

Dear Ms. Thornber

We are acting on behalf of "Say No to the Cemetery", a group set up by local residents who strongly object to the proposed cemetery and associated infrastructure on land south of Blackburn Road, Oswaldtwistle.

This is the first of a number of representations that we intend to submit and its purpose is to set out firstly the principal planning policy objections to the proposal and, secondly, to draw your attention to a number of technical issues that we believe should be addressed by the local planning authority before the planning application can be properly considered.

Our clients' primary objection is that the proposal would be inappropriate development in the green belt. Inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. We do not consider that any very special circumstances exist that are sufficient to justify approval of this substantial development.

Guidance in the National Planning Policy Framework (NPPF) indicates that cemeteries and appropriate facilities associated with cemeteries can be considered to be an acceptable form of development in the green belt. However, the NPPF is silent in terms of providing guidance on the scale of such facilities. Nevertheless, we believe it is reasonable to assume that a local facility serving a district or small town would have been contemplated when the guidance was drafted rather than a massive regional facility that is proposed in the current application. In identifying cemeteries as potentially appropriate forms of development in the green belt, the NPPF sets out a clear proviso that the provision of such facilities must preserve the openness of the green belt and should not conflict with the purposes of including land within it. In our view, the proposal fails on both counts. The proposed buildings, car parks, access roads, paths and associated infrastructure will inevitably have a significant negative impact on the openness of the green belt. This in turn would conflict with at least three of the five purposes of the green belt namely,

- (a) To check the unrestricted sprawl of large built-up areas
- (b) To prevent neighbouring towns merging into one another
- (c) To assist in safeguarding the countryside from encroachment

We intend to submit further representations in relation to policy and green belt issues together with comments on the applicants' Planning Statement in due course.

Turning to the technical issues, our clients have instructed Barnes Walker, Landscape Architects to consider landscape issues and also matters relating to topography, geology, soils, surfaces, hydrology and design approach.

We are attaching the following two documents that deal with these matters in detail:

- (1) Review of Landscape Appraisal submitted with outline application 11/21/0622 in relation to Land south of Blackburn Road, Oswaldtwistle**
- (2) Review of Planning Application 11/21/0622**

In relation to the Landscape Appraisal submitted by the applicants, our clients' concerns may be summarised as follows:

- The Landscape Appraisal has not been prepared in accordance with Guidelines for Landscape and Visual Impact Assessment (GLVIA) which provides industry standard guidance for the preparation of Landscape and Visual Impact Assessment.
- The Landscape Appraisal is not based on a methodology which is clear and transparent so that the reasons applied at different stages can be traced and examined by others.
- The Landscape Appraisal makes no reference to any scoping having been undertaken with Hyndburn Borough Council to agree a methodology, study area and landscape and visual receptors.
- The Landscape Appraisal does not establish the value of the landscape.
- The Landscape Appraisal does not assess the effects on the existing landscape character or existing features as a result of the proposed development, which given the character and extensive nature of the proposals are potentially significant.
- The Landscape Appraisal does not assess the effects on the views from Public Rights of Way which run through or alongside the site, Public Rights of Way within the wider countryside or the effects on the views of the local community which given the extensive nature and visibility of the proposals are potentially significant.
- The Landscape Appraisal does not provide Hyndburn Borough Council with sufficient detail regarding the likely landscape and visual effects of the proposed development in order for the Council to make an informed decision.

Barnes Walker have also reviewed other documents submitted with the application and their detailed comments are contained in the attached report. The key elements of their review are summarised below.

- **The application as submitted has substantial omissions and errors contained therein. These are outlined below and explored in detail within the appended documentation.**
- **Furthermore, the proposals are not appropriate to the context of the site or the wider area and it does not appear that sufficient analysis has been undertaken nor evidence presented which might inform the design proposals for the site. Doing this robust analysis retrospectively and to suit the design is a fundamental diversion from how a successful design process should be undertaken.**

Omissions and Errors requiring additional information to be submitted:

Geology, Soils and Trial Holes

- Bore (trial) holes have been undertaken to insufficient depth for soil analysis. This provides insufficient analysis / evidence.
- **Further analysis to the requisite depths should be required.**

Hydrology

- Omission of any recognition or analysis of the historic system of springs and watercourses/ditches within the site. This is a fundamental flaw and significantly distorts many assumptions made within the proposals.
- **Further information is required to demonstrate that account has been taken of the enormous amount of water presently flowing across the site and how this will be dealt with.**

Surfaces

- Currently land within the site is “soft” but due to limited capacity for absorption it sheds water quickly, leading to frequent “ponding” on the site.
- 7.2ha of hard area coverage will increase run off. How will this be dealt with and has it been checked by the Local Authority?
- Positive drainage will be required for any grass slope of 1:20. This has not been detailed and should be required.
- **There is no mitigation strategy (positive drainage solution) for the water run-off from proposed grass or permeable paved areas given the impermeable nature of the soils on site. This is a glaring omission and should be required.**

Burials

- In places, the burials would take place between 5-10m below existing site levels due to proposed excavation works. However, the drainage statement provided by Archi-structure mentions the suitability of burials based on trial holes within the surface 2-3m. **Bore holes should have been carried out to 1m below the proposed burial level.**
- Furthermore, there is no assessment of the impact that existing springs, watercourses and existing water flow would have on the burial areas. How would they deal with potential toxic leaching? **More comprehensive and robust assessment work needs to be carried out.**

Scale of Earthworks & Ownership/Application Boundary Issues

- **580,000m3 of cut (min.) is to be removed from site which would require circa 63,800 haulage vehicle movements to and 63,800 movements from the site. This equates to 1 vehicle every 10 minutes, 24 hours each day for nearly 15 months! We are unable to find any consideration of this massive movement of heavy traffic in the applicants’ Transport Assessment.**
- **There is no detail provided over where the overwhelming majority of this material would go or how they intend to actually carry out this significant (muddy) excavation work. Are other planning applications required?**
- Furthermore, some fill is identified to be utilised within the site. However, **a significant amount of the fill is identified on or straddling the boundary of the site and/or is on third party land.** Given that this is an engineering operation, all works will need planning permission in their own right. Hence the red line boundary would need to cover all areas of fill. Currently it does not. **Should the application be withdrawn in order that the red-line issue can be addressed?**
- Furthermore, the impact on neighbours from having perhaps 4m-6m of fill located on their boundaries has not even been acknowledged within the application submission.
- **Given the sheer scale of proposed excavation works identified, a detailed cut and fill method statement along with a Construction Method Statement should be required prior to determination of the planning application**

Design Approach and Proposals

- The proposed design approach is flawed and does not follow best practice.
- There is no evidence of a robust analysis and design process having been carried out as part of an iterative process that actually informs the design response.
- **The Landscape Appraisal information submitted is not fit for purpose. A full LVIA should be required for a scheme of this nature.** This would have helped to

inform the design proposals – Please see the attached commentary on this Appraisal.

- **A design solution has been devised in isolation from the site and its characteristics. The site and wider context do not suit the proposals as submitted.**
- In order to get the design proposals for the cemetery “to work”, the development would necessitate a complete and irreversible change to the nature and form of the existing landscape and its character. This has not been acknowledged in any part of the design submission.
- **The proposals would bring alien development into a rural and sensitive green belt site.**

Misleading Information

- **The presentation graphics (colours palette and range) used on the existing and proposed topographical drawings misleads the viewer into believing that the existing site is reasonably flat.**

Other Missing Information

Green Belt Impact Assessment

- There has been no Visual and Spatial Green Belt Analysis undertaken. The filling of the entire width of the “gap” between Oswaldtwistle and Blackburn with car parking, buildings, paths etc...has the potential to fundamentally harm the openness of the green belt and the reasons for including land within the green belt. To hide behind an argument that (some of the proposal e.g. the use) represents “an exception to inappropriate development within the green belt” fails to acknowledge what visual and spatial harm there would be to the Green Belt in this location.
- **A full Green Belt Impact Assessment should be submitted with the application.**

LVIA

- The Landscape Appraisal information submitted is not fit for purpose. A full LVIA should be required for a scheme of this nature. – Please see the attached commentary on this Appraisal.

Building Design

- **There has been no settlement or building character assessment to justify the proposed building design for the main administration building. It does not relate well to the sensitive rural/Green Belt setting and further justification should be required.**

Footpath Re-Routing and Detail

- There is no analysis of the existing public footpaths through the site or the nature of the experience that users of those footpaths currently enjoy.
- The proposed re-routing of 11-5-FP20 is convoluted, challenging and fundamentally changes the experience of the users of the footpath.
- No detail has been provided for how the footpath would connect with the existing southern stretch of 11-5-FP20 (outside the site) following the significant excavation works creating a 1:2 bank to overcome/ascend.
- **Further details on how this re-routed footpath would work in detail should be provided.**

Trees

- The submitted tree survey fails to suitably consider the effect on the RPA of the group of trees immediately adjacent to the site as a result of excavation works (in particular G6).
- **Further information should be provided including detailed and localised solutions to the level changes within RPAs.**
- The proposed tree planting is an afterthought to either “screen” the site (externally) or to respond to the formal grid pattern (internally), which pay no reference to the planting typologies within the wider area and would appear as alien features in the landscape.

We trust these points are clear but please get in touch if you require any clarification or further information. Our comments in relation to the applicants’ Planning Statement will follow in due course.

Kind regards

Philip Rothwell BA (Hons) Dip EP MRTPI

**PRDS
Planning & Development Consultants**