

1 February 2021
20210201 - Gardens of Peace - Response to Written Questions
(WQ1)



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Sent by email to: M25Junction28@planninginspectorate.gov.uk

Dear Sir / Madam

Gardens of Peace Muslim Cemetery (Plot 1/8) – Response to Written questions (WQ1) in respect of Deadline 2 – M25 Junction 28 Improvement Scheme

Savills (UK) Ltd has been instructed by the Trustees of Gardens of Peace Muslim Cemetery to act on its behalf in submitting a response to the Examining Authority's Written Questions in advance of Deadline 2 in relation to the M25 Junction 28 Improvement Scheme. Gardens of Peace is the freehold owner of Plot 1/8.

For the purpose of this response, we outline the question then our relevant response after each question. As we are responding to a small number of questions, we submit our response in a letter format.

Question GQ 1.7

In its RR [RR-024], The Gardens of Peace Muslim Cemetery (Gardens of Peace) considers that it has had insufficient information to determine the likely effects of the construction period on its operation, and it will be unable to fully operate and will be "entirely in the hands of [the Applicant's] contractors". At Procedural Deadline B [PDB009] the Gardens of Peace stated that limited engagement has taken place [with the Applicant].

For the Applicant:

- i) Explain the anticipated effects of the Proposed Development on the Gardens of Peace.
- ii) Explain where such effects have been assessed and mitigated in the application documents and how this is secured in the draft Development Consent Order (draft DCO) [APP-015].

For the Gardens of Peace Muslim Cemetery:

- iii) Set out in more detail specifically why Work No.29 [APP-006] (diversion of high-pressure gas pipeline) and its timescale would detrimentally affect the future operation of the cemetery and its targeted opening date of 2022.

The DCO application identified Plot 1/8, as an area that will be subject to acquisition of permanent rights, thus, and as referred to later in this answer, it is assumed all land will be sterilised from its attended use, being internal road, underground services and 512 burial plots. We attach the development plan for the cemetery (see Appendix 1) and when overlaid with the Plot 1/8 boundary (Appendix 2), the severity of the gas main diversion works (Work No. 29) on Gardens of Peace development becomes evident.

By the time the gas main installation works commence, the cemetery development would have been completed and the cemetery will be operational. In terms of what this means for Plot 1/8, and as identified within Appendix 1 and 2, Plot 1/8 will be subject to an internal road, a 'service entrance' directly off Colchester Road (A12), a soil storage area, further utilities, part of an overflow car park and land prepared for 512 burial plots. In addition, during 2020, Gardens of Peace commenced some initial ground works, which included installing underground services within the area falling within Plot 1/8.

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Furthermore, as a result of the gas main installation works, Plot 1/8 will be severed from the rest of the cemetery, meaning there will be no access for service vehicles off the A12, no access to the workshop / store, soil storage site or to the over flow car park.

We go into greater detail on each element below and how the gas main installation works will detrimentally affect the future operations of the cemetery and whether it is a temporary or permanent issue;

Service Entrance (temporary issue)

Gardens of Peace allowed for a service entrance within its development to ensure the safety of visitors and staff by minimising overlaps between the operations and movements in each user group. Furthermore, having two entrances ensures a clear separation of all service and maintenance traffic from the sensitive occasion of congregations.

The consequence of the closure of the service entrance is that it will cause significant disruption to daily site operations as there will be a need to ensure alternative means to maintaining this separation, including changes to operating hours of the cemetery, impacting on visiting opening times and staff working hours. Should a solution to this issue not be provided, there is a fear that the knock on effect will be the potential fall in demand for burials at Maylands during the period of the installation works.

Soil Storage Area (temporary issue)

The designated soil storage area, required for storing soil from burial plots (and which will subsequently be removed from Maylands on a regular basis), is to be located within the most easterly shaded red area in Appendix 1. As a result of the loss of internal road and service entrance, the soil storage area will need to be relocated to an alternative and accessible area within Maylands to allow for regular collection. However, as you will note from the Appendix 1, there is no such area available. As is evident within Appendix 2, the only solution to Gardens of Peace is to move the soil storage area to the area shaded grey to the west of the plan. However, with this comes a number of significant issues. These will be the temporary loss of burial plots, effect on biodiversity, compaction to soil prepared for burial plots and aesthetic appearance of the burial ground. Furthermore, access for heavy goods vehicles and plant machinery to and from the temporary soil storage site would impact on the roadways, which are only to be used by visitor traffic.

Overflow Parking (temporary issue)

The overflow carpark, which partly falls within Plot 1/8, will need to be relocated to elsewhere on the site, which brings about the same issues highlighted above in relation to the soil storage area. As at commencement of the gas main installation works, the cemetery will be operational and thus the car park fundamental to daily congregations. Thus the car park will need to be relocated which, in light of the loss of an internal road, will create significant disruption to the traffic management and aesthetics of the site.

Not only does this bring rise to safety concerns, but the ongoing requirement to control traffic and the loss of additional burial plots further demonstrates potential interruption to daily operations and the business.

Loss of Internal Road (temporary issue)

As the internal road falls within Plot 1/8, this will also become severed, thus losing access to the workshop / store. The need for access to the workshop / store is fundamental to the daily operations of Maylands and without it, prevents any form of business operating from Maylands. Whilst there have been discussions between Gardens of Peace and Cadent in relation to the requirement of a temporary road, any temporary proposals will provide yet further disruption for the cemetery development in terms of aesthetics, damage to and temporary loss of land prepared for burials, requirement for traffic management and effect on biodiversity.

Disruption to Utility and Site Infrastructure (temporary and permanent issue)

In light of that fact that the cemetery will be operational by the time the gas main works commence, utilities within Plot 1/8 will need to be relocated (see Appendix 3 – Cadent Detailed Design). These include the existing underground electrical, water and telecoms services to the workshop / store, which were installed in 2020 and

are now within the middle of the proposed gas main easement. Other services will include the drainage pipes under the internal road and associated manholes and chambers and underground lighting cables.

All services will have to be lifted and relocated to outside Plot 1/8 prior to the commencement of the gas main installation works to ensure the cemetery can continue to operate. Gardens of Peace is concerned with the effect of the temporary relocation of these services, which will need to be within land identified for burial plots, and accordingly the potential sterilisation of additional land in both the short and long term.

Furthermore, the original development proposal for Maylands was historically amended with the internal road being moved west to reflect the presence of the existing gas main on the eastern boundary of Maylands. However, it is now assumed that following the gas main installation works, the internal road will have to be moved further to the west again to reflect the presence of the new gas main. It is not clear how the site will be redesigned to accommodate these changes.

Loss of Burial Plots (permanent)

As referred to above, the DCO application seeks to permanently acquire rights over Plot 1/8. Accordingly, and without knowing details on the future land use restrictions, despite requesting this from highways England in 2020, it is assumed the land will be sterilised from its intended use, being 512 burial plots, internal road and car park. Gardens of Peace however have been informed it can place and store materials directly over the gas main.

With this in mind, it is assumed the approved cemetery design cannot be reinstated post completion of the gas main installation works, thus prevent additional operation disruption post completion. Furthermore, this brings rise to significant concerns being the financial viability of the cemetery and the inability to meet the requirements of the Muslim community.

With all the above in mind, there will be significant disruption that will detrimentally affect the daily operations to the cemetery.

In response to the second part of the question regarding the effect of the gas main installation works on the targeted opening date of the cemetery - Gardens of Peace has subsequently been informed that the gas main installation works are due to commence after the anticipated opening date of the cemetery, thus it is likely the gas main works will not cause a delay to the opening of the cemetery. Notwithstanding this, as highlighted above, there will be significant disruption to the daily operations of the cemetery due to the gas main installation works.

iv) Explain why it is said that the Proposed Development must be amended and provide details of the amendment you seek.

The current extent of Plot 1/8 is felt to be in excess of what is required to undertake the gas main installation works (Proposed Development).

We have referred to the effects of the current design of the Proposed Development on Gardens of Peace in the answer to question iii), being both temporary issues (i.e. whilst the gas installation works are being undertaken) and permanent. The effects demonstrate the significant impact the gas main installation works will have on the cemetery.

Furthermore, with the permanent presence of the gas main, the cemetery development will have to be redesigned following completion of the gas main works, as it is assumed that any easement will not allow for the reinstatement of private roads, underground services and to allow the land to be used for burial plots.

Thus, the amendments Gardens of Peace seek are a significant reduction in the boundary of Plot 1/8 to immediately reduce the effects, both temporary and permanent, on the cemetery. Gardens of Peace also seek

an amendment to the route of the gas main, to reduce the area within Plot 1/8 subject to the gas main easement, thus reducing the permanent effects on the cemetery i.e. enabling Plot 1/8 to be fully reinstated to the same order as it was prior to the gas main installation works and as proposed within the development plan (see Appendix 1).

Question PC 1.9

The SoR [APP-019] confirms that plot 1/8 as shown on the Land plans [APP-005] is required for Work No.29 (diversion of a high-pressure gas pipeline) in order to allow for the construction of the Proposed Development. In Gardens of Peace's RR [RR-024] it is stated that the works would interfere with the operation of the cemetery and would result in a redesign of the layout.

- i) **Explain the anticipated length of time it would take to divert the existing high pressure gas pipeline on Plot 1/8.**

This question would be best directed to the Applicant. What is also unclear is the anticipated date that reinstated plot 1/8 reverts back to Gardens of Peace.

- ii) **Explain why the cemetery would need to be resigned.**

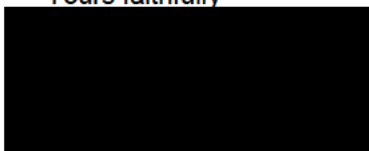
Since commencement of engagement, Gardens of Peace have never been offered details, despite requesting in 2020, on the future land use restrictions over the Plot 1/8 as a whole, or over the gas easement. The only information received to date was that Gardens of Peace can place and store materials directly over the gas main (raised in a meeting dated 25th November 2020). Accordingly, it is assumed the approved cemetery design cannot be reinstated post completion of the gas main works to allow for the internal road, underground services and original area designated for burial plots to be reinstated to the original position. Thus, the cemetery will need to be redesign to take into account the presence of the gas main and the restrictions on land use as a result of permanent rights being acquired.

- iii) **Explain whether the diversion could be timed to minimise harm to the cemetery.**

It is understood the gas main diversion works are not due to commence until March / April 2022, by which time, the cemetery development would have been completed and the cemetery operational. Therefore, unless the gas main diversion could take place immediately, the works will cause disruption to the daily operations and thus will always be a harm to the cemetery.

We hope we have provided the information you require.

Yours faithfully



Gwyn Church MRICS FAAV
Associate

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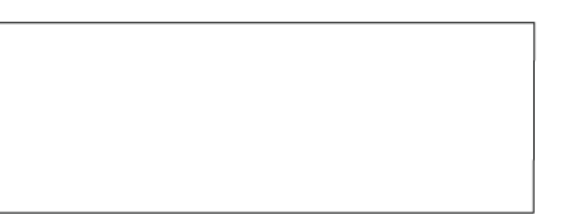
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Technical Design





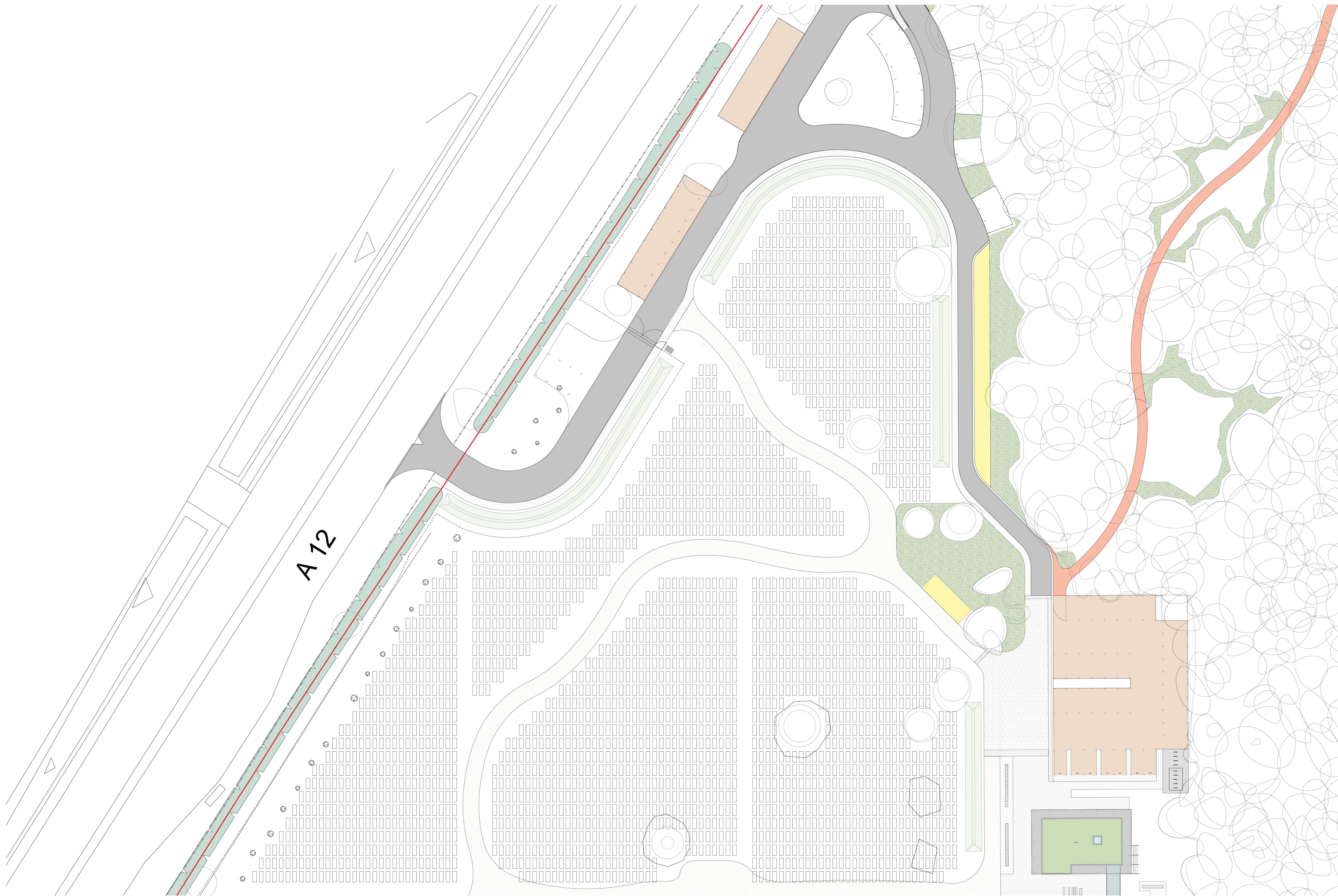
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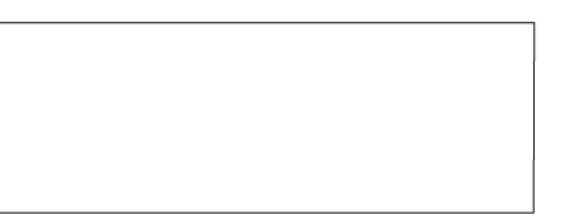
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









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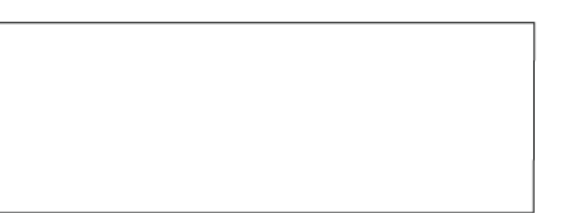
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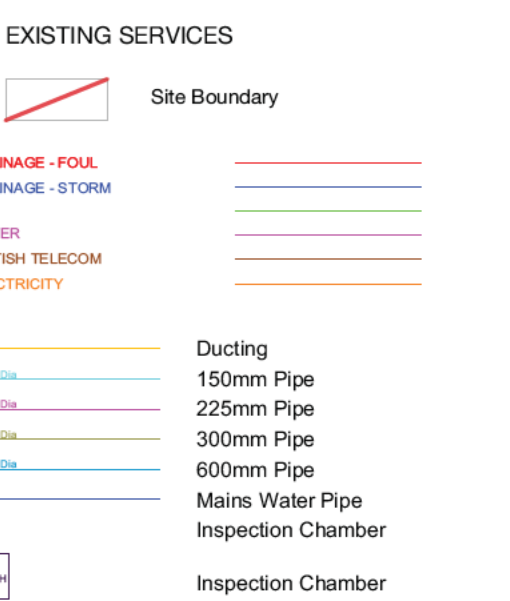
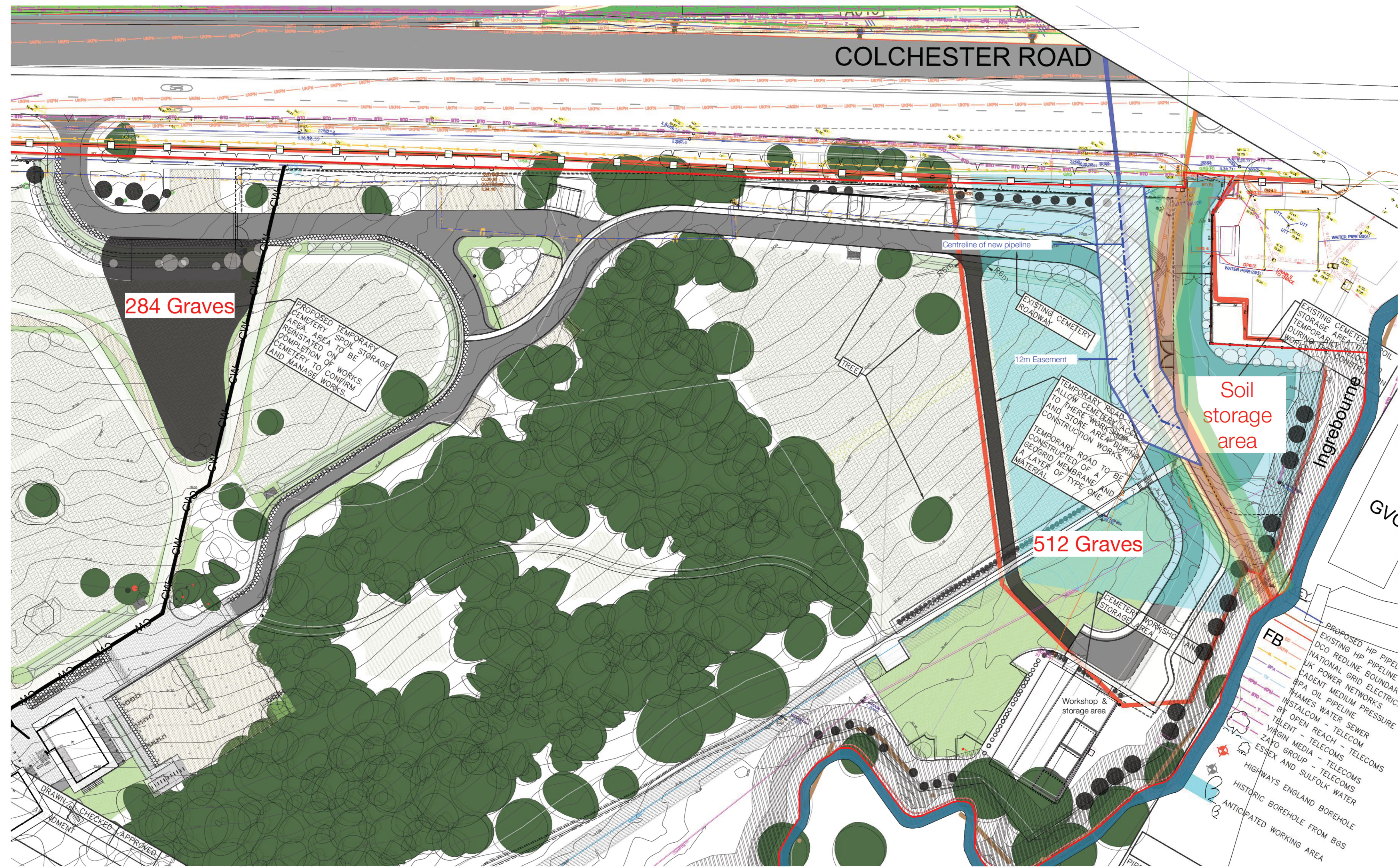




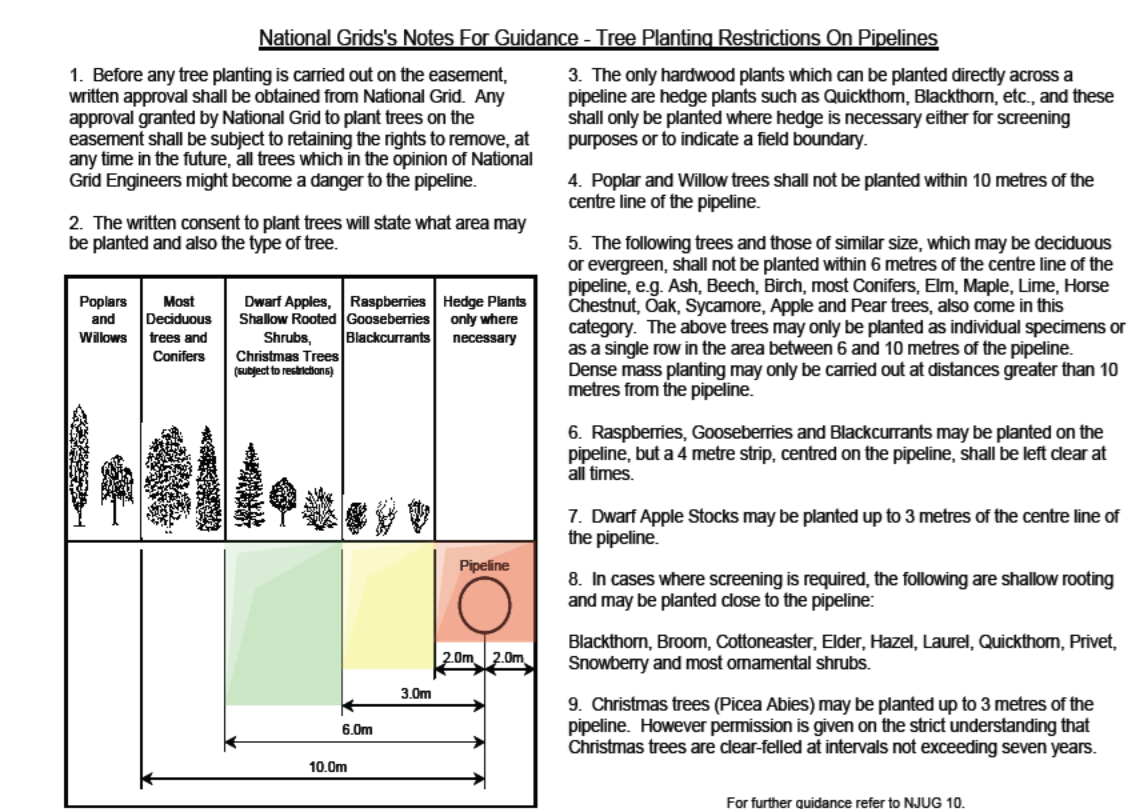
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-  Dark Grey
-  Yellow
-  White
-  Green
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1 M25/J28 Cadent Detailed Design
1:500



2 Restrictions on pipelines



3 Location Plan
1:2500

