

**Report of** the Director of City Development

**Report to** Executive Board

**Date:** 12th October 2011

**Subject:** Long Term Burial Supply in the North East of the City and Design Cost Report for Scheme Revised Whinmoor Grange Informal Planning Statement – Scheme no 1358/WHM

**Capital Scheme Number:** 1358/WHM/ 000

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Harewood and Crossgates & Whinmoor		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

**Summary of main issues**

1. In May 2011, Executive Board gave approval to a six week period of consultation on the Whinmoor Grange Draft Planning Statement. The statement was developed to set the context for the potential relocation of facilities and services from the Parks & Countryside depot at Red Hall; to develop the previously approved 5 acre, multi faith cemetery; and to explore the relocation of playing pitches from Red Hall playing fields.
2. Following Call-In and Executive Board approval, consultation started on the 20<sup>th</sup> June and with an extension of two weeks, completed in mid August. During the consultation, the Draft Planning Statement was circulated to key stakeholders and ward members. It was also posted on the Council's website. Drop in sessions were arranged, site notices were published and public meetings were held in Thorner and Scholes.
3. The consultation process focussed around the two site layout options relating to potential future land uses, included in the Draft Planning Statement. It explored issues relating to these land uses, including the 5 acre net multi faith cemetery, a potential cemetery extension, playing pitches, a horticultural nursery, ancillary depot and allotments. In addition, other comments received related to infrastructure issues, including highways, drainage and landscaping.

4. This report summarises the results of the consultation and seeks Executive Board approval to the revised Informal Planning Statement for Whinmoor Grange, as a guide to future site development proposals, updated as a result of the public consultation.
5. Subject to Executive Board's approval to the revised Informal Planning Statement, the report seeks to incur expenditure on the development of the 5 acre cemetery at Whinmoor, in the location as agreed by Executive Board in December 2008.

## **Recommendations**

Members are recommended to:-

1. note the outcome of the public consultation undertaken on the Draft Planning Statement;
2. approve the revised Informal Planning Statement, updated as a result of the public consultation, as a guide to any future development proposals for the Whinmoor Grange site;
3. subject to approval forthcoming in relation to the revised Informal Planning Statement, Executive Board is requested to approve expenditure of £358,753 from scheme 'Cemetery Exts City Wide 1358 WHN' for construction works in relation to the development of a 5 acre cemetery at Whinmoor.

### **1.0 Purpose of this report**

- 1.1 The purpose of this report is to inform Executive Board about the issues raised, and the conclusions drawn, from the consultation on the Draft Planning Statement for Whinmoor Grange. It seeks approval to:-
  - the revised Informal Planning Statement, updated as a result of the public consultation, as a guide to future potential development proposals for the site;
  - subject to approval forthcoming, in relation to the revised Informal Planning Statement, Executive Board is requested to give authority to incur expenditure of £358,753 from scheme 'Cemetery Exts City Wide 1358' for construction works in relation to the development of a 5 acre cemetery at Whinmoor.

### **2.0 Background information**

- 2.1 In total, the Council owns 104 acres of land on the Whinmoor Grange site. The Council secured a planning permission in February 2002 for the development of a 46 acre cemetery at Whinmoor Grange, which could meet demand for some 100 years based on 200 burials per annum. The planning permission has been implemented by construction of highway infrastructure, to provide site access and planting works.
- 1.2 Executive Board in December 2008 resolved that approval be given to the development of a 5 acre net cemetery at Whinmoor, in a location previously identified and that the implementation of this, is delivered as part of a larger masterplan for the site, involving the decant of the Council's operation at Red Hall.
- 2.3 The Red Hall depot was included as part of the newly defined East Leeds Extension under the Leeds UDP review in 2006. The land at Red Hall is owned by the Council and allocated for housing under Phase 2 and Phase 3 of the UDP. In July 2011, Executive Board

approved, in anticipation of any future development of Red Hall, a Draft Planning Statement for Whinmoor Grange. This was developed to explore site issues and concerns prior to any formal proposals being brought forward and take account of the previously approved multi faith cemetery. This identified the service functions of Parks and Countryside, to be retained in the east of the city, with Whinmoor Grange as the potential decant site along with the agreed location for the cemetery.

- 2.4 In addition, the Draft Planning Statement also included 11ha of playing field land, adjacent to the East Leeds Extension, that is allocated as a key business park site in the UDP. This may also be brought forward for development at some future point in time.
- 2.5 On the 9<sup>th</sup> March 2011, Executive Board considered a report about the long term burial supply for north east Leeds, alongside the Draft Planning Statement for the site at Whinmoor Grange as a document for public consultation. The Whinmoor Grange Informal Planning Statement, once approved, will be the masterplan for the site, to guide the future decant of the Council's operations at Red Hall and the development of the previously approved multi faith cemetery. At that meeting, Executive Board gave approval to:-
- the draft Informal Planning Statement for Whinmoor Grange as a document for consultation, to be undertaken over a six week period, with the findings being reported back to Executive Board;
  - £309,579 expenditure for the construction of a 5 acre cemetery at Whinmoor
- 2.6 The report was subsequently called in for scrutiny following issues raised about drainage, highways, landscaping and consultation. The matter was subsequently referred back to Executive Board on the 18<sup>th</sup> May 2011. Consideration was given to the issues raised by Scrutiny Board during the Call-In process and how these could be addressed. Executive Board resolved:-
- (a) that the Draft Planning Statement for Whinmoor Grange be approved for the purposes of a public consultation exercise, which is to be undertaken over a 6 week period, with the findings being reported back to Executive Board in due course;
- (b) that the expenditure on capital scheme number 1358 be held in abeyance pending the outcome of the consultation exercise referred to in resolution (a).

### **3.0 Main issues**

- 3.1 Following Executive Board's approval to the six week consultation period on the Draft Planning Statement and circulation of the consultation framework to ward members:-
- consultation started on the 20<sup>th</sup> June and following a two week extension, closed in mid August;
  - the Draft Planning Statement and response forms were posted on the Council's internet throughout the duration of the consultation;
  - the Draft Planning Statement was circulated to ward members for Harewood and Crossgates & Whinmoor; key stakeholders, local Parish Councils (Thorner and Barwick and Scholes), local residents and faith groups and funeral directors across the city;
  - drop in sessions were set up at Red Hall for anyone to view and discuss the proposals;

- site notices were posted regarding the consultation on the Draft Planning Statement.

3.2 Three public meetings have also been held as part of the Draft Planning Statement consultation. Two were held with Thorner Parish Council and local residents (6th June – prior to consultation commencement and the 27th July). The third public meeting was with Barwick & Scholes Parish Council on the 7th September. All of these meetings were well attended by local residents and members of the Parish Council and Harewood ward members. A total of 671 comments were received, 153 written plus a petition signed by 518 people about the Draft Planning Statement, throughout the 8 week consultation period.

3.3 The consultation format focused around 2 layout options and included the following proposed land uses:-

- cemetery and a potential cemetery extension;
- playing pitches;
- horticultural nursery;
- office/depot;
- allotments.

In addition, other comments raised related to:-

- highways;
- drainage;
- landscaping;
- other comments.

### **3.4 Cemetery and Potential Cemetery Extension**

3.4.1 The Draft Planning Statement identified the location of the approved 5 acre net, multi faith cemetery, as defined by Executive Board in December 2008. It also defines works undertaken as part of the planning condition requirements, in relation to highways infrastructure and horticultural planting. It explored 2 options in relation to cemetery provision. Option 1 defined the cemetery provision as 5 acres net burial space in total (16 acres gross area). This will provide approximately 3250 graves. Option 2 however, explored the potential to extend this area by an additional 10 acres.

3.4.2 Of the 671 written comments received regarding the cemetery, 518 of these, were in the form of a petition; the majority of which were from the Muslim community, giving strong support to the development of a cemetery on the site. However, support for a cemetery, was not limited to the Muslim Community. The cemetery in its present approved position was “seen as being the best location for this use” and “the access position to the cemetery as constructed, was not seen as an issue” by Thorner Parish Council. This preference is defined in the Informal Planning Statement with the layout plan confirming this as the location for the 5 acre net cemetery. Its development was seen, by a Thorner resident, as an opportunity to create an attractive, wildlife friendly area through environmentally sympathetic management. The potential to look at a ‘green burial ground’ was also raised.

3.4.3 Residents of Morwick Terrace showed a preference for no cemetery at all or for the land designated as a potential cemetery extension to be developed as the 5 acre cemetery. This was to move the cemetery further away from properties. However, the residents also

highlighted an inadequate landscaping buffer planted between Morwick Terrace and the cemetery and their desire to significantly enhance this planting to provide more of a buffer from properties.

- 3.4.4 In recognition of this, it is proposed to increase the landscaping buffer at Morwick Terrace and complete the approved landscaping scheme designed along Thorner Lane to reduce views from both Morwick Terrace and Thorner Lane. The addition of more native evergreen species as part of the landscaping scheme will also be of benefit and will be added to the planting mix. The Informal Planning Statement has been updated with this as a requirement.
- 3.4.5 Other concerns were about site security, opening hours and controls on headstones, grave heights and decorations.
- 3.4.6 Opening hours have been set by planning as, 8.30 to 19.00 on weekdays and 10.00 to 18.00 [weekends], April to October and between the hours of 8.30 to 16.00 on weekdays and 10.00 to 16.00 [weekends] November to March. The cemetery will be gated and locked and there are guidelines and controls imposed by Executive Board for the control of headstones and burial plot that will be applied in the future management and maintenance of the cemetery.
- 3.4.5 All of the comments received that referred to the potential for a future cemetery extension, were supportive of this proposal and the principle of an extension was not raised as an issue. Currently the Council has adopted a preference for smaller, locally based, multi faith cemeteries. However, any development of a cemetery extension, could be considered by Executive Board at a future point in time. The key issue to note is the requirement to ensure adequate car parking provision within the site, if the burial area is to be increased in the future.

### **3.5 Playing Pitches**

- 3.5.1 Currently at Red Hall there are 5 full size playing pitches and changing facilities, sitting within a playing field area of 11 ha (27 acres). They are allocated as key business park in the UDP. These pitches were taken out of use in 2006 because of quality issues and waterlogging but the aspiration is still to bring them back into use if possible. However, with their UDP allocation, if these pitches were to be developed at some point in time, planning policy requires that playing field land must be reprovided. Whinmoor Grange proposed in the Informal Planning Statement as the identified site for this reprovision.
- 3.5.2 The Draft Planning Statement explored 2 options in relation to playing fields. Option 1 allowed for the allocation of the 11ha playing field land from Red Hall, plus ancillary facilities at the Whinmoor Grange site. The proposed location for this was just above the site of the 5 acre net cemetery. Option 2 considered the opportunity to expand the playing field area to a maximum of 25 ha to create a significant centre for sports pitch provision in the north east of the city.
- 3.5.3 Although the provision of playing fields in the area was generally seen as beneficial, consultees were keen to highlight that the reprovision of any playing fields from Red Hall should equate to that area being lost, with only grass pitches and no floodlighting being installed. The location of the playing pitches adjacent to the cemetery did raise comments that it could be seen as insensitive. Consideration therefore should be given to the pitches being provided away from the cemetery on the eastern side of the site, with the ancillary facilities (car parking and changing rooms) sited in such a way as to be visually unobtrusive. A few comments however related to what the expected level of traffic related to the use of the playing fields as spectators and supporters would be. This needs to be factored in to any future plans for the site.

- 3.5.4 Crossgates and Whinmoor ward members objected to the decant of playing fields from Red Hall as this would lead to a loss of playing fields in the Crossgates and Whinmoor ward.
- 3.5.5 In relation to any playing field decant, the request to only reprovide that land lost as part of any development proposals, has been noted. The revised Informal Planning Statement has been amended, to define the maximum number of grass pitches for the potential decant as 5 and a maximum area of 11ha of land, with no artificial pitches or floodlighting. The location of the playing fields, following consultation, is being proposed at the north east side of the site. It is shown on the layout plan included in the Informal Planning Statement.

### **3.6 Horticultural Nursery**

- 3.6.1 The horticultural nursery at Red Hall consists of the nursery building comprising 2.5 ha of glasshouses and polytunnels and approximately 8 ha of land for the 'heeling-in' and growing on of trees and shrubs.
- 3.6.2 Comments in relation to the provision of the horticultural nursery stated that Large greenhouses are not appealing to look at and should be properly landscaped to make them more discreet. The reprovion of the horticultural nursery in both options of the Draft Planning Statement, is proposed immediately to the north of the depot. This takes advantage of the existing screen planting around the old landscape depot, minimising the visual impact of the nursery. It also allows sharing of common services such as energy, infrastructure, parking etc with the proposed depot.
- 3.6.3 The proposed reprovion will consist of the nursery building including the polytunnels at a maximum area of 2 ha. The remaining area used by the nursery, is the surrounding land where plants are 'heeled in' directly into the ground of 4 ha. This is for plant storage prior to use on landscaping schemes or for growing on tress and shrubs to a more mature size before use. It is land that will remain open and look little different than it does now. This reduces the space requirement from that being used at Red Hall from 10.5 ha and careful consideration will need to be given to its siting, appearance and landscaping within any future proposals.

### **3.7 Ancillary Office/Depot**

- 3.7.1 The Draft Planning Statement showed the proposed depot in the same location as the former landscape depot. This area is already well landscaped and has previously housed buildings. The consultation established the preference for this location and the reuse of the existing hardstanding areas for any building requirements.
- 3.7.2 The greatest concerns highlighted potential traffic issues, with tractors and heavy vehicles potentially accessing/egressing the site. The need for further information regarding how may staff and visitors will use the site was highlighted, as there will be an impact on the traffic flow (cars and lorries), deliveries to the depot/nursery and the impact on the landscape from any proposed buildings on site and this will need to be considered and mitigated. The provision of a common access road serving all of the proposed site uses was preferred, to minimise land take and keep scheme costs down.
- 3.7.3 The revised Informal Planning Statement will reinforce this proposing the depot location in the same location as the former landscape depot, reusing the old building footprints for any replacement buildings. However further works in relation to any depot provision on this site is required, in relation to site access and where that could be, staff numbers, car parking and traffic assessments taking account of staff, visitors and deliveries. This will require further consultation when more details are known.

### **3.8 Allotments**

- 3.8.1 The potential to explore allotments at Whinmoor Grange was raised in Option 1 of the Draft Planning Statement. This was in recognition of the general shortage of allotment space in this area of the city.
- 3.8.2 This land use was generally well received by consultees as an appropriate use of the site. Thorner residents and Parish Council would like additional local allotment provision but this must be well connected to public and pedestrian transport links, to minimise the requirement for on site parking; and there should also be strict controls in relation to any allotment buildings on site, as the concern was the Whinmoor site is too far away from residential areas.
- 3.8.3 The revised Informal Planning Statement will recognise the potential for allotments in the future. However, a specific location has not been identified yet. Careful consideration relating to future location, landscaping, access etc will be given, during the development of any allotment proposals. Further consultation with local residents will take place to ensure issues raised are taken in to account prior to plans being submitted.

### **3.9 Highways**

- 3.9.1 Following planning approval by Plans Panel East for a 46 acre cemetery in 2002, required highways infrastructure works were completed in 2004. These were primarily focused on improving pedestrian accessibility to the Coastliner bus service on York Road. The works consisted of:-
- a site access from Thorner Lane;
  - the creation of central refuge islands and associated widening on the A64 to aid pedestrians crossing the road;
  - footway improvements constructed / reconstructed along Thorner Lane from York Road to Skeltons Lane and a short distance on Skeltons Lane, to provide a link from the bus stops on York Road and Skeltons Lane to the main entrance to the cemetery on Thorner Lane;
  - footbridge was also constructed across a ditch to provide access to the southern extent of the cemetery direct from York Road adjacent to an eastbound bus stop.
- 3.9.2 Highways considerations prior to planning approval, assessed the potential for increased vehicle numbers from the proposed 46 acre cemetery, particularly using the right turn out of Thorner Lane on to the A64. The site would have approximately 200 burials per year (4 burials/week), which take place outside peak traffic flow times. The cemetery traffic flow volume, was at that time, deemed to be well within normal variations expected on York Road, having 'no measurable impact on traffic delays and congestion and would not cause significant highway safety or capacity concerns'. Taking account of these issues, planning approval was granted in February 2002.
- 3.9.3 However, concerns over slow moving funeral corteges led to a recommendation to direct these vehicles to use the side roads e.g. Skelton Lane/Coal Road, to gain access to the A6120 Leeds Outer Ring Road. It is therefore proposed that signage will be included as part of the development works and the revised Informal Planning Statement will reflect this.
- 3.9.4 During the consultation, highways implications were of greatest concern, with Thorner Lane and Skelton Lane are already seen as 'rat runs' by local residents. It was highlighted that whilst local residents are not against a cemetery on this site, they did feel that it needs further consideration based on a traffic census taken in 2002. The potential cumulative impact of the Grimes Dyke development, with 400 plus houses planned and the larger East Leeds Extension, on traffic in the area this needs to be considered as part of

redevelopment of the Whinmoor site was identified by residents and local Parish Council's. This stretch of the A64 affected by the development was already seen as an accident 'black spot'.

- 3.9.5 There were many requests for traffic lights to be put at Thorner Lane/A64 and Station Road/A64 junctions as traffic flow will be affected by any and/or all of the proposed site uses, where the A64 already has traffic issues and the junction with Thorner Lane is already bad. To take account of the traffic issues by installing traffic lights at this junction, before any works commence would address many of the local residents concerns and requests that any future planning application for this site must be accompanied by a Transport Assessment were raised.
- 3.9.6 In order to explore the traffic issues raised during the consultation, existing traffic flow figures and accident records have been looked at from 1998 onwards. These show that from the M1/A1 Link Road opening in 1999, a 25% of daily traffic was removed from the A64 – 7087 vehicles i.e. 27,929 in 1998 to 21,320 in 2003. Since 2003 there has been little change in 24 hour traffic levels (20,860 in 2010). These traffic flows are attached at Appendix 1. In the 6 year period (1998 – 2003) before the cemetery road works were implemented there were 18 recorded injury accidents on the A64 stretch of road including the Thorner Lane and Scholes Lane junctions. In the 6 year period since (2005 – 2010) there have been 7 recorded injury accidents on the same length of road. These have reduced from 6 to 0 at the Scholes Lane junction and approaches and reduced from 12 to 7 at the Thorner Lane junction. Of the 7 injury accidents which have occurred since 2005 only 2 appear to be attributed to vehicles turning right out of the junction.
- 3.9.7 If a planning application was being submitted today for the cemetery, based on 3-4 burials per week, the traffic situation would be little different when planning permission was granted in 2002. Therefore with the highways works relating to the planning conditions implemented, the development of the 5 acre cemetery could proceed.
- 3.9.8 However, when the East Leeds Extension and Grimes Dyke plus the wider decant of Red Hall, are considered, together with the potential for an additional site access for the depot, nursery, playing fields, the cumulative impact of these could have significant highways implications for this area. A detailed traffic assessment for the area, that looked at traffic generation from these developments, as well as the Orbital Relief Road would be required. This could lead to the requirement for highway improvements in the area, particularly at the junction of Thorner Lane and the A64. The requirement for a traffic assessment and co-ordinated proposals to address highways issues linked to the wider development of the area has been identified in the revised Informal Planning Statement for the area. At such time as a planning application comes forward for the wider Whinmoor site development, or any adjacent phase 3 sites, a detailed traffic assessment relating to the proposed site uses will be undertaken.

### **3.10 Drainage**

- 3.10.1 During Scrutiny call-in, and during the consultation, poor drainage was raised; in particular by residents of Morwick Terrace who drew attention to the pump in the cellar of No. 3, required to remove water. Concern was also raised about any proposals for the site affecting the surface water and the potential for this to affect nearby properties.
- 3.10.2 Residents at Morwick Terrace wanted to know how the cemetery drainage will impact on the properties at Morwick Terrace. It is already well known that the site is wet. So how will the proposals deal with the drainage issues and can this be worked sympathetically into proposals that allow playing pitches to be drained to be utilised fully and bring added wildlife benefits to the site also.



- 3.10.3 The Council, in recognition of the site's drainage issues, procured an independent drainage assessment. In October 2010, Cemetery Development Services (CDS) carried out a soil and water survey at Whinmoor Grange, to establish the degree and variation in type and condition of the soil and the potential risk to groundwater contamination. The summary report is attached at Appendix 2. Trial pits excavated to a depth of 4.0m, showed that soil profiles did not vary much across the site and that highest point that groundwater was only encountered in one borehole at a depth of 3.7m. Therefore the site does not have a high water table and groundwater is generally not of concern.
- 3.10.4 CDS concluded from this, that the site is particularly suitable for burial as there are no routes for water to travel across the site and with the high clay content of the soil, this limits any leachate risk significantly. The site is therefore suitable as a cemetery from a drainage point of view, as potential risk to protected surface and groundwater stocks are 'minimal and manageable.' CDS considered the overall risk to both groundwater and surface water to be 'generally low' and the site would be suitable for burial with 'specific regard to higher potential burial numbers (150+ per annum).
- 3.10.5 Due to its clay soil, the site after heavy rainfall has standing water and the ground is difficult to walk over. Houses at Morwick Terrace have a pump in its basement of number 3 to remove water. In addition, the residents raised concerns about potential leachate contamination from the cemetery. CDS explained that due to the ground conditions, 'any potential for leachate movement is very unlikely.' However to prevent any water movement CDS suggested the construction of a concrete filled trench along the cemetery boundary with Morwick Terrace. It is proposed that further discussions with residents from Morwick Terrace will take place and the Council have offered to undertake a review of the drainage issues around their properties, to ensure that any issues are mitigated.
- 3.10.6 CDS also assessed the surface drainage system for the proposed cemetery. CDS felt that 'the proposed drainage scheme is over engineered' and will more than mitigate for surface water. The proposed attenuation pond with a reed bed added, would ensure that any small risk of contaminants reaching the surface waters are minimised further. The revised Informal Planning Statement will take account of this requirement and it will be incorporated into the drainage scheme when the cemetery is constructed.
- 3.10.7 In relation to the wider development plans for the site, drainage will be a key element to address. The creation of playing pitches, polytunnels related to the nursery, allotments and any future depot buildings will need to take account of the sites surface water issues and have drainage schemes included that address these. It is proposed that, when further details regarding the total decant are known Cemetery Development Services and the Council's land drainage section will undertake further drainage assessments for the whole site. These will guide and inform the design of any future drainage scheme for each specific future site use and will be developed in such a way to mitigate surface water issues and utilise opportunities to enhance wildlife opportunities.

### **3.11 Landscaping**

- 3.11.1 As part of the planning approval, a landscaping scheme for the 46 acre cemetery was submitted and approved in February 2002. The infrastructure planting was only half complete when works were suspended. This included the screen planting along Morwick Terrace and the tree planting along Thorner Lane. However, the underplanting and any internal site planting were not implemented. The impact on views and landscape therefore needs to be considered, utilise hedges and 'woodland planting' for screening. An enhanced landscaping barrier required to screen Morwick Terrace was noted in 3.4.3.
- 3.11.2 Now that the planting has matured, without the underplanting, the site is visually very open when viewing it from Thorner Lane. This impact would have been lessened, if the

underplanting had been carried out. The underplanting and the internal landscaping will have to be implemented during any ongoing cemetery works thereby improving the visual aesthetics of the site. The opportunity to increase native evergreen species can also be considered to provide more screening in the winter.

### **3.12 Other Issues/Comments**

3.12.1 Other issues/comments raised by local residents and Thorner Parish Council during the consultation were:-

- Cannot consider this development in isolation, the East Leeds Extension, Grimes Dyke and Whinmoor Grange should all be considered in totality not a piecemeal approach to the project;
- Consultees require more facts about what is proposed to move to make an informed recommendation regarding the future use of the site and would prefer that any development is put on hold until this time;
- retain the rural character between Thorner and the city boundary with sensitive design, layout and landscaping of any future proposals for the site;
- a full ecological diversity study should be carried out as this land has various protected species using it i.e. bats, newts and numerous bird species
- any formal planning application will require Transport Assessments, Environmental Impact Assessments, drainage assessments, ecological surveys, etc prior to any planning submissions;
- currently public transport is insufficient for the A64 and Thorner Lane;
- the value of the Green Belt buffer zone in the 3 year compilation of the Thorner Village Design Statement, was one of the most important requirements. The preferred option would be to develop the Whinmoor site with green playing fields rather than commercial or residential building development. To complement this, a mix of green recycling, horticultural waste and cemetery use would provide an element of green belt conservation which Thorner would expect the Council would be keen to preserve.
- the approval of the revised Informal Planning Statement will not alter the land use designation of the site. It will remain as Green Belt and any future planning applications could only come forward if they are consistent with Green Belt use;
- the residents of Morwick Terrace have raised a request for the Council to purchase their properties as they are concerned that any proposals for the will have a negative impact on themselves and the value of their properties.

3.12.2 On the whole, the input to the consultation was constructive, with issues raised and options explored and considered. This has allowed the Draft Planning Statement to be amended to take account of these discussions and to ensure that the revised Informal Planning Statement, as it becomes if approved, takes account of the wider development of east Leeds whilst maintaining the site as a wider 'green corridor' between Thorner and the A64.

### **3.13 Revised Informal Planning Statement**

3.13.1 A summary of the key changes to the Draft Planning Statement following consultation responses are as follows:-

- the 5 acre net, multi faith cemetery shown in its present approved position utilising the access position as constructed is the most preferred location, with the opportunity to explore a further extension at a future date;
- increased landscape planting buffer around the boundary of the cemetery with Thorner Lane and Morwick Terrace has been included;
- the maximum number of pitches for the potential decant defined as 5 and a maximum area of 11ha of land with grass pitches only, and no floodlighting as part of the scheme.
- the maximum area for the horticultural nursery reprovion at 6 ha with this split between 2 ha for buildings and 4 ha for planting;
- the depot location to be in the same location as the former landscape depot, reusing the old hardstanding as much as possible;
- the potential for allotments has been recognised within the Informal Planning Statement;
- concerns over slow moving funeral corteges led to a recommendation to direct these vehicles to use the side roads e.g. Skelton Lane/Coal Road, to gain access to the A6120 Leeds Outer Ring Road. It is therefore proposed that signage will be included as part of the development works;
- to ensure no water movement towards Morwick Terrace, Cemetery Development Services proposed the construction of a concrete filled trench along the cemetery boundary and the attenuation pond with a reed bed added, would ensure that any small risk of contaminants reaching the surface waters is removed completely;
- If the proposals for Whinmoor Grange site are brought forward at some future point in time, further consultation would be required as well as a full traffic assessment, drainage assessment, Environmental Impact Assessment, archaeological site study etc. as well as further consultation with key stakeholders is essential to ensure that all parties are as fully informed as possible.

3.13.2 The Informal Planning Statement has had the masterplan revised based on the comments received in relation to preference of location and proposed land uses raised during the public consultation.

3.13.2 The revised Informal Planning Statement is consistent with National Planning guidance for development in the Green Belt (PPG2) and the Council's own UDP policies and if approved, will not be a formal planning document but will be used to inform and guide proposals for the Whinmoor Grange site, as they are considered prior to any formal planning submissions. It is proposed that, when further details are known regarding the relocation of Red Hall, further consultation with key stakeholders will take place, using the Informal Planning Statement as the basis of those discussions. The revised Informal Planning Statement is attached at Appendix 3.

## **4.0 Design Proposals and Full Scheme Description**

**4.1** It is proposed to provide a full 5 acres net (16 acres gross) burial space within this red line boundary where the infrastructure works have already been completed. The works will consist of the surfacing of the existing base of the car park and main access road to highways standard; the construction of internal roadways and footpaths around the cemetery; and the construction of swales and a retention pond as part of a sustainable drainage system.

## 4.2 Prior Approvals

- 4.2.1 A Design Cost Report has previously been submitted for the development of Whinmoor Cemetery following planning approval in 2002. No other prior approvals relating to the revised Informal Planning Statement are in place.

## 4.3 Programme

- 4.3.1 Bearing in mind the imminent shortage of burial space in this area of the city, subject to Executive Board approval, it is proposed to move forward on the basis of the following outline construction programme for construction for both cemeteries:-

### **Whinmoor Cemetery**

DCR to Executive Board	October 2011
Early infrastructure works	October 2011 – February 2012
Completion of road infrastructure	March - June 2012
Construction of drainage system	July – September 2012
Seeding works	October 2012
Additional landscaping works	November – December 2012
Burials commence	January 2013

## 4.4 Corporate Considerations

### 4.4.1 Consultation and Engagement

- 4.4.2 The consultation framework, consultees and programme are outlined in detail in 3.1. The consultation started on the 20<sup>th</sup> June and following a two week extension, closed in mid August. The Draft Informal Planning Statement and response forms were posted on the Council's internet throughout the duration of the consultation. The Draft Planning Statement was circulated to a wide range of key stakeholders, agreed by Ward Members. The document was highlighted with site notices and was also posted out to ward members, Parish Council's, funeral directors, faith groups and individual residents and local businesses to achieve as wide a distribution as possible.
- 4.4.3 Two public meetings were held as part of the Draft Planning Statement consultation. Two were held with Thorner Parish Council, ward members and local residents on the 6<sup>th</sup> June – prior to consultation commencement and on the 27<sup>th</sup> July.
- 4.4.4 Part way during the consultation period, ward members were briefed about progress and any further meetings and engagement they would like to take place. As a result of this a meeting with Barwick & Scholes Parish Council was arranged and took place on the 7<sup>th</sup> September
- 4.4.5 The consultation completed on the 12<sup>th</sup> August 2012 and a total of 671 written comments were received. Comments have also been received after this closing date. To ensure that all issues and comments have been captured, especially in light of the September meeting with Barwick & Scholes Parish Council, where possible comments received after the 12<sup>th</sup> August have been considered and where appropriate, used to assist in the development of the revised Informal Planning Statement.
- 4.4.6 The Draft Planning Statement was circulated to ward members, who also attended the public meetings. Comments were received from Cllr Castle to say that her comments were captured within the Thorner Parish Council 'Whinmoor Submission'. No other comments have been received.

4.4.7 It is proposed to brief Ward Members regarding the outcome of the consultation and the Informal Planning Statement prior to Executive Board. Any comments raised will be reported to the Executive Board meeting.

4.4.8 The consultation responses are a background document to this report and can be made available to members of Executive Board on request.

#### **4.5 Equality and Diversity / Cohesion and Integration**

4.5.1 A revised Equality, Diversity, Cohesion and Integration Impact Assessment was completed in February 2011, by the Parks and Countryside Service.

#### **4.6 Council policies and City Priorities**

4.6.1 The proposals will assist the Council in meeting the following:-

##### **Council Business Plan 2008-2011**

- ensure fair access to all our services;
- increase involvement, engagement and participation of all communities, especially under-represented groups.

##### **City Priority Plan**

- Enable growth of the city whilst protecting the distinctive character of the city.

##### **Equality and Diversity Policy**

- Provide fair access to services, which meet the needs of our diverse communities and individuals;
- Increase the number of equality, diversity and community cohesion impact assessments undertaken to identify and reduce, or remove, barriers to accessing services experienced by any particular groups.

#### **4.7 Resources and value for money**

##### **4.7.1 Full scheme estimate.**

###### **Works**

Site Clearance and preparation	£21,455
Hardworks	£170,606
Planting/soft works	£108,807
Contingencies	£20,135
Administration	£37,750
<b>TOTAL</b>	<b>£358,753</b>

## 4.8 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2011 £000's	FORECAST					
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	436.6	399.9	36.7					
FURN & EQPT (5)	0.0							
DESIGN FEES (6)	64.3	64.3						
OTHER COSTS (7)	263.1	263.1						
<b>TOTALS</b>	<b>764.0</b>	<b>727.3</b>	<b>36.7</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2011 £000's	FORECAST					
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	321.8			289.7	32.1			
FURN & EQPT (5)	0.0							
DESIGN FEES (6)	37.0	8.9	9.6	18.5				
OTHER COSTS (7)	0.0							
<b>TOTALS</b>	<b>358.8</b>	<b>8.9</b>	<b>9.6</b>	<b>308.2</b>	<b>32.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2011 £000's	FORECAST					
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's	
LCC Funding	1530.1	736.2	172.1	489.7	132.1			
Total Funding	1530.1	736.2	172.1	489.7	132.1	0.0	0.0	
<b>Balance / Shortfall =</b>	<b>407.3</b>	<b>0.0</b>	<b>125.8</b>	<b>181.5</b>	<b>100.0</b>	<b>0.0</b>	<b>0.0</b>	

### 4.8.1 Revenue Effects

Year	Financial Year	Annuity Due
1	2012/13	£12,500
2	2013/14	£12,500
3	2014/15	£12,500
4	2015/16	£12,500
5	2016/17	£12,500
etc.		

The estimated initial grounds maintenance cost of the site is £12.5k per annum. This figure may rise slightly as the cemetery fills up. While there will be an income from burials, these will have switched from existing cemeteries which still have to be maintained. Therefore there will be a net cost to the service. However, it is proposed to contain this within the ongoing budget provision.

## 4.9 Legal Implications, Access to Information and Call In

4.9.1 As the scheme is a key decision, it is eligible for Call-In

4.9.2 Section 214 of the Local Government Act 1972 gives the Council the power to provide and maintain cemeteries inside and outside its area. In addition, section 2 of the Local Government Act 2000 gives the Council the power to do anything which it considers is likely to promote or improve the economic, social and/or environmental well being of the area.

4.9.3 The site of the proposed 5 acre cemetery is currently held by the Council for the purposes of open space. [This means that the appropriation of the land could have to be advertised in accordance with section 123 of the Local Government Act 1972].

4.9.4 There are no covenants or other restrictions that would prevent the land from being used as a cemetery or for any of the other land uses identified in the Informal Planning Statement. However these will all be subject to planning approval.

#### **4.10 Risk Management**

4.10.1 The project will be managed by an officer from LCC's Asset Management Service and a risk register will be maintained throughout the project.

4.10.2 An updated design risk assessment has been undertaken since the original scheme design and will be used to generate the contractor method statement for the implementation of the works.

#### **5.0 Conclusion**

5.1 In total the Council owns 104 acres of land on the Whinmoor Grange site. From within that area the Council secured a planning permission in February 2002 for the development of a 46 acre cemetery. The planning permission has been implemented by construction of highway infrastructure to provide site access and planting works. Executive Board in December 2008 approved the development of a 5 acre multi faith cemetery at Whinmoor and that the implementation of this is delivered as part of a larger masterplan for the site, involving the decant of the Councils operation at Red Hall.

5.2 Anticipation of any future development of Red Hall, a Draft Planning Statement for Whinmoor Grange was developed to explore issues and concerns prior to any formal proposals being brought forward and to take account of the previously approved cemetery. Consultation on the Draft Planning Statement started on the 20<sup>th</sup> June and following a two week extension, closed in mid August.

5.2 The Informal Planning Statement takes account of the issues raised through the consultation and highlights that the cemetery shown in its present approved position utilising the access position as constructed is the most preferred location. The cemetery traffic flow volume, was deemed to be well within normal variations expected on York Road. However, concerns over slow moving funeral corteges will be signed to use the side roads e.g. Skelton Lane/Coal Road, to gain access to the A6120 Leeds Outer Ring Road.

5.3 Cemetery Development Services from a site drainage point of view stated that the site is particularly suitable for burial from a drainage point of view, as potential risk to protected surface and groundwater stocks are 'minimal and manageable.' Taking this into account, the development of the 5 acre cemetery, with its existing planning approval, can be brought forward with the mitigation as identified in the report, included in its development.

5.4 Key issues for the further development of the site have been recognised as highways/traffic, drainage, the appropriateness of use within the green belt and minimising the visual affect of any of the proposals from Thorne Lane and Morwick Terrace. Extensive feasibility works will be required to bring forward any proposals for the site in the future and these will need to be considered alongside the future East Leeds Extension and Grimes Dyke developments.

5.5 The other defined land uses as included in the revised Informal Planning Statement and the whole masterplan will be subject to further discussions and feasibility works prior to any proposals coming forward. However comments received during the consultation have allowed consideration and exploration of key issues and potential locations for these land uses including the option to extend the cemetery at some future point in time . The revised Informal Planning Statement, is not a formal planning document. However, it will be used to inform and guide proposals for the Whinmoor Grange site, as they are considered prior to

any formal planning submissions. It is proposed that, when further details are known regarding the relocation of Red Hall, further consultation with key stakeholders will take place, using the Informal Planning Statement as the basis of those discussions.

## **6.0 Recommendations**

6.1 Members are recommended to note the contents of the report, including the outcome of the consultation on the Draft Planning Statement and:-

- approve the revised Informal Planning Statement as a guide to future potential development proposals for the site;
- subject to Executive Board's approval of the revised Informal Planning Statement incur expenditure of £358,753 from scheme 'Cemetery Exts City Wide 1358/WHM' for construction works in relation to the development of a 5 acre multi faith cemetery at Whinmoor.

## **7.0 Background documents**

Leisure and Enterprise Scrutiny Board Report, December 2002  
Executive Board Report, December 2008, Long Term Burial Supply  
Equality Impact Assessment of Burial Supply in Leeds 2011  
Thorner Parish Council 'Response to the Draft Planning Statement issues by LCC for consultation on the Whinmoor Grange site'.  
Public Consultation comments spreadsheet