
2017/0766 and 2017/0771 Joint Report

Applicant: Barnsley MBC, C/o NPS Barnsley

Description: **2017/0766** Conversion of existing outbuilding and siting of wooden clad container for use as a Pet Crematorium
2017/0771 Conversion of existing outbuilding and siting of wooden clad container for use as a Pet Crematorium (Listed Building Consent)

Site Address: Cannon Hall, Bark House Lane, Cawthorne, Barnsley, S75 4AT

The application is put to Members as the Council is the applicant
Cawthorne Parish Council have objected to the proposal
No letters of objection have been received from local residents

This application was deferred from the September Planning Regulatory Board to allow Officers to gather together additional information on the exact cremation process and what fumes/odours/residue it would create and how this would be dealt with; whether the crematorium could only be operated overnight and not within daytime hours; the reasoning for it to be placed at the specific location proposed; and to see if it is possible to erect a pitched roof to the container and encase the proposed flue with a brick chimney. The additional information requested by Members has been provided by Bereavement Services and the following report has been updated.

Description

Cannon Hall sits in 70 acres of historic parkland looking towards the village of Cawthorne, to the west of Barnsley and within the Green Belt. Cannon Hall is a Grade II* Listed Building and the majority of the hall in its current form dates to the early eighteenth-century and has an association with two eminent architects of the time, John Etty and John Carr of York. It is listed at Grade II* in recognition of the high level of architectural and historic interest it possesses.

A home farm complex lies immediately north of the Hall and consists of a range of buildings including stables, a coach house, cottages and a farmhouse of late C18 date (all listed Grade II). The northern and part of the eastern sides of the courtyard are private residential accommodation.

Cannon Hall shares its immediate setting with Cannon Hall Farm, and Cannon Hall Garden Centre, both of which are privately owned businesses. The park itself comprises of a mixture of formal landscapes, parkland, and structures that include a Grade II listed walled garden, a series of cascading lakes and a number of undesignated important heritage assets. The park boundaries comprise of mature trees to the north-west and south-west. The eastern boundary separates the park from Cannon Hall Farm and the southern boundary consists of meadow and small groups of mature trees. The main car park and cafe is set to the south western boundary, adjacent to the Garden Centre.

The Hall and Estate were sold to Barnsley Council in 1951 by the last member of the Spencer family, Elizabeth. Since then the Estate has been run by the council as a tourist attraction. It opened as a museum in 1957 and now hosts important collections of glassware, ceramics, paintings and period furniture. The site has approximately 450,000 visitors per year, with 150,000 people each year visiting the Museum itself and participating in a regular programme of visiting exhibitions, workshops and events.

The site for the proposed crematorium is set adjacent to the walled garden within an area which is not currently publically accessible. The site is screened by trees and shrubs along the eastern boundaries and to the west is a high brick wall which is part of the historic walled garden. The site currently contains a lean to stone built potting shed and a lean to timber and corrugated metal sheet storage building.

Proposed Development

The works involve the conversion of the potting shed building into an office and store with the replacement of an existing lean to wood and corrugated metal sheet store area with a wooden clad steel containerised crematorium measuring 6.2m by 2.4m. The proposed crematorium would require a 4.7m high flue (from ground level) in an Anthracite grey finish. The works to the potting shed include repairs to the roof and a new entrance porch to be constructed of matching materials and a double glazed hardwood frame and vertical boarded entrance door.

The facility is for cremation only and no ceremonies would take place. Pets will be picked up from their homes and returned by a member of staff in a car sized vehicle. Generally the crematorium will be mostly private for staff only. If a member of the public wishes to visit the site (if they wish to be reassured that the process is what they expected) and should they arrive by car, they would be directed to park in the public car park at Cannon Hall.

The facility can accommodate 10 cremations per working day. However as there is no public involvement in the cremation process (no services), cremations could continue into the evening. Scattering is by appointment only and will be managed by a diary system. It is not expected that more than 5 scatterings will take place per day that have the family in attendance. If members of the public are attending a scattering within the grounds of the park, they would be directed to park in the public car park at Cannon Hall.

A transit van size vehicle would be used for fuel delivery and the frequency of delivery to be agreed with the crematorium plant specialist. Access to the site for pedestrians would remain unchanged and it would be unavailable to the general public unless by invitation only. The access drive off the south of the Hall gardens will be tarmac up to the existing gated opening in the boundary wall. This will only be available for staff at time of fuel delivery only and will be blocked off by a locked 1800mm high timber boarded double gate, painted green.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

Core Strategy

CSP26 – New Development and Highway Improvement
CSP29 – Design
CSP 30 – The Historic Environment
CSP 34 - Green Belt
CSP36 - Biodiversity and Geodiversity
CSP40 – Pollution Control and Protection

Saved UDP Policy

GS8A – Re-use of existing buildings in the Green Belt
BE6E – Temporary structures

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Paragraph 131: conserving and enhancing the historic environment. This states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 134: Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Consultations

Cawthorne Parish Council - Object to this application as they consider the pet crematorium to be inappropriate in a family leisure area.

Conservation Officer – No objections subject to conditions

Historic England – No objections received

Regulatory Services – No objections subject to conditions

Environment Agency – No comments or objections. A Permit may be required.

Highways DC – No objection subject to conditions

Tree Officer – No objections subject to conditions

Representations

No letters of representation have been received

Assessment

Cannon Hall is set within the Green Belt and is a Grade II* listed building within a Grade II registered landscape, with several associated buildings and structures listed at Grade II. The application therefore needs to be assessed in principle against Core Strategy Policy CSP 30 and CSP 34 and Government advice in the NPPF.

Principle

The application site is designated as within the Green Belt. It is therefore necessary to assess whether the development would be classed as inappropriate or not. In this respect there are two parts to the proposal, the conversion of the existing outbuilding and the erection of a wooden clad container. The NPPF states the re-use of buildings is not inappropriate within the Green Belt providing the buildings are of permanent and substantial construction. In this case the existing building is considered of sufficiently solid construction that it can be converted subject to amendments to the external finishes to improve its visual appearance. The impact on the visual amenities and openness of the Green Belt from the external alterations, including a small porch, are discussed later in the report.

In terms of the wooden clad container, the NPPF states that limited infilling of previously developed sites is not inappropriate within the Green Belt. In this case the site is within the central built up area of the site and is screened by trees and shrubs along the eastern boundaries and to the west is a high brick wall which is part of the historic walled garden. It also would replace a covered garden store and as such it is not considered that it would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

As the wooden clad steel containerised crematorium is considered a temporary structure consisting of short life materials, the Council's planning policy for temporary structures Policy BE6E should be applied. In terms of temporary structures, saved policy BE6E – Temporary structures states:- 'On sites visible from highways and public areas, portable and demountable buildings and those in short life materials will only be given a temporary permission, not exceeding five years, and then only in exceptional circumstances where it can be shown that a building in permanent materials is either not suitable, or that urgent accommodation is needed pending the completion of a permanent structure.' As the crematorium is a new operation and as the container is located in a sensitive location within the registered parkland and adjacent to Cannon Hall, this should be a temporary permission for 5 years. Should the container be required beyond this date the applicant would need to either apply for a more permanent building or apply for a further temporary consent and would need to show that exceptional circumstances exist in line with policy BE6E.

Impact on Green Belt/Visual Amenity

The proposed development involves the change of use of an existing building within the Green Belt, therefore policy GS8A will apply. GS8A states that a building should be converted with minimal alterations and extensions. The proposal includes the erection of a small wooden glazed porch and the removal of the existing lean to store and replacement

with a small wooden clad container to house the incinerator. The replacement of the store with the incinerator store is considered acceptable; as it would not be considered materially larger than the lean to store it would replace and would be a significant improvement to visual amenity given that the unsympathetic lean to element is to be removed.

The re-use of the existing building for the proposed crematorium would not have a materially greater impact on the openness of the Green Belt. The use is small in scale with up to 10 cremations per day, with limited movements required. The proposed crematorium is set within the walled garden and in an area which is not publically accessible and screened by existing trees and vegetation, therefore cannot be seen other than from within the application site. The crematorium would not be easily viewed from public vantage points and as a result there should be very limited impact upon the openness and visual amenity of the Green Belt in accordance with policy CSP34.

Justification for the siting of the crematorium at Cannon Hall

The following justification has been provided by Bereavement Services in response to concerns raised by Members. *'Cannon Hall sits in 70 acres of historic parkland looking towards the village of Cawthorne, to the west of Barnsley. The museum (located in the Hall), the parklands and the farm attract an estimated 1,000,000 visitors per annum. Dog owners are prevalent in the visitors to the Parklands area. As part of the research a large number of dog owners were asked if they thought that Cannon Hall would be a good location for a pet crematorium. The response was unanimously positive. The survey and research undertaken indicates that a beautiful location and ease of access for return visits was a very high priority for pet owners. With this in mind the location was chosen with great care that would provide an area where the cremations can take place but be hidden from view from the general public. The slip garden, where the crematorium will be based, has historically been used as a service area for the hall and gardens behind the walled garden in an area not seen or accessed by the public; It is a place where compost has been stored and gardeners and other work people have undertaken tasks away from the site of the hall owners and visitors. The crematorium will bring an existing but derelict utilitarian service building back into use. The nearest play facility is over 350 feet away. The unique selling point of the service is therefore its location in the grounds of Cannon Hall, a place much loved by dog owners in particular.*

As part of the successful £3 million Parks for People Heritage Lottery Fund bid, the funder was informed of the potential location of the pet crematorium as part of the overall master planning process. This was found to be an innovative and sustainable use of heritage to contribute to the ongoing management and maintenance of the parks and buildings. In addition it was an excellent way of protecting HLF grant investment as the facility provides an income stream. It was also praised by Arts Council England as an example of heritage innovation and new ways of working by a Local Authority.

The crematorium at Ardsley operates under the Environmental Protection Act and is permitted under this legislation for the cremation of human remains. The reputation of the Ardsley site is extremely high with satisfaction scores consistently over 98%. A dual site containing both a human and pet cremation could damage the reputation of the current service particularly among non-pet owners. Pets are not allowed on site which helps crematorium staff keep the grounds and interment areas free from dog fouling. Space at the crematorium is limited with many areas used for scattering remains or interments. In addition car parking can be a problem at peak times.

An industrial location would not be attractive to pet owners who often regard their pet as a much loved member of the family. Cremating at this type of locations could be seen as an industrial process due to the crematoriums location next to industrial units. It is not the intention to use the pet crematorium for mass disposal but rather a bespoke, personal and caring service for bereaved pet owners.'

Concerns have been raised from the Parish Council with regard to the conflict/appropriateness of the current leisure use and the pet crematorium use. No letters of objection have been received from members of the public or adjacent residential properties. The use would not result in a significant number of visiting members of the public and would be carried out as a small scale use with limited numbers of staff and vehicle movements. The use is considered to be sensitive and would be set away from the main leisure uses of the hall and the gardens within an area of the walled garden which is not accessible by the public. It is not felt that there would be a conflict between the uses and they could operate together without any detriment to the leisure use of Cannon Hall.

Impact upon Heritage Assets

The Conservation Officer considers that the proposal is acceptable in terms of design and materials. The proposed conversion works would improve the appearance of the existing potting shed and would result in the removal of an unsympathetic lean to building. The proposal involves the siting of a crematorium container which would be clad in timber to match the adjacent timber elements on the existing building. The wooden clad container would not be attached to the walled garden or the existing potting shed and therefore would not harm the historic assets and could be removed should the crematorium use cease in the future.

Members queried whether the proposed flue could be encased in bricks and a pitched roof could be put onto the container. The Conservation Officer has considered these options and has stated that the very minor possibility of visual intrusion has been convincingly explored and mitigated by the applicant. It is felt that a pitched roof is not necessary, desirable or possible and may increase intrusion and costs that render the proposal unviable. The location and setting is entirely invisible from either the setting of adjacent listed buildings or from the Registered Parkland. It is agreed that it is visible when you are immediately adjacent to the structure at the non-public side of the wall. However only staff and operators would be able to see this.

The proposed flue is limited in height to approximately 4.7m from ground level and is set back from the garden wall by approximately 2m. The flue would project a limited amount (approx 1m) above the wall and is coloured matt anthracite and would be more or less invisible from within the historic walled garden. A brick stack was explored and discounted due to practical reasons, including concerns that the structure would not be capable of carrying the weight below and as there would be a risk that this may make it visually more intrusive.

Pollution Control

In terms of the operation of the proposed crematorium and any emissions, Bereavement Services have stated that 'the cremator operates on the same principles as the crematorium at Ardsley although on a much smaller scale. Staff from Bereavement Services based at Ardsley crematorium will initially operate the pet cremator. The cremator which is about the size of a large desk has two combustion chambers. The primary chamber is where the deceased pets are placed and the secondary chamber is used to burn off any emissions such as smoke or particulate resulting in no smoke or ash discharge from the chimney stack. The facility does not require an operating permit as the Environmental Protection Agency regard

it as such a low risk. However officers have been working closely with BMBC's Pollution Control Team to ensure that all proper procedures are followed. The site will be monitored closely by Pollution Control. As part of the business planning process officers have visited similar facilities and carried out the process themselves from start to finish.'

Members queried the operating hours of the crematorium and if the crematorium could be operated at night. Bereavement Services state that, 'It is anticipated that initially, cremations of individual animals will be undertaken in the evening as collections will take place during the day. It is envisaged that up to 5 cremations per day will take place within the first year of operation but this will be dependent on the success of the facility.'

No objections have been received from neighbouring residents and there would be limited activity generated from the proposal given its small scale use. The crematorium is tucked away adjacent to the walled garden and away from residential properties. The Council's Pollution Control team are satisfied that there should be no impact by way of smells or fumes from the incinerator. The proposal is considered acceptable when measured against CSP40.

Highway Safety

Highways DC have been consulted on the application and have no objections to the proposal subject to conditions. It is unlikely that any additional traffic would be so considerable to have a significant adverse impact on the surrounding highway network in accordance with Core Strategy Policy CSP26.

Trees

The proposed crematorium is located against the garden wall and away from the adjacent trees. As a result, no trees are required to be removed as part of the proposal. It appears unlikely that this proposal will have a detrimental impact on the trees; however care will be needed during construction/installation. There will be significant shrub removal for the new access drive in, however the Tree Officer has raised no objection to this. Given the proximity of the works to trees some specialist construction techniques may need to be employed to ensure that the trees and remaining shrubs remain unaffected. However a full suite of protection related documents will be required to be submitted prior to the commencement of development and should be secured by condition.

Conclusion

No objections have been raised by Historic England and the Council's Conservation Officer and the proposal should not have a significant impact upon the Grade II* Listed Building or the Grade II registered landscape in accordance with the NPPF and Core Strategy Policy CSP30. The re-use of the building as a crematorium is considered to be an acceptable use and would not have any significant impact upon the openness of the Green Belt, adjacent residents or the highway network, in accordance with policies CSP26, CSP34 and CSP40.

Recommendations:

2017/0766 - Grant subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans
(Nos.NPS-DR-A-(21)-010 REV P2
NPS-DR-A-(21)-011 REV P2
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NPS-DR-A-(21)-021 REV P2
NPS-DR-A-(21)-120 REV P2
NPS-DR-A-(21)-121 REV P2) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.
- 3 Within 5 years of the date of this permission, the container hereby permitted shall be removed from the site, and all works necessary to reinstate the land to its original condition shall have been carried out.
Reason: In the interests of visual amenities of the site and its historic surroundings, and the character and openness of the Green Belt in accordance with CSP29, CSP30 and CSP34.
- 4 The stack for the incinerator shall be a minimum of 4.7 Metres from the ground.
Reason: In accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 5 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree survey
 - Tree retention and removal plan
 - Tree protective barrier details
 - Tree protection plan
 - Arboricultural method statement
- The scheme shall then proceed in accordance with the approved details.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity
- 6 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 7 The proposed Flue shall be finished in Anthracite in a grey matt finish
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

- 8 The pointing mix shall be lime (NHL 3.5): aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2mm or 3mm.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 9 Any new stone shall to be sandstone and shall match the existing historic waling in every respect colour, general grain size, and type of face dressing.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

2017/0771 - Grant subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans
(Nos.NPS-DR-A-(21)-010 REV P2
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Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.
- 3 Within 5 years of the date of this permission, the container hereby permitted shall be removed from the site, and all works necessary to reinstate the land to its original condition shall have been carried out.
Reason: In the interests of visual amenities of the site and its historic surroundings, and the character and openness of the Green Belt in accordance with CSP29, CSP30 and CSP34.
- 4 The stack for the incinerator shall be a minimum of 4.7 Metres from the ground.
Reason: In accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 5 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree survey
Tree retention and removal plan
Tree protective barrier details
Tree protection plan
Arboricultural method statement

The scheme shall then proceed in accordance with the approved details.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity.

- 6 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 7 The proposed flue shall be finished in Anthracite in a grey matt finish

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

- 8 The pointing mix shall be lime (NHL 3.5): aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2mm or 3mm.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

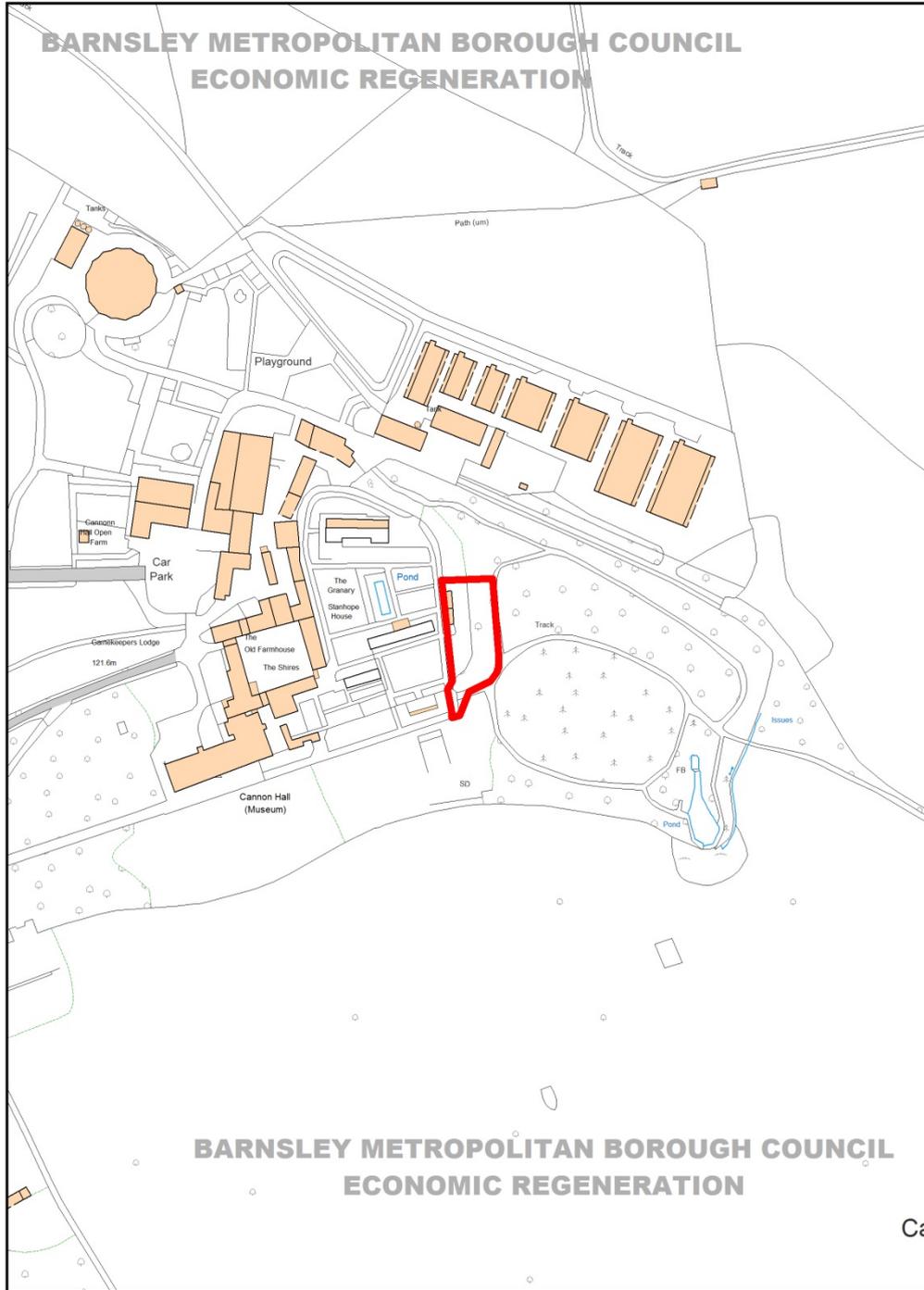
- 9 Any new stone shall to be sandstone and shall match the existing historic waling in every respect colour, general grain size, and type of face dressing.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

- 10 Windows, doors and timber cladding shall be hardwood, decorated in dark oak stain.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

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