

23/02191/FUL

Applicant Beth Thomas

Location Rushcliffe Oaks Main Road Stragglethorpe Nottinghamshire NG12 2PY

Proposal Retention of shipping container for the storage of essential ground maintenance equipment and materials. (Retrospective).

Ward Cotgrave

THE SITE AND SURROUNDINGS

Details of the application can be found [here](#)

1. The application relates to Rushcliffe Oaks Crematorium, located within Green Belt open countryside approximately a mile to the north of Cotgrave. There is an adjacent solar farm to the south and a golf course on the opposite side of Main Road to the west. A footpath/ cycle track follows the former mineral line running along the rear (east) of the site. There is also a public right of way to the south.

DETAILS OF THE PROPOSAL

2. The application seeks retrospective planning permission for the retention of a 6.1 metre long ISO standard shipping container to the rear of the crematorium building, for the purposes of grounds maintenance equipment and materials storage. The north end gable is to be clad in Accoya timber to match the service yard enclosure.

SITE HISTORY

3. 18/02821/FUL- Development of crematorium and memorial gardens with associated access, parking and landscaping. Appeal allowed.

REPRESENTATIONS

Ward Councillor(s)

4. Three Ward Councillors (Cllr Ellis, Chewings and Butler) do not object.

Town/Parish Council

5. No consultation responses received.

Statutory and Other Consultees

The Nottinghamshire County Council

6. The Highway Authority - no objection.

The Rushcliffe Borough Council

7. The Borough Council's Environmental Health Officer has no objection or comments to make.

Local Residents and the General Public

8. No consultation responses received.

Full comments can be found [here](#)

PLANNING POLICY

9. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (NPPF) (December 2023), and the National Planning Practice Guidance (the Guidance).

Relevant National Planning Policies and Guidance

10. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.
11. The relevant sections of the NPPF are:
 - Paragraph 11c)
 - Chapter 8 Promoting Healthy and Safe Communities
 - Chapter 12 Achieving Well- Designed and Beautiful Places
 - Chapter 13 Protecting Green Belt Land

Full details of the NPPF can be found [here](#).

Relevant Local Planning Policies and Guidance

12. The relevant sections of the LPP1 are:
 - Policy 1 Presumption in Favour of Sustainable Development
 - Policy 4 Nottingham-Derby Green Belt
 - Policy 10 Design and Enhancing Local Identity
 - Policy 12 Local Services and Healthy Lifestyles
13. The relevant sections of the LPP2 are:
 - Policy 1 Development Requirements
 - Policy 21 Green Belt
 - Policy 30 Protection of Community Facilities
14. The full text of the policies in the LPP1 and LPP2, together with the supporting text, and the Residential Design Guide can be found in the Local Plan documents on the Council's website at: [Planning Policy - Rushcliffe Borough Council](#)

APPRAISAL

15. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
16. The main issues in the consideration of the application are; the principle of development; Green Belt, design/impact upon the character and appearance of the area, and impacts upon residential amenity.

Principle of Development

17. The application seeks retrospective planning permission for the retention of a shipping container sited to the rear of the crematorium building. The container is required for the storage of equipment in relation to the grounds maintenance of the site which includes extensive landscaped memorial gardens.
18. The proposed storage container seeks to support an existing and established community facility in the form of the crematorium and its associated grounds, in accordance with the provisions of policy 12 of the LPP1, and policy 30 of the LPP2 which seek in general to protect and enhance existing viable community facilities.

Impact on the Character of the Area

19. The container would be sited beyond the rear of the service yard which is enclosed by a close-boarded timber fence that exceeds the height of the container. This adjacent fence screens views of the container from the public highway. The container is however visible in views from the public footpath following the southern boundary of the Crematorium site. The container is also visible from the footpath/ cycle track following the former mineral line to the east of the site. However, views are limited to glimpses through gaps in the tree/ hedgerow cover along the eastern edge of the site.
20. The container is painted a dark grey reducing its visual prominence. Timber cladding is proposed to the northern end to soften its appearance from the landscaped grounds to the north. An embankment runs along the south of the site, wrapping around the south east corner thereby limiting the prominence of the container from the public right of way to the south. Views of the container from the former mineral line would be limited when the adjacent hedge/ tree cover is in leaf. Given the distance between the container and the former mineral line, it is not considered that it appears unduly prominent to footpath users even when the boundary planting is not in leaf. As such, having considered the siting of the container from various vantage points, it is not considered that its retention on a temporary basis (5 years as proposed) would result in discernible harm to the rural landscape or the character of the area.

Impact on Residential Amenity

21. The proposed container would not be located in proximity to any residential properties and would only operate as part of the ground maintenance regime for the crematorium site. As such the retention of the structure would not be considered to give rise to any concerns relating to residential amenity.

Green Belt

22. The site falls within the Green Belt. Paragraph 154 of the NPPF states that the construction of new buildings within the Green Belt should be regarded as inappropriate development. Exceptions to inappropriate development are listed under paragraph 154 of the NPPF. Certain other forms of development listed under paragraph 155 of the NPPF are also not inappropriate provided the openness of the Green Belt is preserved and there is not a conflict with the purposes of including land within it. The siting of a storage container does not fall within any of these exceptions. As such, the proposed development must be considered to represent inappropriate development within the Green Belt which would be by nature harmful to the Green Belt and as set out in paragraph 152 of the NPPF, should not be approved except in very special circumstances.

Very Special Circumstances and Conclusions

23. Paragraph 153 of the NPPF advises that: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations." This national policy advice is reinforced within policy 21 of the LPP2, which states that applications for development within the Green Belt should be determined in line with the NPPF.
24. In considering whether there are any very special circumstances to justify the development, it is considered that the development provides a number of benefits. The container is required for the storage of grounds maintenance equipment to support the crematorium which provides an important local service. The appeal decision for 18/02821/FUL sets out the quantitative and qualitative need for a crematorium and the retention of the container would help support its function by supporting the landscaping and maintenance of the site. The landscaping of the site serves an important role both in terms of enhancing the visual amenity of the surrounding area and also by providing a high quality and respectful environment for users of the site. The retention of the container would therefore provide community benefits through the maintenance of the landscaped crematorium gardens.
25. The container is required in order to provide the safe storage of maintenance equipment on site. It is not considered that the outdoor storage of equipment within the service yard would be practical for security and operational reasons. The retention of the container would negate the need to transport equipment to and from the Council Bingham depot each day, therefore providing economic benefits in terms of time and fuel saved whilst also providing environmental benefits through avoiding the millage associated with this.

26. The retention of the container would help support the use of the site which provides an economic role in terms of employment provision through its role in supporting the grounds maintenance of the site, supporting a full-time dedicated position.
27. The container is sited on an existing hard-surfaced drive and it is not considered that its retention would present an encroachment of the countryside. It is considered that the development accords with the five purposes of Green Belt listed under paragraph 143 of the NPPF.
28. The benefits of the scheme must be weighed against harm to the Green Belt and also any other 'harms' arising. In terms of Green Belt harm, the retention of the container would result in a degree of impact on the openness of the Green Belt. It could however by its nature be readily removed from site when no longer required without the need for extensive remediation works. It is proposed that the container would be sited on a temporary five year basis, to be secured by way of a condition should planning permission be granted. The ability to remediate and temporary nature of the container would therefore limit its harm to the openness of the Green Belt. Due to its siting to the rear of the compound enclosure, the retention of the container would have limited visual impact.
29. In considering any other 'harms' arising, it is considered that the retention of the container on a temporary basis would be acceptable in terms of its landscape impact. There are no residential properties in the vicinity that would be impacted by the retention of the container. It is not considered that the retention of the container would give rise to wider material harm.
30. In summary, the proposed development is inappropriate development and is therefore harmful by definition. Substantial weight is attached to that harm. Against the totality of the harm, the above factors have been identified which weigh in support of the scheme. This includes the economic benefits of supporting a full-time grounds maintenance role, the benefits of maintaining the landscaped gardens to provide a high-quality environment as part of the function of the crematorium, and the economic and environmental benefits of securely storing maintenance equipment on site. It is considered that these factors would together represent Very Special Circumstances that would clearly outweigh the harm to the Green Belt, and any other harms arising.
31. It is considered that the development accords with the general national and local planning policies considered above and accordingly it is recommended that the application is approved.
32. The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary, resulting in a recommendation to grant planning permission.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following conditions:

1. This permission shall expire in five years from the date of this permission, after which, unless a further planning permission has been granted, the storage container shall be removed from the site and the site be restored to its former condition within 28 days of this date.

[To avoid a permanent form of development in the Green Belt, to protect the visual amenities of the area, to enable the Borough Council to review the situation and to comply with Policy 1 (Development Requirements) and Policy 21 (Green Belt) of the Local Plan Part 2: Land and Planning Policies].

2. Accoya cladding shall be applied to the north elevation of the container as denoted on drawing G/1214/01 received on 11 December within three months of this permission. Thereafter the container shall be maintained in accordance with the materials/ finish as approved.

[To ensure a satisfactory appearance of development and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

Note-

The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary, resulting in a recommendation to grant planning permission.

Having regard to the above and having taken into account matters raised there are no other material considerations which are of significant weight in reaching a decision on this application.