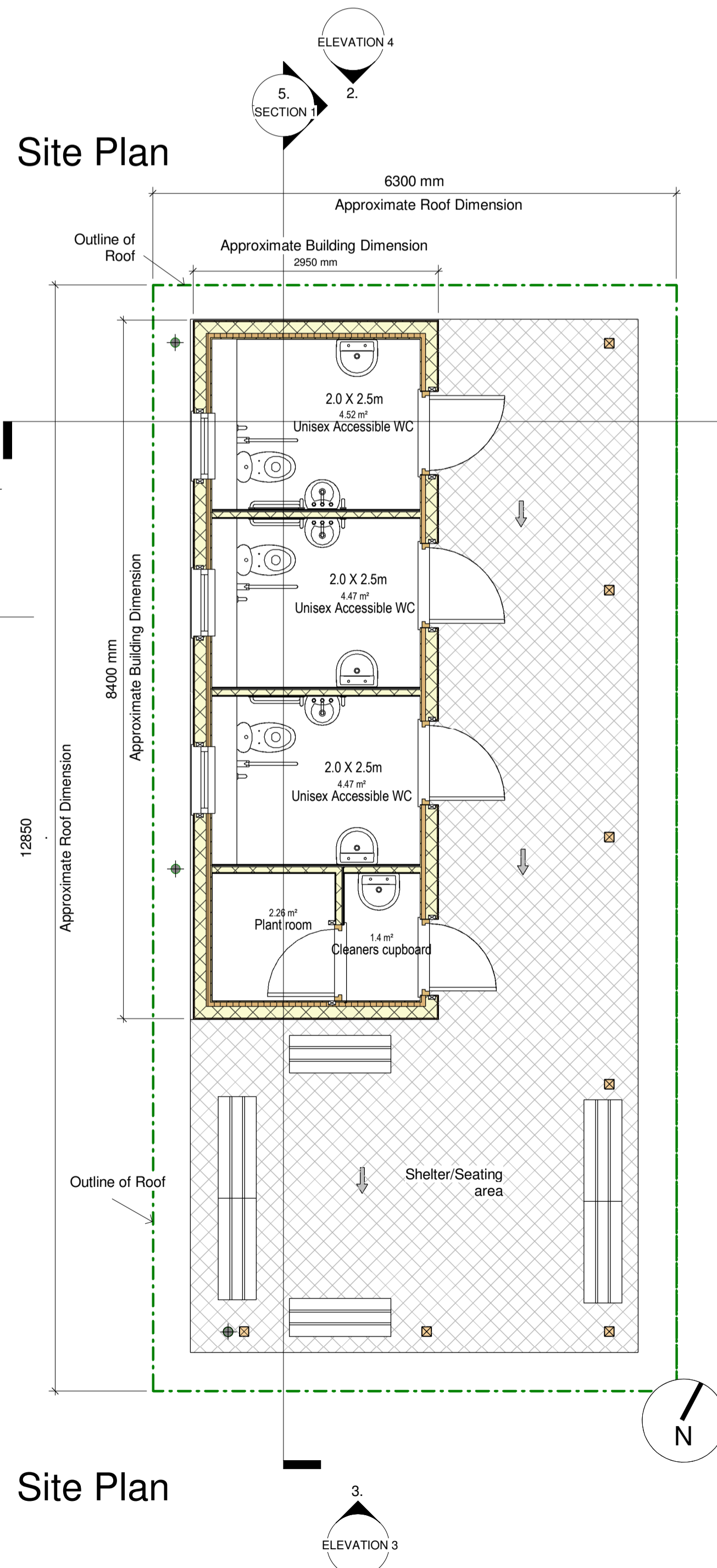
Elevation 3



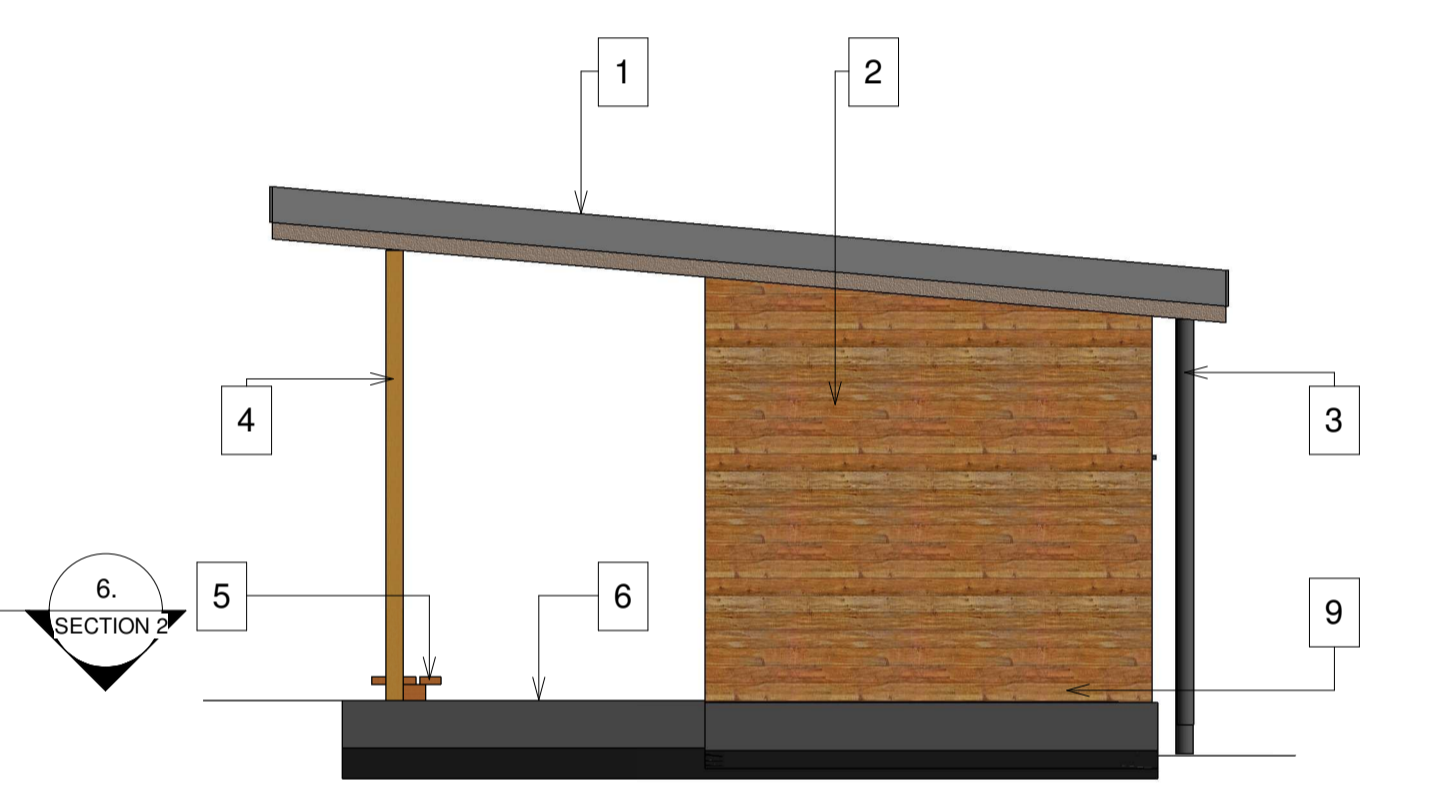
Stand-alone Shelter



Elevation 2 - West Facing to Site Entrance



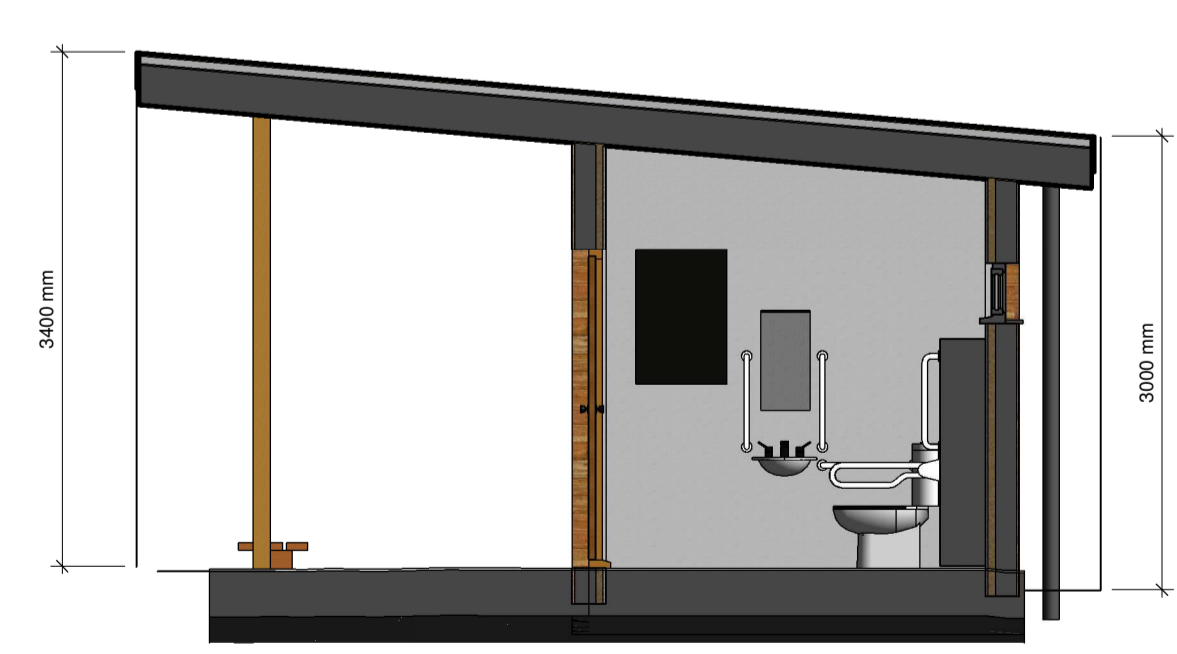
Site Plan



Elevation 4



Section 1

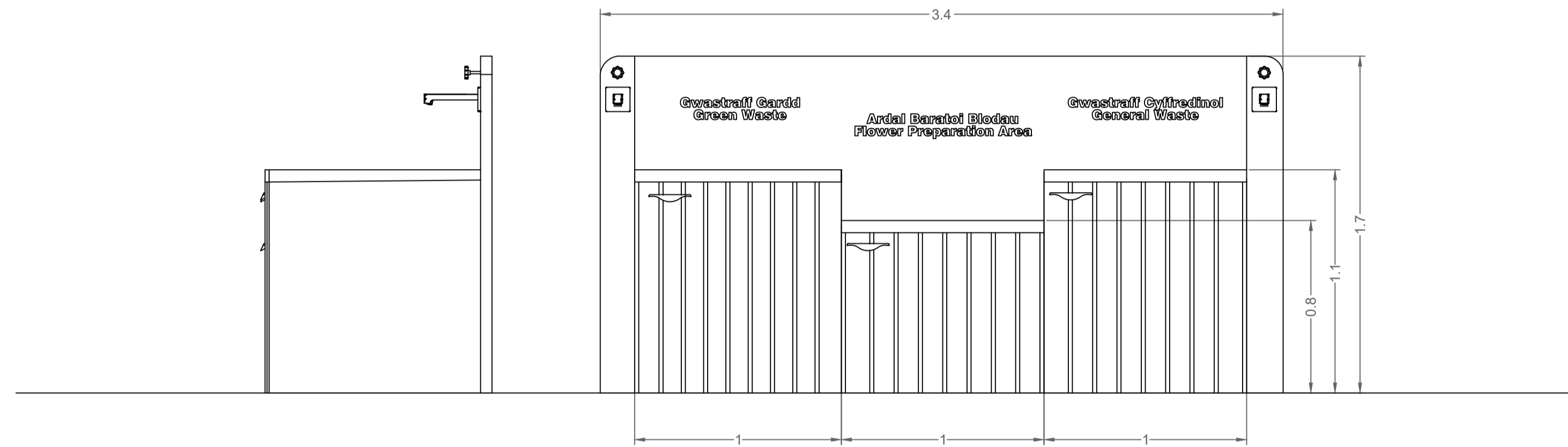
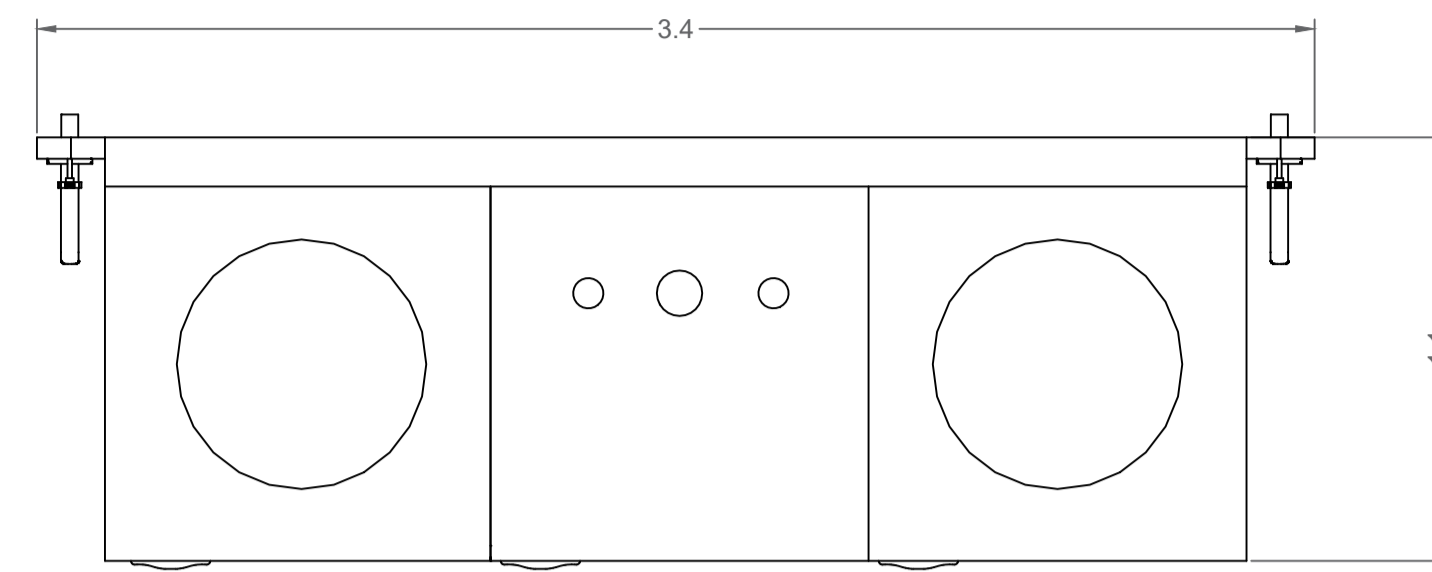


Section 2

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FS 25745



PROJECTS, DESIGN & DEVELOPMENT DESIGN AND CONSTRUCTION MANAGEMENT

PROECTAU, DYLLUNIO A DATBLYGU RHEOLAETH CYLLUNIO AC ADEILADU

Andrew Gregory
DIRECTOR FOR STRATEGIC PLANNING, HIGHWAYS, TRAFFIC & TRANSPORTATION

Rev	By	Date	Description of Amendment	Chk by	Date

FOR PLANNING

Project	THORNHILL CEMETERY NORTHERN EXTENSION		Checked	Path
Title	FLOWER PREPARATION AND BIN STORE		Drawn	OM
	Project Number	Drawing Number	Scale	1:20
	CO17144	09	Date	JUL'18
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