
Hearing Statement

Matter 14, Issue 5

**Expansion of Margate and Minster Cemeteries – Policies
CM03 and CM04**

On behalf of

**The Master, Fellows and Scholars of the College of St John's
the Evangelist in the University of Cambridge**

Respondent Number: 311



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1. Introduction

- 1.1. This Hearing Statement has been prepared by Savills (UK) Limited on behalf of The Masters, Fellows and Scholars of the College of St John the Evangelist in the University of Cambridge ('St John's College'). This Statement is prepared in respect of Matter 14 on Community Infrastructure.
- 1.2. Savills (UK) Limited on behalf of the College have made the necessary and relevant representations at all consultation stages of the emerging Plan. This includes representations made to the Regulation 19 version of the Plan.
- 1.3. The Statement is structured to respond separately to policy CM03 and CM04 for the sake of clarity as each is subject to different circumstances that will need to be addressed. As such, it is also requested that a different representative appears at the Session to discuss each policy, namely:

Mark Hodgson: Policy CM03; and

Claire Mills: Policy CM04

2. What is the justification for Policies CM03 and CM04? How will the expansions be funded and who will provide them? Are the policies effective?

Response as it relates to Policy CM03

- 2.1. Policy CM03 seeks to allocate and safeguard land for the expansion of Margate Cemetery and ancillary uses as shown on the policy map. The site identified on the policies map is owned by St John's College and is adjacent to the strategic allocation at Westwood (Policy SP16). As set out in the Statement of Common Ground for Policy SP16 it should be noted that this allocation is not a requirement that arises as a result of the strategic allocation.
- 2.2. As explained in our Regulation 19 representations, St John's College has no objection in principle to assisting in the delivery of an extension at Margate Cemetery. However, at the time of the Regulation 19 consultation no evidence was provided to justify the allocation. If the Council cannot provide the evidence to justify the allocation under Policy CM03 then the Policy should be deleted.
- 2.3. Notwithstanding this, St John's College is willing to work with the Council to assist in the delivery of the allocation subject to appropriate evidence being provided to justify the allocation. On the basis of appropriate evidence being provided, it is the College's position that the Cemetery proposal policy approach should be changed to one of support and the allocation boundary for SP16 being altered to include the area of land sufficient to accommodate the identified need for an extension to Margate Cemetery. This amendment is shown in the Masterplan as attached to our Regulation 19 representation.
- 2.4. In our view this change is needed to ensure that the Plan is effective in that it allows flexibility as to the location of the extension to the Cemetery by combining the housing and cemetery proposals into one allocation. This will allow comprehensive masterplanning of the area and given the proximity of the two proposals it is important that the relationship between them is considered at the detailed design stage. This is already the approach taken with a mix of uses proposed within the allocation for SP16 including retail provision. Subject to appropriate evidence being provided and assuming that the amendment to the Policy SP16 is accepted then Policy CM03 should be deleted and replaced with the wording below:
- The expansion of Margate Cemetery will be supported. Any ancillary cemetery uses must be compatible with Policy SP16.*
- 2.5. In terms of funding, as has been made clear in our representations at Regulation 19 stage and in the Statement of Common Ground, the cemetery allocation is not required as a result of the Policy SP16 allocation and the delivery of the cemetery extension would need to be subject of a commercial arrangement.

Response as it relates to Policy CM04

- 2.6. At the time of the submission version of the Local Plan there was no known empirical evidence or assessments undertaken by Thanet District Council to calculate anticipated need and scale of cemetery extensions and where this need might be best addressed. Minster Parish Council did helpfully supply their own reasoning behind the needs for an extension to Minster cemetery (appended to the Regulation 19 representations and reattached as Appendix 1 to this Statement for ease of reference). However, this is not undertaken using a clear methodology or consideration of need relative to the plan period. This in itself is not considered sufficient evidence and further assessment would be required.
- 2.7. As already noted within the Regulation 19 representations, St John's College (the landowner) has no in principle objection to facilitating the delivery of an extension to Minster cemetery. However, this is subject to suitable evidence justifying a need to ensure any allocation is sound.
- 2.8. There appear two scenarios and each will have different implications to what is considered appropriate policy wording by St John's College. Policies CM04 and HO12 interrelate and so both are referenced below.

Scenario 1: Insufficient evidence is supplied for the expansion of Minster Cemetery

- 2.9. In the scenario where insufficient evidence is supplied to justify the need for Minster Cemetery to expand and thus be subject to a formal policy and/or allocation, it is suggested that all reference to the extension should be removed from the Local Plan altogether. This includes removal of policy CM04 and reference to the extension referenced within policy HO12.

Scenario 2: Sufficient evidence is supplied for the expansion of Minster Cemetery, including the resulting scale

- 2.10. In the scenario where sufficient evidence is supplied for the expansion of Minster cemetery and it's resulting scale, it is suggested that policies HO12 and CM04 should be amended to reflect the suggested policy wording and changes to the allocation boundary set out in the Regulation 19 representations submitted on behalf of St John's College. These can be summarised as follows:

1. The allocation boundary for policy HO12 should be updated to include the area of land sufficient to accommodate the identified need for an extension to Minster cemetery. A suggested red line area is provided as part of the Regulation 19 representations and enclosed at Appendix 2. This assumes that the scale suggested by Minster Parish Council is evidenced as justifiable. However, any allocation boundary should reflect what is identified by the Council as the final justified need through the Examination process.

Reason: Given the proximity of the housing led allocation and the intended extension to Minster cemetery, it is considered far more effective and thus sound, for both elements to be combined into one allocation. Assuming suitable policy wording, it need not infer that either part of the allocation is required as a result of the other. Instead the reason for combining the two separate requirements into one allocation is to secure the proper, comprehensive spatial planning of the area and so help ensure deliverability. Supporting text can clarify this position if need be. Given the proximity of the two intended uses, it is considered important that the relationship is fully explored at the design stage to ensure that one component does not undermine or adversely affect the delivery of the other. Such an approach is considered commonplace with various different uses combining into a single allocation, such as mixed use allocations where commercial and residential uses may combine.

2. Assuming the above changes are delivered, CM04 would not be required and would provide unnecessary duplication of a use already supported through housing-led allocation HO12. However, should it be retained, supporting text at paragraph 17.13 would require updating and the policy wording itself should be update to the following:

'The expansion of Minster Cemetery will be supported. Any ancillary cemetery uses must be compatible with housing led allocation HO12'.

Reason: As noted within the Regulation 19 representations, the current wording of draft policy CM04 is not sound as it requires the cemetery extensions to be 'provided' as part of the housing allocation. Should an identified need for the cemetery extension be proven, it is evident that it is a broader need and not solely the result of the net increase in dwellings arising from draft allocation HO12. As such it would not comply with the relevant legislation and regulations to require it to be 'provided' as part of the housing allocation. This implies no charge would be payable for the land which would not be the case as it would breach the relevant Regulations and associated national guidance. If policy CM04 is to be retained, it should instead simply identify support for the Minster Cemetery expansion as well as expanding on the point that ancillary components of the extension should be compatible with the proximate housing. For instance, ensuring no crematorium or other such use would come forward at this location without having first been tested and confirmed as appropriate given the adjacent uses. Whilst not envisaged or anticipated at this location, such policy wording avoids any risk of jeopardising the delivery of the intended and much needed homes.

2.11. In terms of how the expansion may be funded, combining the two uses (i.e. cemetery expansion and homes) into one allocation, encourages a landowner to secure planning permission for both elements to avoid hindering the delivery of the higher value aspect of the allocation (i.e. the homes). This is on the basis of a developer/landowner seeking to prove that the design does indeed provide a comprehensive and appropriate relationship between the two uses.

2.12. However, as already noted in the Regulation 19 representations and above, the cemetery expansion is not a mitigation requirement of the intended homes. In such a scenario, a S.106 can lawfully identify that a particular use may be offered for sale to a third party (in this occasion Minster Parish Council) but it cannot secure it's transfer free of charge. Should the third party not have the funds to purchase the land for the cemetery extension, there would be no obligation for the developer to deliver this expansion. Minster Parish Council has not to date confirmed whether any funds are available to purchase the land in question. The deliverability of the cemetery extension is consequently not assured.

Appendix 1 Minster Parish Council Correspondence

MINSTER PARISH COUNCIL



**MINSTER
IN THANET**

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Ms. Claire Mills
Associate Planner
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4th July 2018

Dear Ms. Mills

RE: Minster Cemetery Extension Justification

The original cemetery land was purchased in 1903.

Further land was purchased by Minster Parish Council to extend the cemetery in 1956. This doubled the size of the cemetery and also provided for a Garden of Rest. The extension took 15 years to establish planting, roads and storage buildings.

The first interment in the Garden of Rest was in 1971. Burials on the new extension started in the mid-1980s. Just over 30 years later the cemetery extension is approximately 50% full. As the population is increasing it is expected that the demand will too.

In 2009 Minster Parish Council identified that they should be thinking ahead to the future needs of the village and Thanet and started enquiries to purchase land to extend the cemetery by a further 50% of the total area of the current cemetery. Councillors met with a representative of the landowners who at that time were George Webb Finn and also Simon Thomas and Rosemary Bullivant from Thanet District Council planning department and discussions took place about the possibility of Minster Parish Council buying land to extend the cemetery and provide allotments.

In 2013 Minster Parish Council prepared a Community Led Plan. This included resident's views on the cemetery. 93% of respondents supported moves to extend the cemetery. (See attached copy of Community Led Plan information)



It became apparent during discussions that the site was going to be put forward as a site for consideration in the Draft Local Plan. The site was chosen as a suitable site and is part of the draft local plan and Policy H04A (3) refers to 'in consultation with Minster Parish Council to address the need to safeguard land suitably located within the site for expansion of the existing cemetery'.

Minster Parish Council are a proactive forward-thinking Council. Extending the cemetery is a long-term project. Evidence from the current usage of the cemetery shows a need for expansion over the next 50 years. It is essential to safeguard the only land available to extend the cemetery to the west of the site via a Section 106 agreement to ensure that both current and future residents of all of the proposed developments in Minster and also in and around Thanet have the option of being able to be interred at a cemetery local to their family.

The current cemetery is 5 acres, based on the extension purchased in 1956 we feel the minimum extension size should be 50% i.e. 2.5 acres with an access road from the old top road to the north of the site (plan attached). We would also ask that consideration be given to an **area for allotments in addition to the extension**. We would further ask that an amount be secured as part of the Section 106 and land transfer to provide for the landscaping of the area and provision of an access road in the sum of **£25,000**.

Yours sincerely



Cllr P J Gimes
Minster Parish Council Chairman



In all of the questionnaires the desire for more books was either top or second. Perhaps predictably, the desire for more computer games and DVD's appear at the top of the younger person's wish list.
The nature of library services may be changing but their importance cannot be underestimated.

Action Points

MPC to liaise with KCC to ensure that when funds become available to spend on the library they are spent in accordance with people's wishes.

MPC to liaise with KCC to ensure that Minster retains its library service and does not become one of those libraries closed down.

Allotments

People were asked whether they would like an allotment if they were available.

35% of those that answered the question expressed an interest.

Interestingly, in the questionnaire people were asked if they had spare land available for use as allotments. Fourteen people stated they may be interested in allowing their land to be used.

Action Points

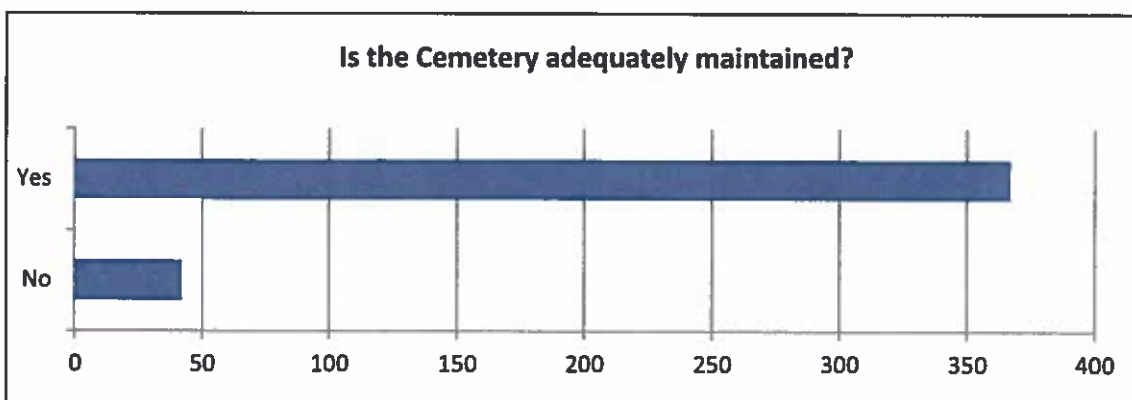
MPC to contact the people who stated they may have land available for use as allotments.

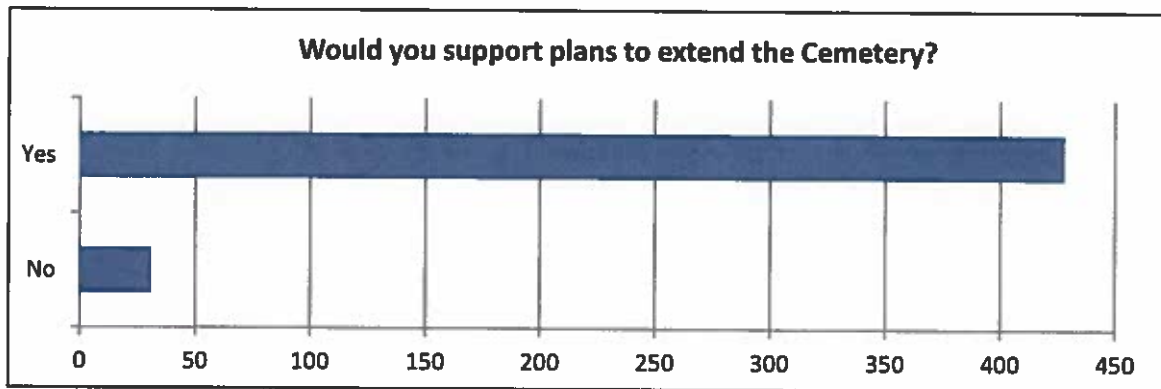
MPC to liaise with the TDC Allotments Officer to see what help they could be in this matter.

The Cemetery



People were asked if they considered whether the cemetery was adequately maintained and if they would support moves to extend the cemetery.





The vast majority of people, 89% of respondents, were satisfied that the maintenance was adequate and 93% supported moves to extend the cemetery.

The cemetery is a highly valued amenity in the Village and is owned and maintained by the Parish Council, with the exception of the War Graves and Memorial which are maintained by The Commonwealth War Graves Commission.

Action Points

MPC to ensure the maintenance of the cemetery is kept to at least the current level and when funds allow, make any improvements felt necessary.

MPC to actively seek land to extend the cemetery.

Village Safety

As has already been noted in the 'Likes' section, people consider Minster to be a generally safe place. Perceptions of safety were covered by different questions in both the adult and youth surveys.

The adults were asked if they considered Minster a safe environment a huge 89.69% who responded said Yes.

The Youth were asked a two part question as to whether they felt safe out during the day or after dark. During the day the vast majority, 98%, said Yes they felt safe. However the percentage feeling safe after dark dropped significantly to only 51%.

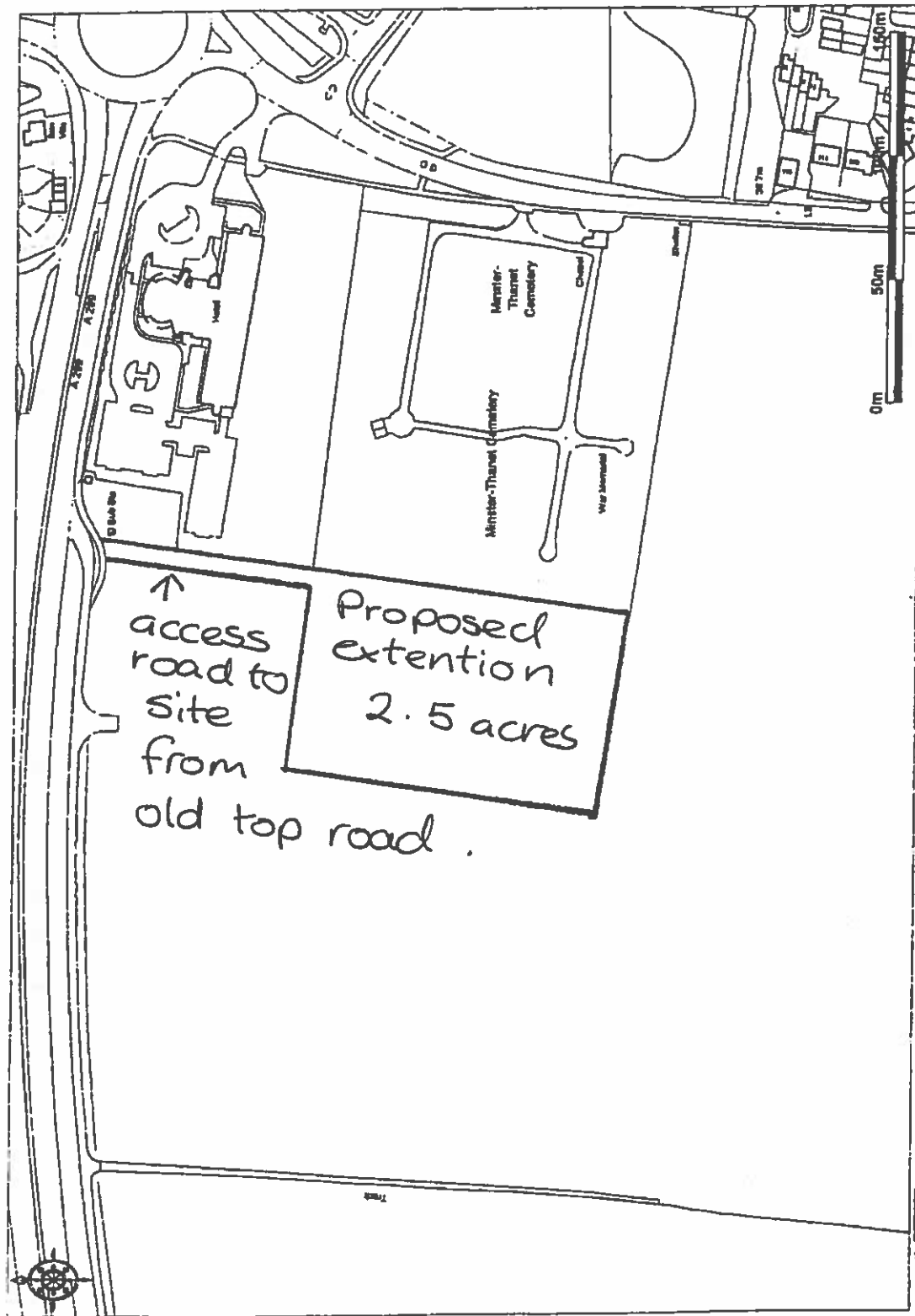
In addition the Youth were asked if they had ever been subject to bullying. 20% said Yes.

Most people feel safe in the Village which is good, however it is slightly troubling that the Youth consider the feeling of safety reduces significantly during the hours of darkness. This would fit in with the 'Dislikes' mentioned earlier when people complained about misbehaving youths congregating in the Village. It would appear that even the Youths themselves are nervous of some of their peers hanging about.

Of the 20% of Youth who said they had been bullied, the older the respondent the less the bullying reported. It is the younger age who said they are victims.

Whilst the school was not asked a specific question on safety a lot of the children made comments about a group acting in an intimidatory manner outside the school gates. The issue making it into their own list of 'Dislikes' covered later in the report.

LAND ADJOINING MINSTER CEMETERY

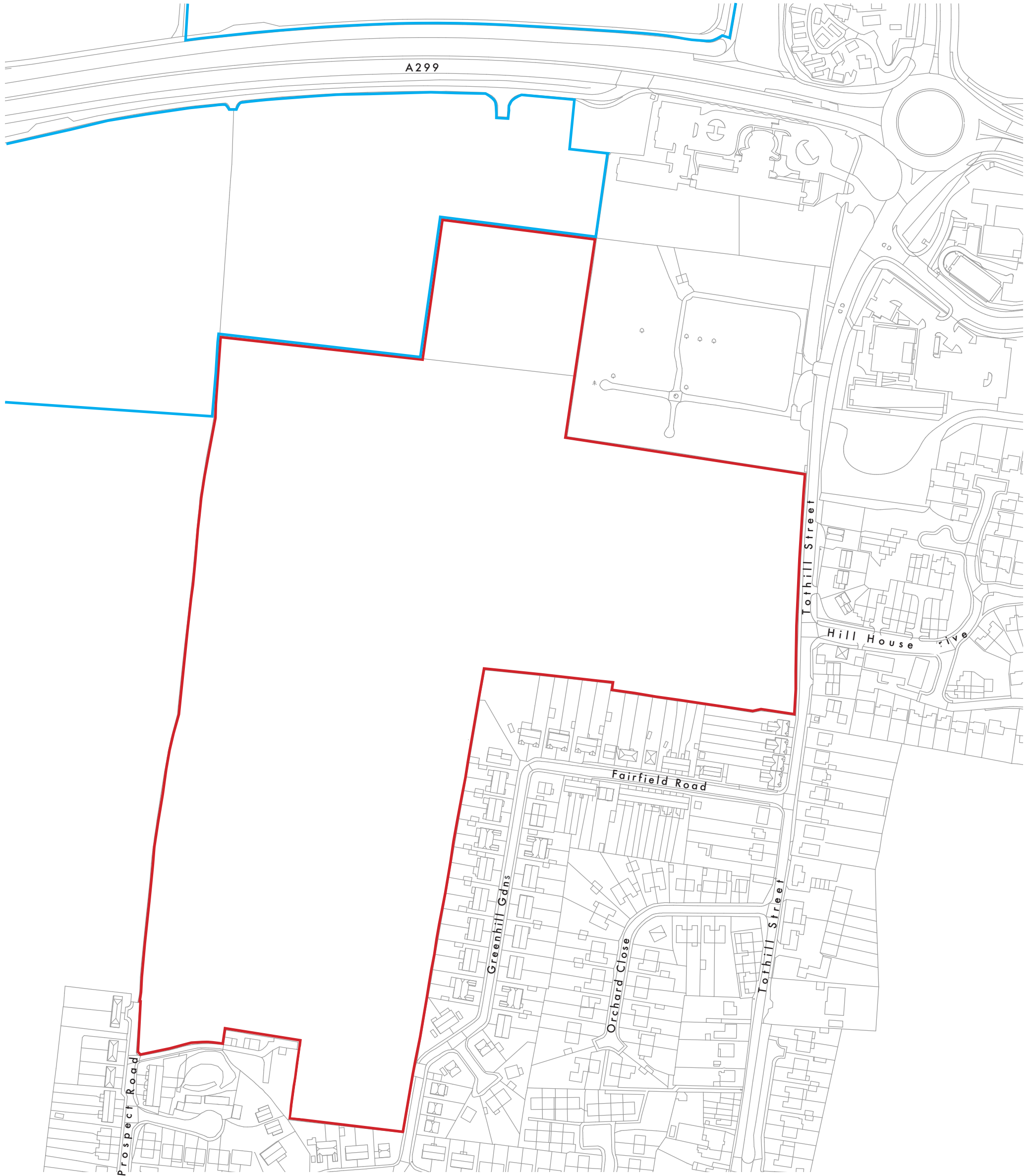


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This map was created with Promap

Appendix 2

Proposed Allocation Boundary: HO12



- Application boundary (14.03Ha)
- Other land within the ownership of the applicant



Project Name	Drawing Title
Proposed residential development Tothill Street, Minster, Kent	Location plan

Job no. CAUD 365198	Dwg no. 365_198_001	Rev. A
Date. July 2018	Scale. 1:2500@A3	Drawn by. JR
		Checked by.

