

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	16/03411/FUL Compton	13/03/2017	Proposed burial ground extension to church including rain shelters, change of use from agricultural land to Sui Generis. Land Opposite Church Of St Mary and St Nicholas Aldworth Road Compton Compton Parish Council

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/03411/FUL>

Recommendation Summary: **The Head of Development and Planning be authorised to REFUSE planning permission**

Ward Member(s): Cllr von Celsing

Reason for Committee Determination: Called in by Councillor von Celsing - wide village interest in this new burial ground site. Many letters of objection although many from outside parish.

Committee Site Visit: Thursday 7th December 2017.

Contact Officer Details	
Name:	Catherine Ireland
Job Title:	Planning Officer
Tel No:	(01635) 519111
E-mail Address:	Catherine.Ireland@westberks.gov.uk

1. Site History

74/01314/ADD - Extension to church to be used for meetings assembly – Approved 04.09.1974

10/02616/FUL - Demolition and replacement of existing entrance gates with traditional Lych Gate – Approved 14.01.2011

10/02617/LBC - Demolition and replacement of existing entrance gates with traditional Lych Gate – Approved 14.01.2011

11/00064/COND1 - Application for approval of details reserved by Condition 3 (materials) of planning permission reference 10/02617/LBC - Approved 10.03.2011

2. Publicity of Application

Press Notice Expired: 16/02/2017

Site Notice Expired: 14/02/2017

Five notification letters sent to neighbouring properties.

3. Consultations and Representations

Compton Parish Council	The Parish Council are the applicants.
Highways	No objection. <ul style="list-style-type: none">Request conditions: surfacing of access, visibility splays, parking/turning in accord with plans and footbridge in accordance with the standard detail drawings.
SUDS	No objection. <ul style="list-style-type: none">In respect of the information relating to grave levels and ground water depths as shown on the plans, and information received from the agent, the proposals are now acceptable. Recommend overall acceptance of the revised drawings Z.02.11/03 rev.E (Proposed Block Plan) and Z.02.11/07 rev.E (Section) as the final proposals for the site in relation to the flooding / SuDS issues and confirm that the car park construction details are acceptable.The final consultation response updated the drawings acceptable to Z.02.11/08 and Z.02.11 rev E. Providing the development is carried out in accordance with these drawings it is satisfactory in terms of the drainage proposals and the effect on groundwater quality.
Environment Agency	<ul style="list-style-type: none">Initially objected to the proposed works on flood risk grounds. After the submission of further details did not have any concerns from the perspective of groundwater quality provided the current burial plan remains which ensures that burials are over 30 metres from a water course, 250 metres from a borehole/well/spring used for human consumption and will not result in burials below the groundwater table.The proposal will only meet the requirements of the NPPF if conditions for works in accordance with the Design and Access Statement and mitigation, and for a buffer zone are attached to any permission.
Trees	Objection. <ul style="list-style-type: none">The details submitted are insufficient to fully assess the potential impact of the development on the landscape and potential loss of trees/ hedgerows on the road verge. There are also insufficient details of proposed landscaping and new planting to comprehensively assess the scheme.Further information would be required. It is not considered

	<p>that these issues could be overcome by appropriate conditions as principle concerns are raised for the overall scheme.</p> <ul style="list-style-type: none"> • Landscaping is proposed but no specific details on scope of landscaping, species, sizes or management provided. • No details have been shown regarding how the footbridge will be accommodated into the scheme with regard to existing trees and hedges along the verge. • Raise concern over scale of hard standing on the existing landscape within the AONB.
The Canal and River Trust	This application falls outside the notified area for its application scale. No requirement for consultation with Canal and River Trust in their capacity as a Statutory Consultee.
Conservation	<p>No objections.</p> <ul style="list-style-type: none"> • The application site is situated in open countryside (AONB) on the opposite side of the Aldworth Road to the (listed) church, such that the proposals are not considered to impact on it either directly or on its setting. • No objections are raised from a building conservation perspective.
North Wessex Downs AONB	Consulted on original submission - no objections to the extension of the burial ground but would request that any rain shelters or other equipment (bins etc) are erected or stored within the existing burial ground or along the boundary to preserve the open character of the site.
Archaeology	<p>High potential for archaeological features and deposits related to the Medieval settlement of Compton in the immediate vicinity, which (if present) would be at risk considering the nature of the proposed work. An archaeological evaluation would be able to determine the nature and extent of any archaeological features or deposits present that would be impacted by not only the proposed car park, drainage etc. – but also the future burial plots. This would then inform whether or not any further mitigation work would be necessary.</p> <p>If this is not possible pre-determination, then an archaeological excavation via planning condition is advised.</p> <p>After further discussions with the Agent for the application, archaeology were re-consulted and confirmed that the ideal route for investigating archaeological potential is via pre-determination evaluation and this was still the recommended course of action. However the failure to provide this information does not seem to be grounds for refusal of the application, when there may be some public benefit. It would not be practical or feasible to put an archaeological condition on the ground disturbance of grave digging, but believe that archaeological supervision (a watching brief) will be necessary for groundworks related to the car park and garden, if the archaeological potential has not been established before this application is decided.</p>
Environmental Health	<p>Refer Case Officer to the representation from the Environment Agency regarding flooding risks. The Environment Agency also deal with potential risks of contamination to controlled waters.</p> <p>No other comments to make on this application.</p>

Public Rights of Way	No objections subject to conditions. <ul style="list-style-type: none"> The proposed access utilises a short section of Compton Footpath 10. No objections to the application providing the following takes place: <ul style="list-style-type: none"> Details of the proposed surface improvement of the footpath must be submitted to and approved by WBC's Rights of Way team prior to any work taking place. Would expect some sort of undertaking by the applicant to maintain this section of improved footpath. Would like more details about the position and type of new hedge proposed along the boundary of the footpath.
WBC Bridges	The proposed bridge should be constructed in accordance with one of the attached WBDC standard details. The standard detail will be determined by the span of the bridge which should be confirmed by the applicant.
Rambler's, Ecology	No consultation responses received as of 28 th November 2017.

3.2 Representations - 20 objectors, 8 supporters, 1 ambivalent and 1 of mixed views. The main areas of concern/comment are:

Flooding, ground water and contamination

- Flooding and water contamination issues to groundwater and the River Pang. Concerns over lack of assessment carried out on site and data used. Lack of risk assessment.
- Water run-off.
- Well 75 metres from grave.
- Plans do not follow CS 16.
- Levels of the site compared to the existing, which floods.
- Abstraction of water from a neighbouring property would be at significant risk if the water table was to rise.
- High water tables.

Location

- Suitability of the site - more appropriate sites, for example in the existing graveyard.
- Outside of village envelope.

Impact on the character of the area

- More suitable for urban setting

AONB/character of the area

- Object to change of use. Believe it would have a negative visual impact on the surrounding area/this part of the village.
- Will dramatically alter the "entrance" to the village from the east.
- Would have to implement in one go rather than evolve which would be more visually acceptable.
- 3 rainshelters excessive.

Scale

- Site is unnecessarily large for parishioners of Compton, if the site is used for more than just the community it may cause disruption on roads.

Highways

- Object to car park - cars can be safely parked on the road. The cars act as traffic calming.
- Pedestrian safety.
- Concerns over the management of the car park and who will be allowed to use it. Risk of anti-social behaviour if not managed properly. Car park not required. Trouble and unexpected problems from car park.

- Highway safety- parked cars on road calm traffic, speed limits are not adhered to and concerns over new access.
- Congestion caused by funeral traffic which will impact residents.

Archaeology

- Application site is archaeological significance there is a lack of assessment and consultation by the applicant and the planning authority.
- Planning Regulations may not have been followed by the Applicant with regards to the treatment of a site with known potential Heritage Assets.
- The flood risk and groundwater assessment of 2013 should be reviewed in the light of potential heritage assets, and repeated in collaboration with archaeologists.
- SUDS measures could destroy heritage assets.
- Cannot approve without understanding impact.

Public Rights of Way

- Church Farm Cottage, has a right of way over the access to the proposed site - believe there would be obstructions due to traffic problems during burials, weddings and church services throughout the year.

Landscaping

- Design and access statement does not propose sufficient planting in order to “not have a negative visual impact on the proposed site nor the adjacent areas”. The only proposed hedging runs the width of the site to the North. As a condition of planning there should be substantial mature hedge and tree planting the entire length of the site along the Eastern boundary.
- Expect proper and sympathetic screening by trees from neighbouring properties.

Ownership

- Notice not served on owners of the access - Church Farm Cottage or another member of the public
 - Case Officer note - the Local Planning Authority has received no evidence to show that notice is required to be served on the owners of Church Farm Cottage or the other member of the public queried.

Other

- Inadequate information
- Concern regarding maintenance of the site.
- Inadequately publicised.
- Unnecessary.
- Increase in levels.

Support:

- More suitable than current graveyard in terms of flood risk
- Flood risk dealt with by condition
- Will be away from the road and higher than the existing graveyard.
- Any health risk trivial compared to sewage leakage seen when the Pang is flowing.
- More parking for the village greater highway safety
- Hedge will provide screening reducing visual impact and be more important for wildlife than current agricultural land.
- A need for the proposal. Apparently “empty” areas in existing may not be empty. This clear area is used by the church.
- Improve aesthetics of site by maintaining it. Will be improvement visually.
- Car park would be useful amenity for the church and village.
- Important to maintain a cohesive community.
- Once the churchyard is closed, it will mature, be attractive and have wildlife benefits.

- Excellent use of resources.
- Apart from shelters nothing to spoil view.
- If for use of residents and those with a link to Compton, cannot see measureable increase in traffic.
- PROW will not be detrimentally affected.
- Lockable barrier could prevent anti-social behaviour.
- Not enough traffic to be unsafe crossing if road aware.

Other comments were included in representation letters, however these were not material planning considerations.

4. Policy Considerations

- 4.1. The statutory development plan comprises:
- West Berkshire Core Strategy (2006-2026)
 - Housing Site Allocations DPD
 - West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
 - Replacement Minerals Local Plan for Berkshire (2001)
 - Waste Local Plan for Berkshire (1998)
- 4.2. The following policies from the West Berkshire Core Strategy are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy
 - Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
 - CS 13: Transport
 - CS 14: Design Principles
 - CS 16: Flooding
 - CS 17: Biodiversity and Geodiversity
 - CS 18: Green Infrastructure
 - CS 19: Historic Environment and Landscape Character
- 4.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:
- TRANS1: Meeting the Transport Needs of New development.
 - OVS5: Environmental Nuisance and Pollution Control.
 - OVS.6: Noise Pollution
- 4.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:
- C1: Location of New Housing in the Countryside
- 4.5. Other material considerations for this application include:
- The National Planning Policy Framework (March 2012) (NPPF)
 - Planning Practice Guidance
 - The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019

5. Description of Development

- 5.1 This application seeks full planning permission for a burial ground extension, to include rain shelters and a change of use from agricultural land to a Sui Generis use as a burial ground. The burial ground site would consist of a car park adjacent to the highway containing 19 parking spaces. Beyond this would be a garden of remembrance, containing

two rain shelters (to be clad with timber weatherboarding on three sides and with a plain clay tile roof) and a central community art feature. To the south of the garden of remembrance would be the burial plots; 52 cremation plots are proposed, along with 66 single burial plots and 146 double burial plots. These have been placed so that the cremation plots would be the furthest north, with the deepest, double plots being located further south, where the ground level will be higher.

- 5.2 The application proposes using approximately 24 metres of Compton Footpath 10, which runs over an existing culvert over the River Pang and along the eastern boundary of the site, for vehicular access to the burial ground. A footbridge is proposed to be constructed in the north western corner of the application site, over the River Pang, to provide pedestrian access.
- 5.3 As part of the works to provide the burial ground, it is proposed to use a cut and fill method to alter the levels within the site.
- 5.4 The application site is located outside of the settlement boundary of Compton, opposite the existing burial ground and the church of St. Mary and St. Nicholas, a grade II* listed building, and from which it is separated by Aldworth Road. As the site is outside of the settlement boundary it is classed as being located within open countryside, although there are residential properties to the west and the east of the application site. Further along Aldworth Road to the east of the site are a collection of properties alongside a cross roads.
- 5.5 The site is within the North Wessex Downs AONB, and the northern end falls within flood zones 2 and 3. The land is currently in use as an agricultural field, and undulates, rising gently to the southern end of the site.
- 5.6 The north elevation of the site is defined by the River Pang, which separates the site from the public highway. A bridge over the river provides access to the application site and a public right of way, as well as access to Church Farm Cottage. Several trees are located along the northern boundary of the site, adjacent to the River Pang.
- 5.7 The east side of the site is currently formed by a public right of way - Compton Footpath 10. No fencing or other boundary treatment separates the proposed site from other agricultural land to the east. The west side of the site is defined by wire fencing and mature trees, beyond which are residential properties. To the south is open agricultural land.
- 5.8 The current burial ground is located adjacent to the church. On historic maps it is shown as being immediately to the north and south of the church, however it has also been extended out previously into land to the west of the church.

6. Consideration of the Proposal

The main issues for consideration in the determination of this application are:

- 6.1 The principle of the development
- 6.2 Impact on the character of the area including the North Wessex Downs AONB
- 6.3 Drainage and flooding
- 6.4 Highway safety
- 6.5 Archaeology
- 6.6 Public rights of way
- 6.7 Neighbouring amenity
- 6.8 Ecology
- 6.9 The assessment of sustainable development
- 6.10 Community Infrastructure Levy

6.1. The principle of development

- 6.1.1. The spatial strategy for West Berkshire District is set out in Core Strategy policy ADPP1, which is clear that development should follow the existing settlement pattern. The policy goes on to state that within open countryside, where this site is located, only appropriate limited development will be allowed which is focused on addressing identified needs and maintaining a strong rural economy.
- 6.1.2. Planning Policy ADPP5 of the Core Strategy sets out the criteria for the principle of development within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) in which this site is situated. Policy ADPP5 permits development preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open Downland of the AONB. It seeks to conserve and enhance the character of the area, ensuring that any development responds positively to the local context.
- 6.1.3. For the purposes of the Core Strategy, cemeteries and graveyards are considered to constitute green infrastructure, and therefore the proposal must also be assessed against policy CS 18. This states that the Council will work with partners including Parish Councils and the community to address the District's green infrastructure needs and deficiencies as are to be set out in a Green Infrastructure SPD.
- 6.1.4. The proposed burial ground extension is considered to be necessary to provide the local community with a long-term solution to the shortage of burial sites, as is described in the application submission. It is therefore considered to be acceptable in terms of CS 18. However, whilst it would address identified need, the proposal is not considered to relate well to the site's character and surroundings. Therefore it is not considered to comply with ADPP1 of the Core Strategy.
- 6.1.5. From the information submitted, it is not possible to fully assess the impact the proposed graveyard would have on the character of the area and the AONB. The application has therefore not overcome concerns regarding the impact on the AONB in terms of conserving the character of the area, and it may not respond positively to the local context.
- 6.1.6. In view of the above the principle of development is unacceptable.

6.2. Impact on the character of the area including the North Wessex Downs AONB

- 6.2.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 6.2.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.3. Paragraph 115 of the NPPF places great weight to conserving the landscape and scenic beauty in AONBs, which is also reiterated by Core Strategy Policy ADPP5.

- 6.2.4. The application site lies close to the existing church of St. Mary and St. Nicholas, which is Grade II* listed. The Conservation Officer has commented that the proposal is on the opposite site of Aldworth Road to the listed church, and therefore the proposals are not considered to impact on it either directly or on its setting.
- 6.2.5. The proposed graveyard extension site lies outside of the settlement boundary of Compton, in an area of transition between the built form of the village and the wider open downland of the North Wessex Downs AONB. The area around the site is rural and sparsely developed, and is characteristic of the open downland within the AONB, described in the North Wessex Downs Management Plan as consisting of smoothly rounded downland with tree cover limited to Beech clumps on summits and linear shelter belts.
- 6.2.6. The proposed car parking, garden and burial ground will introduce formal, more urban features into the rural landscape. The parking area and access along the eastern boundary of the site would introduce a large area of hard standing, which within the rural landscape is a significant concern. Whilst planting is proposed, limited detail has been submitted within the application. The lack of detail means that it is not possible to fully assess the potential impact of the proposal and associated landscaping on the landscape and character of the area.
- 6.2.7. As part of the proposed works it would be necessary to use a cut and fill method to adjust the levels of the site. At the deepest point, it would be necessary to lower the ground to the south of the site by approximately 0.75 metres. The most the levels would be raised would be approximately 1.2 metres, to the northern end of the site, between the burial ground and the garden of remembrance. A condition requiring the submission of details of levels for the site could be attached along with a condition for details of spoil removal. This would ensure appropriate removal and levelling of the whole site (if considered acceptable in landscape character terms), including the access track along the eastern boundary, for which no levels are currently provided.
- 6.2.8. The application also lacks detail regarding the potential loss of trees and hedgerow on the road verge, which may be necessary for the addition of a pedestrian footbridge. The Tree Officer has therefore raised an objection on the grounds of lack of information, and does not consider it acceptable to leave such detail to consideration through conditions as there are in principle objections raised for the overall scheme.
- 6.2.9. When consulted on the original plans for the site, the North Wessex Downs AONB raised no objections to the extension of the burial ground, but requested that any rain shelters or other equipment are erected or stored within the existing burial ground or along the northern boundary to preserve the open character of the site. Amended plans have been received reducing the number of shelters from three to two; whilst the AONB board were not re-consulted on these amended plans, it is considered that the amendment made is not sufficient to overcome the negative impact on the character of the area from these structures. However it is considered that these structures proposed will still present an incongruous and urbanising feature in this open rural landscape.
- 6.2.10. The proposal therefore does not respect or enhance the character of the area and does not relate well to the wider locality, nor does it conserve or enhance local distinctiveness or the setting of the AONB. It is therefore not considered to be in compliance with policies CS 14, 19 or ADPP5 of the Core Strategy, nor does it comply with paragraph 115 of the NPPF.

6.3. Drainage and flooding

- 6.3.1. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy

CS16 strictly applies a sequential approach across the district. Parts of the site fall within the Environment Agency's Flood Zones 2 and 3 and the River Pang runs immediately to the north of the site.

- 6.3.2. The application has been accompanied by a Flood Risk Assessment in accordance with policy CS 16.
- 6.3.3. Concern has been raised regarding flood risk and groundwater contamination in representation letters. The information submitted has been assessed by the Council's Land Drainage Engineer, who found the proposals to be satisfactory in terms of drainage proposals and the effect on groundwater quality if carried out in accordance with the latest supplied drawings.
- 6.3.4. Whilst the sequential test has not been applied, it has not been considered necessary in this instance as the Land Drainage Engineer has raised no objections to the proposals.
- 6.3.5. The Environment Agency initially objected to the proposal on flood risk grounds. Further information has been submitted. The Environment Agency comments that it has no concerns with respect to the site from the perspective of groundwater quality provided the current proposed burial plan remains which ensures that burials are over 30 metres from a water course, 250 metres from a borehole/well/spring used for human consumption and will not result in burials below the groundwater table. The Environment Agency has confirmed that the proposed development is only considered to meet the requirements of the NPPF if a condition to ensure that the works are carried out in accordance with the Design and Access Statement and mitigation measures are put in place is attached to any permission. In addition a condition to secure a scheme for the provision and management of a buffer zone a minimum of 4 metres wide from the bank top of the River Pang is requested.
- 6.3.6. Whilst it would appear that there is a well within this limit, Environmental Health received confirmation in 2015 that it was not used for human consumption. Environmental Health are not aware of any private water supplies within 250 metres of the application site. Representation letters have been received advising that there is a well within the grounds of Church Farm Cottage, and is given as being approximately 50-75 metres to the east of the proposed graves.
- 6.3.7. The Environment Agency also provided advice/informatives regarding environmental permitting regulations and fencing design.
- 6.3.8. The proposed development, subject to suitably worded conditions, is considered acceptable in terms of Policy CS16 of the Core Strategy and advice contained within the NPPF.

6.4. Highway safety

- 6.4.1. The proposed graveyard would be accessed by vehicles across an existing culvert which was constructed by West Berkshire Council. This also serves as an access to Church Farm Cottage.
- 6.4.2. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Core Strategy Policy CS13 states that development that generates a transport impact will be required to reduce the need to travel, and improve and promote opportunities for healthy and safe travel. The rural location of the graveyard extension and nature of the use means that people will travel to the site by car, and this will be enabled by the proposed car parking. However, this would already be the case, and some visitors may choose to walk to the site from the village. It is

also noted that there is a bus stop to the front of the application site which would provide a sustainable method of transport.

- 6.4.3. The Highway Officer requested clarification as to whether the burial ground would serve the Church of St Mary and St Nicholas only, or whether it would serve a wider area and other churches. Further information has been provided confirming that it is the intention of the Parish Council to ensure that burials are restricted to those who live in the village and former residents. This could not easily be conditioned. In addition the Highway Officer has not requested such a condition to secure this and is satisfied with the response provided from the applicant. The Highway Officer has no further comments in respect of vehicle movements.
- 6.4.4. The proposed burial ground offers some highway benefit as the parking proposed provides an opportunity for vehicles to park off of the highway, presently there is no off street parking for the Church.
- 6.4.5. The Highway Officer requests conditions for the footbridge to be in constructed accordance with Highway Standard Detail Drawings; submission of details for surfacing of the access 5 metres back from the carriageway edge and parking/turning in accord with the submitted plans. The requested condition for visibility splays is not considered necessary as these would be located on highway land.
- 6.4.6. The WBC Bridges Team has confirmed that the proposed footbridge should be built in accordance with West Berkshire Council standard details. The standard detail to be used would be determined by the span of the bridge. A condition to secure the construction in accordance with the details could be attached to any permission.
- 6.4.7. It is therefore considered that the proposed development will comply with the criteria contained within Policy CS13 of the Core Strategy and the NPPF and would not result in an adverse impact to highway safety.

6.5. Archaeology

- 6.5.1. CS19 of the Core Strategy seeks to ensure the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced. Particular regard will be given to the conservation, and where appropriate, enhancement of heritage assets.
- 6.5.2. Concern regarding the archaeological potential of the site has been raised by several members of the public in representation letters. The Council's Archaeologist has been consulted on the application and archaeological evaluation is considered to be appropriate pre-determination due to the proximity to what would have been the centre of the Medieval settlement of Compton. This would have been centred around the Church, which may have had its origins as a Saxon Minster. Earthworks to the immediate west of the Church were thought to be the remains of the Medieval village (and a Scheduled Ancient Monument) until earlier this year; these remains are now thought to be later in date, suggesting that the original settlement core is yet to be uncovered.
- 6.5.3. As such, there is high potential for archaeological features and deposits related to the Medieval settlement in the immediate vicinity, which (if present) would be at risk considering the nature of the proposed work. The Council's Archaeologist therefore recommended an archaeological evaluation to determine the nature and extent of any archaeological features or deposits present that would be impacted by not only the proposed car park, drainage etc. but also the future burial plots. This would then inform whether or not any further mitigation work would be necessary.
- 6.5.4. After further discussion with the agent for the application, further consultation with the Council's Archaeologist has been undertaken, and archaeological investigation pre-

determination is still the recommended course of action. However, it was considered that the failure to provide the requested information is not a reason for the refusal of this application. An archaeological supervision condition is considered necessary before ground works relating to the car park and garden commence to assess archaeological potential.

- 6.5.5. As the application has been recommended for refusal, it has not been considered expedient to ask the applicant for this work to be carried out at this stage.

6.6. Public Rights of Way

- 6.6.1. Policy CS18 of the Core Strategy covers green infrastructure, which is defined as including Public Rights of Ways. The District's Green Infrastructure should be protected and enhanced and that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted unless in exceptional cases a suitable replacement is proposed.
- 6.6.2. The eastern boundary of the site would run adjacent to Compton Footpath 10, part of which would be used to provide vehicular access to the application site. No objections have been raised by the Rights of Way Officer providing details of the proposed surface improvement of the footpath are submitted to and approved by West Berkshire Council's Rights of Way team prior to work commencing. It is expected that an undertaking by the applicant to maintain the section of improved footpath would also be entered into. This could be secured by condition.
- 6.6.3. Further details regarding the position and type of new hedging proposed along the boundary of the footpath would also be required. This could be secured by condition and agreed by the Public Rights of Way Officer.
- 6.6.4. The proposed works are therefore considered to comply with CS18 in terms of the impact on the Public Right of Way and Green Infrastructure.

6.7. Neighbouring amenity

- 6.7.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire.
- 6.7.2. The proposed development is sufficiently distant from nearby dwellings, such that it would not directly impact on neighbouring amenity in terms of sunlight, daylight, noise, overlooking or loss of privacy.
- 6.7.3. Environmental Health has been consulted and raised no objections to the application.
- 6.7.4. Whilst concern has been raised in representation letters regarding anti-social behaviour, issues arising should be considered under separate Environmental Health legislation by.
- 6.7.5. It is therefore concluded that there would be no adverse impact on neighbouring amenity and the application accords with WBCS Policy CS14 and WBDLP Saved Policies 2007 OVS.5 and OVS.6.

6.8. Ecology

- 6.8.1. Policy CS17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced.

- 6.8.2. No objection has been raised by the Council's Ecologist, although in discussions it was suggested that an informative regarding badgers on the site is attached to any permission.
- 6.8.3. When consulted the Environment Agency requested a condition securing the provision and management of a buffer zone between the bank top of the River Pang and the car park. Land alongside watercourses is valuable as a corridor for wildlife, and this condition is considered necessary to ensure the protection of wildlife and supporting habitat.
- 6.8.4. The Environment Agency also requested that the proposed bridge is set back from the bank top by 1.5-2 metres to allow wildlife to travel along the banks beneath it. Both this and the buffer zone could be secured by condition.
- 6.8.5. The proposed works are therefore considered to comply with Policy CS17 of the Core Strategy and advice contained within the NPPF.

6.9. **The assessment of sustainable development**

- 6.9.1. The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.
- 6.9.2. The proposal has the potential for social benefit, as it would be providing needed burial space for the community. However the social benefit is not considered to be outweighed by the negative environmental impact that would result from the urbanising affect that the proposal would have on the character of the area and the AONB. Social considerations overlap those of environmental in terms of amenity. As these have also been found unacceptable the development is considered to not constitute sustainable development.

6.10. **Community infrastructure levy**

- 6.10.1. The application does not propose floorspace which would fall within a CIL liable class use.

7. **Conclusion**

- 7.1. Having taken account of all the relevant policy considerations and other material considerations referred to above, it is considered that the application is contrary to development plan policies in respect of the impact on the character of the area and the North Wessex Downs AONB. Furthermore, insufficient information has been submitted to demonstrate the full impact of the landscaping proposals, and as such have not allowed for full assessment of the proposal.

8. **Full Recommendation**

- 8.1. The Head of Development and Planning be authorised to **REFUSE** planning permission:

Reason 1

The application site is located outside of the settlement boundary of Compton, in a sparsely occupied, open area of downland. The proposed burial ground and associated earthworks altering levels on the site, would result in the formal and urbanising use of an area of land currently in agricultural use. This would detract from the existing visual character of the protected landscape. Insufficient justification has been submitted with the application to demonstrate that the visual harm identified can be suitably and appropriately mitigated.

This proposed development is to the detriment of the visual, spatial and environmental character of the area within the countryside and North Wessex Downs AONB. The

proposal conflicts with Development Plan Policies ADPP1, ADPP5, CS14, CS18 and CS19 (West Berkshire Core Strategy 2006-2016) and advice contained within the NPPF.

Reason 2

The details submitted with the application are insufficient to fully assess the potential impact of the development on the character of the protected landscape and the potential loss of trees/hedgerows on the road verge. Insufficient details of the proposed soft and hard landscaping, including new planting, have been submitted to allow for a comprehensive assessment of the proposed scheme. As the landscaping of the site is a principle concern regarding this application, it is not considered that objections raised could be overcome by the use of conditions.

As such the proposed development is contrary to policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and advice contained within the NPPF as it does not demonstrate that it will respond positively to local context or conserve the existing landscape character and setting of the North Wessex Downs Area of Outstanding Natural Beauty.

DC