

SECTION '2' – Applications meriting special consideration

**Application No :** 11/00537/FULL1

**Ward:**  
**Chislehurst**

**Address :** Land At Former Kennal Manor Estate  
Kennal Road Chislehurst

**OS Grid Ref:** E: 544886 N: 171773

**Applicant :** Memorial Property Investments Ltd      **Objections :** YES

**Description of Development:**

Chapel with vestry and toilet (revised design to scheme permitted under ref. 05/03871 for use of land for human burials including chapel and other buildings, car parking and vehicular access)

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Sites of Interest for Nat. Conservation  
Tree Preservation Order

**Joint report with application ref. 11/01721**

**Proposal**

Application ref. 11/00537

- Revised design of 100 seat chapel previously approved under planning permission ref. 05/03871 granted for change of use of former parkland to use for human burials, erection of a detached chapel, a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20)
- single storey chapel will seat 210 mourners and will include a vestry, WC and a covered entrance where hearses will arrive with a gathering space for mourners
- chapel will be similar in scale to that previously approved but ancillary facilities are no longer incorporated and will be provided in a separate building

- materials will include natural stone walling, natural slate roofing, large glazed openings within a timber frame structure
- application states that design is intended to allow flow through the building and for a purer form and usage to be attained.

#### Application ref. 11/01721

- Building providing refreshment and WC facilities, a florist, office accommodation, storage and waiting area for funeral directors to the south of the proposed chapel
- floor areas as follows:
  - o refreshments - 104m<sup>2</sup>
  - o kitchen - 11m<sup>2</sup>
  - o florist - 32m<sup>2</sup>
  - o office - 43m<sup>2</sup>
  - o other (storage, meeting rooms, etc.) - 172m<sup>2</sup>
  - o total – 362m<sup>2</sup> (406m<sup>2</sup> gross external area)
- building will have a green roof which is intended to create an impression of harmony with the surrounding landscape
- materials will include natural stone walling, full length windows and doors with dark grey powder coated aluminium frames and timber or powder coated louvres.

The applicant states that some elements of the proposal such as a kitchen, offices, WCs and gathering areas have been accepted as essential under the auspices of the previous planning permission. It is argued that the refreshment facilities and florist are essential facilities given the scale and location of Kemnal Cemetery and that the proposal is not inappropriate development in the Green Belt. However, the applicant has identified the following arguments to demonstrate that very special circumstances do exist to justify inappropriate development in the Green Belt if a converse view is taken:

- consented chapel provides seating for 100 mourners and offers very little overflow space due to the design of the ancillary accommodation housed within the same building
- various senior religious bodies and undertakers have indicated a desperate need locally for a chapel that can accommodate up to 300 people – Kemnal Cemetery will feature 55 acres of landscaped burial space and it is anticipated that there will be a wide catchment area attracting large services not currently catered for
- Kemnal is geographically remote from population centres which necessitates a greater degree of self containment in terms of services and ancillary accommodation.
- consented chapel incorporates cemetery administration within the same structure as the chapel – mourners will travel through a corridor which provides access to the chapel and offices and will integrate with people making arrangements for a funeral services, which may be distressing and

insensitive for both parties - it is considered necessary to separate the chapel from the administrative and support functions

- chapel is designed to complement its surroundings with an abundant use of natural materials
- market research identifies a clear demand for a congregational area for mourners before and after a funeral service and for visitors who have travelled long distances to visit graves - it is sensible to include a gathering/refreshments area with W.C. facilities - funeral directors confirm that it is fundamental to provide what is principally an ageing congregation with somewhere to sit and relax
- professionals recommend an area to purchase flowers and other offerings, a waiting area for the funeral directors and office accommodation with a separate meeting room
- City of London Cemetery within the Green Belt in Newham now has a refectory and florist which help avoid congestion at peak times allowing a more dignified order of service
- Kemnal Cemetery has limited access via the A20 and it is virtually impossible to obtain refreshment without the use of a vehicle - it is inappropriate that mourners attending in a funeral cortege are unable to achieve basic comforts at a stressful and upsetting time
- ground levels around the ancillary accommodation are artificially changed so that the green landscape flows around the buildings complimenting the Green Belt, mitigating the impact on openness and allowing the proposed buildings to be located in close proximity for convenience whilst allowing the chapel to be the focal point and given "breathing space".

### Both applications

The applications are accompanied by a letter from Dr Barry Albin-Dyer of F.A. Albin & Sons Funeral Directors which includes the following points:

- in recent years it has become more evident that the chapels provided in cemeteries have insufficient space and seating
- between 200 and 400 people regularly attend burial services in chapels such as those provided by the London Borough of Southwark
- in the London boroughs of Southwark, Lewisham and Greenwich it is almost impossible to cope with those numbers with people standing or waiting outside and unable to appreciate the service
- there is very little chapel space in the London Borough of Bromley
- local MP Simon Hughes recently expressed wholehearted agreement that far better accommodation is needed within cemeteries
- in an age of increasing cultural diversity a chapel which would accommodate large numbers and cater for all religions and groups is a necessity for the long term future.
- letter is accompanied by a list of Ministers who support the need for the chapel.

The applications are accompanied by a Supplementary Report in support of the new chapel building which covers the points made within the 'very special circumstances' argument detailed above and additionally states that:

- justification for a larger chapel building is provided because of a greater market awareness of demand for burial space since previously approved scheme (application ref. 05/03871) was promoted
- Bromley is unable to offer chapel facilities in its operational cemeteries
- Lewisham can only accommodate 100 people at Hither Green cemetery
- Greenwich can only accommodate 70 people at Falconwood Cemetery
- Bexley can only accommodate 40 people at Bexleyheath and Erith cemeteries
- Southwark can only accommodate 80 people at Camberwell New Cemetery.

The applications are accompanied by Planning Statements and a Design and Access Statements.

#### Site and surroundings

- Former Kemnal Manor Estate grounds are situated on the south-west side of the A20 (Sidcup Road/By-Pass) which forms part of the northern boundary of the borough with London Borough of Bexley and is a short distance from the boundary with London Borough of Greenwich
- Kemnal Estate is a large expanse of generally neglected former grounds of the long since destroyed former manor house
- site is wholly within an inner wedge of the Green Belt and additionally falls within the Chislehurst Conservation Area whilst parts of the Kemnal Manor grounds are designated as a Site of Importance for Nature Conservation (SINC)
- works have commenced on the implementation of the 2006 planning permission granted for a cemetery with ancillary facilities.

#### **Comments from Local Residents**

##### Chapel application

Nearby residents were notified of the application and representations were received which can be summarised as follows:

- roof is exceptionally large
- harm to openness of Green Belt
- condition 13 vii of planning permission ref. 05/03871 regarding a specific landscaping scheme adjacent to the residential dwelling at The Glasshouse was not addressed under application ref. 09/01995
- no details of basement in revised scheme
- basement is a crematorium in waiting – coffin store is unnecessary
- planning statement is misleading – The Glasshouse is adjacent to site and affected by aggressive and cynical commercial development
- significant felling of trees to date

- it is not clear what assessment was made of Green Belt, environmental and trees impacts prior to the grant of planning permission ref. 05/03871 .

Members should note that the application has been revised and previously proposed basement accommodation referred to above has been removed. The Council has only approved the first of five phases of landscaping to the north of the site and this is not in close proximity to The Glasshouse.

The Advisory Panel for Conservation Areas have no objections to the proposal.

Highways comments will be reported verbally at the meeting.

#### Ancillary facilities application

Nearby residents were notified of the application and representations were received which can be summarised as follows:

- unacceptable impact on openness of Green Belt
- insidious creeping commercialisation of Green Belt
- need for apparent ancillary and proposed activities is questioned
- adequate facilities exist in nearby Chislehurst High Street, Royal Parade and Sidcup High Street
- café will lead to private hire for wakes
- no very special circumstances have been demonstrated to justify inappropriate development in the Green Belt.

#### Both applications

- Highways – no objections.
- Metropolitan Police Crime Prevention Design Advisor – no objections
- London Borough of Bexley - no objections
- Waste Advisers – no objections regarding refuse collection arrangements
- Thames Water - no objections
- Council's in-house drainage consultant – no objections.
- Environmental Health – no objections

#### **Planning History**

Planning permission was granted in November 2006 for change of use of former parkland to use for human burials, erection of a detached chapel, a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20) (ref. 05/03871).

#### **Planning Considerations**

The main policies of the Bromley Unitary Development Plan considered to be relevant to this application include:

- G1 The Green Belt
- BE1 Design of New Development
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- C1 Community Facilities
- T3 Parking
- T18 Road Safety

In strategic terms the most relevant London Plan policies are:

- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.16 Green Belt
- 7.23 Burial spaces.

Planning Policy Guidance Note 2 (PPG2) states at paragraph 3.4 that the construction of new buildings inside a Green Belt is inappropriate unless they are for specified purposes, including essential facilities for cemeteries. Paragraph 3.5 states that essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

No significant trees will be affected by the proposals.

The sites are not in close proximity to any other properties. The main issues to be considered in these cases are the impact of the proposal on the character and appearance of the conservation area, on the openness of the Green Belt, whether the proposals are appropriate development in the Green Belt and, if not, whether very special circumstances have been demonstrated to justify inappropriate development in the Green Belt.

## **Conclusions**

### Chapel application

The previously approved chapel building was of a similar scale, however the proposed building will provide a chapel only and will involve the displacement of ancillary facilities elsewhere on the cemetery site. Whilst application ref. 11/01721 is recommended for refusal it can be accepted that it is desirable that mourners visiting the chapel are not faced with other functions of a cemetery operation. The separation of the operational facilities within another building may therefore be considered acceptable if a suitably revised application were received.

The applicants have provided evidence of modern demand for a larger capacity chapel and it can therefore be reasonably accepted that a regional cemetery such as Kemnal will attract congregations that will justify the capacity proposed. The proposal is therefore considered to be an essential facility for a cemetery and is appropriate development in the Green Belt. It can be considered that the design

and materials of the chapel are of a high quality and represent an improvement on the previously approved scheme. Subject to highways comments to be reported verbally at the meeting the proposal is considered acceptable.

### Ancillary facilities application

The applicant has argued that the facilities provided within the building are essential facilities relating to the cemetery. It can be accepted that offices, WCs, a waiting area and staff kitchen facilities are essential facilities necessary for a cemetery operation of this scale. However, the proposed florists and refreshments area are not considered to be essential facilities and the cemetery could reasonably function without them. The proposal is therefore inappropriate development in the Green Belt.

Notwithstanding that they maintain that the proposal is appropriate development in the Green Belt, the applicant has set out a very special circumstances argument to justify inappropriate development in the Green Belt. It is argued that the geographical location of the site in relation to nearby amenities, operational considerations, market research and demand, the views of funeral directors and the design of the scheme provide justification for the café and florists. It can be accepted that a café and florists would be desirable, that there would be a demand for such facilities and that they would complement the use of the site. However, the very special circumstances test is a very high test and it is not considered that the argument is sufficiently persuasive and the justification for the facilities is therefore inadequate.

Background papers referred to during the production of this report comprise all correspondence and other documents on files refs. 05/03871, 09/01995, 11/00537 and 11/01721, excluding exempt information.

As amended by documents received 8.4.2011 19.05.11

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC01  | Satisfactory materials (ext'nl surfaces) |
|   | ACC01R | Reason C01                               |
| 3 | ACC03  | Details of windows                       |
|   | ACC03R | Reason C03                               |
| 4 | ACI21  | Secured By Design                        |
|   | ACI21R | I21 reason                               |
| 5 | ACK05  | Slab levels - no details submitted       |
|   | ACK05R | K05 reason                               |

### **Reasons for permission:**

In granting permission the Local Planning Authority had regard to the following

policies of the Unitary Development Plan and the London Plan:

UDP

- G1 The Green Belt
- BE1 Design of New Development
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- C1 Community Facilities
- T3 Parking
- T18 Road Safety

London Plan

- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.16 Green Belt
- 7.23 Burial spaces

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character and appearance of the development in the Chislehurst Conservation Area
- (d) the impact on the openness and visual amenities of the Green Belt
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties
- (f) the safety of pedestrians and motorists on the adjacent highway
- (g) the safety and security of buildings and the spaces around them
- (h) accessibility to buildings
- (i) the design policies of the development plan

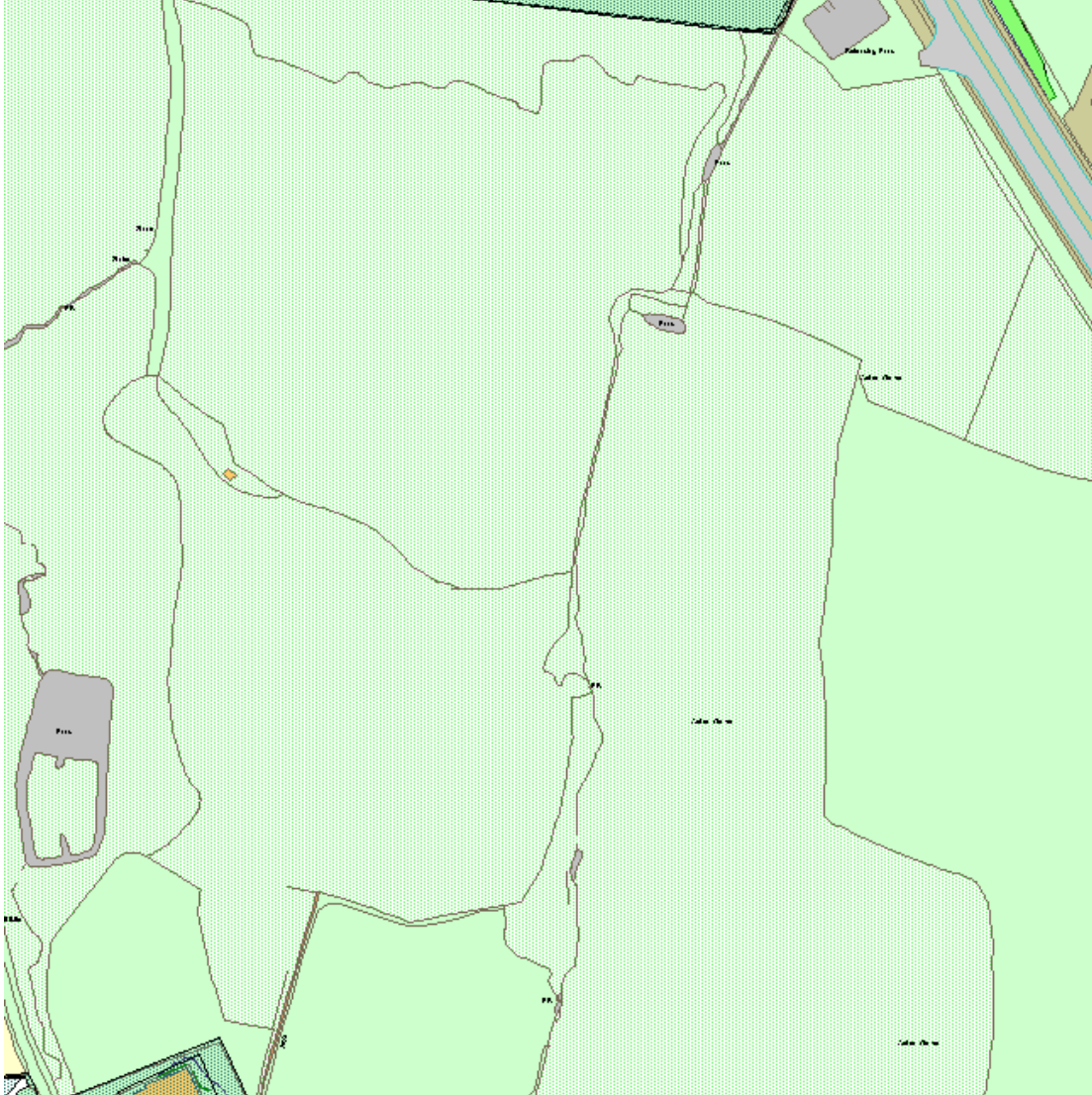
and having regard to all other matters raised.



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