

Cemetery Proposed at Old Craigie Road

KEY INFORMATION

Ward Maryfield

Address

East End Football Park
Old Craigie Road, Dundee

Applicant

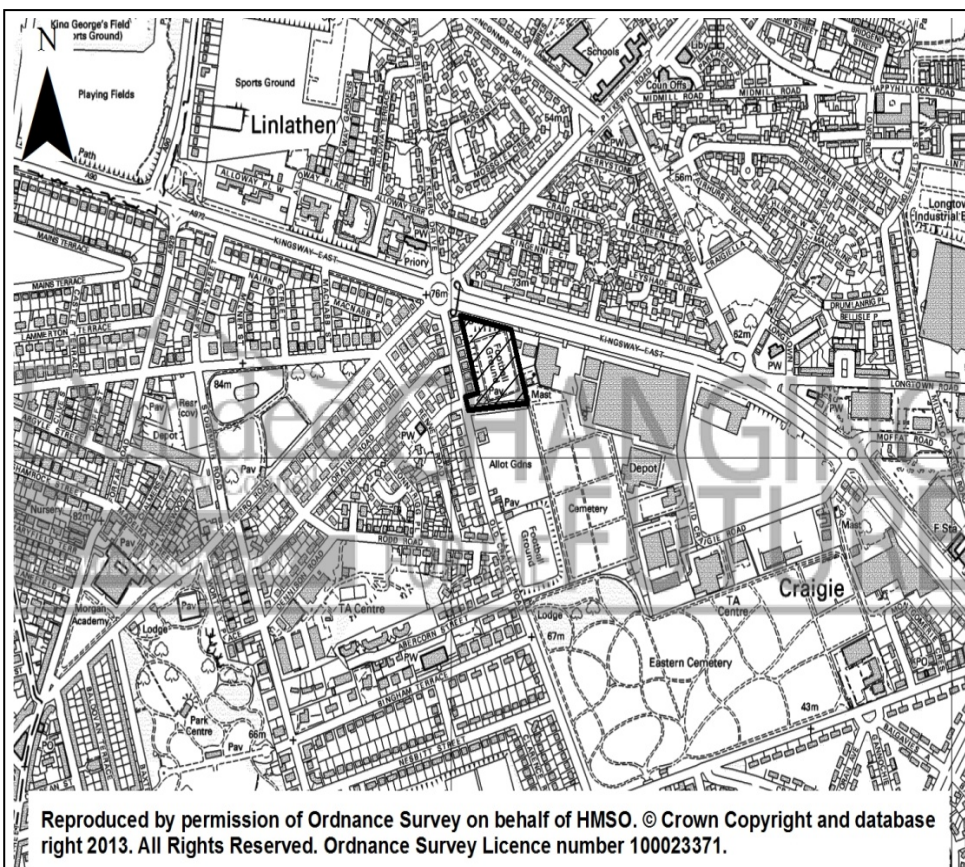
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Agent

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Registered 21 Nov 2013

Case Officer B Knox



SUMMARY OF REPORT

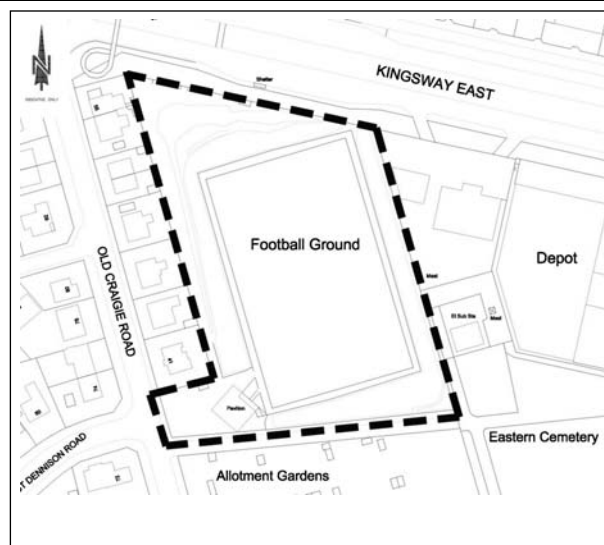
- The application seeks planning permission for the change of use of the land to form a cemetery burial ground on an area of ground which was previously in use as a sports pitch.
- Policy 36 of the Dundee Local Development Plan is relevant to the determination of the proposal since it relates to open space. It is considered that the proposals are in accordance with the requirements in this regard.
- There were no valid objections received in relation to the proposals.
- The application is therefore recommended for approval.
- Further information is available here: <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MW7ONAGCGT500>.

RECOMMENDATION

The application is considered to be in accordance with the requirements of the Dundee Local Development Plan and there are no material considerations to justify a decision contrary to this. The application is therefore recommended for **APPROVAL** subject to conditions.

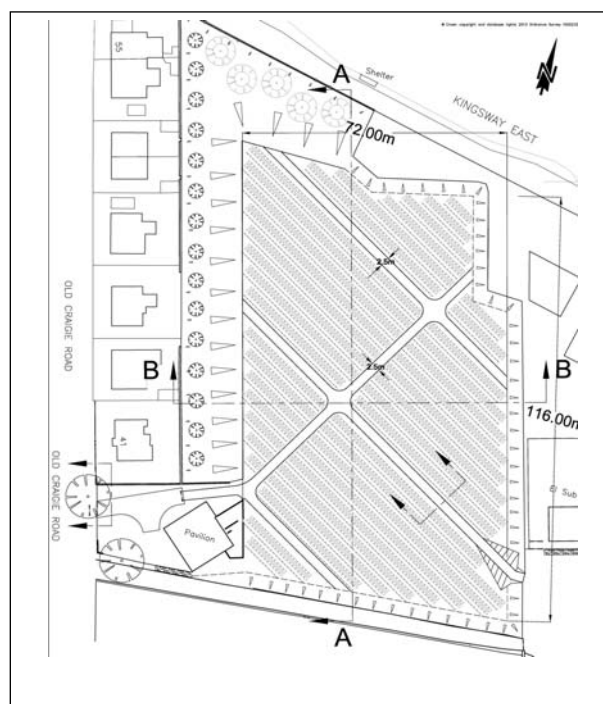
1 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks planning permission for the change of use of the land to form a cemetery burial ground. The site has been identified as being capable of accommodating approximately 1400 burial lairs with 1 burial per lair. There are to be access paths within the site to allow the use to be carried out with narrower access points between rows of lairs.
- 1.2 The application site would be comprised of a grid layout of lairs with main access paths measuring approximately 2.5 metres in width with narrower access paths in between each row of lairs. The plans indicate that there will be a degree of ground works which will result in the ground level sitting at a higher level than the existing situation. The applicants have advised that due to the level of the water table, the ground requires such works to allow for the proposed use as a burial ground.
- 1.3 At the present time, the ground rises from its entrance point close to Old Craigie Road and then gently declines back down into the site. The general contours of the land will be retained but the overall height of the land will sit at a height approximately 1.5 metres higher than the existing situation. It is proposed that there will be screen planting along the west boundary to the rear of the existing dwellings.
- 1.4 Access is to be taken from the area of the existing access from Old Craigie Road.
- 1.5 The application is being referred to Committee as the Council is both the applicant and owner of the land.

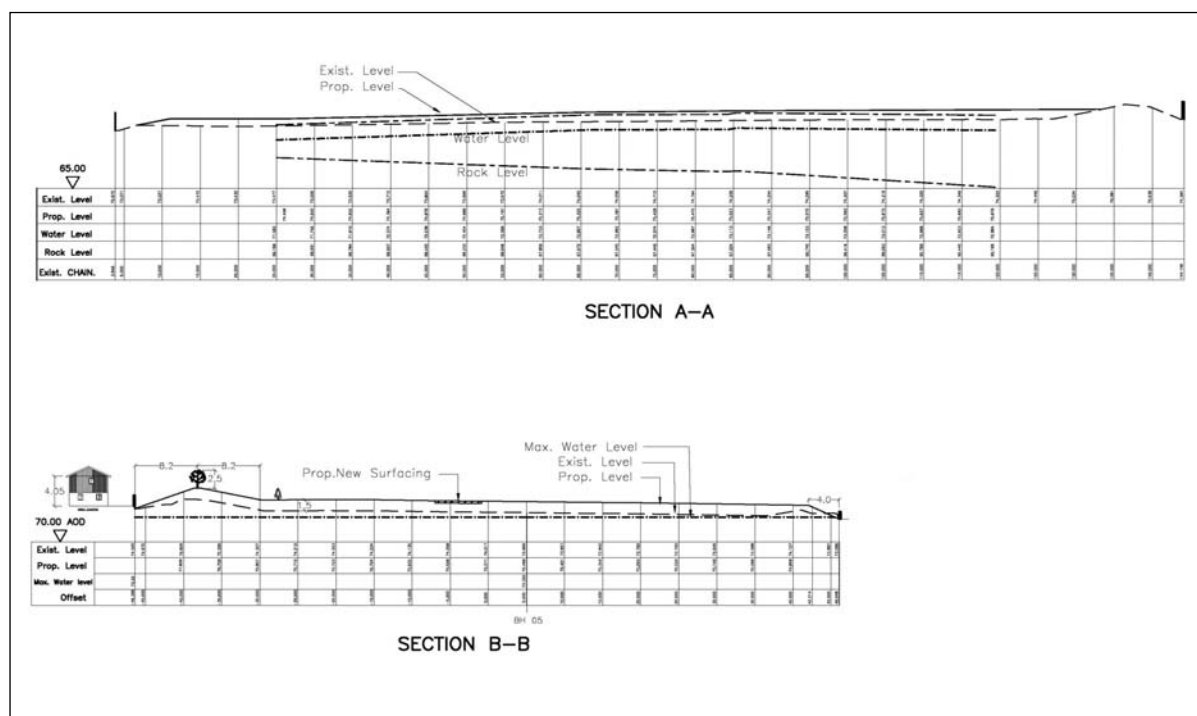


2 SITE DESCRIPTION

- 2.1 The application site is located in the east of the city close to Kingsway East, on the east side of Old Craigie Road. The site was previously in use as a sports pitch but a number of years ago it was identified for a cemetery extension. The football team who utilised the pitch then transferred into an alternative site. Since that time, it has not been in use as a formal sports pitch but ad hoc use of the site for training purposes may have taken place. Therefore, the site has not been maintained for the purposes of a pitch but is still considered to be categorised as open space.
- 2.2 To the south of the site lie allotments with the Eastern Cemetery and an additional sports pitch beyond this. The western edge



of the site is lined by detached and semi detached dwellings which front onto Old Craigie Road. There is a vacant car sales site to the east of the site which is visible from the application site but enclosed by high wire fencing. The site is bounded to the north by the Kingsway dual carriageway.



- 2.3 There are existing groups of trees in the north west corner and south east corner of the site.

3 POLICY BACKGROUND

- 3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 36: Open Space and Green Networks

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 As discussed above, the site has previously been in use as formal sports pitches but this has ceased to be the case for some years. It has remained as a grassed area since that time.

5 PUBLIC PARTICIPATION

- 5.1 Due to the nature of the proposals, the application was the subject of statutory advertisement in the press and the statutory neighbour notification procedure was also undertaken. There were no valid objections received.

6 CONSULTATIONS

- 6.1 **Environment Department** – The Environment Department have advised that a condition should be applied to ensure that the site is developed, managed and run in accordance with the recommendations of the land assessment report and hydrogeological reports submitted in support of the application.
- 6.2 This condition will therefore be attached.
- 6.3 **SEPA** – under the terms of Schedule 5 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, SEPA are a statutory consultee since the proposals relate to the use of the land for cemetery purposes.
- 6.4 SEPA have confirmed that they have no objections to the proposals subject to there being a minimum of 0.5 metres of unsaturated soil below the burial depth at any part of the burial ground.
- 6.5 This requirement is in accordance with the intended development of the site and a condition shall be attached to ensure that the scheme is implemented in accordance with the information laid out in the hydrogeological report submitted to support the application, as discussed above.
- 6.6 **SportScotland** – under the terms of Schedule 5 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, SportScotland are a statutory consultee since the proposals relate to the use of a former playing field.
- 6.7 SportScotland have confirmed that they have no objections to the proposals.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

THE DEVELOPMENT PLAN

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 36: Open Space and Green Networks** – this Policy advises that development proposals that would result in a change of use of a site identified in the Local Development Plan as open space to anything other than an open space use must establish that the site no longer has a potential value as open space of any kind unless a range of criteria can be satisfied.
- 7.3 In this instance, the proposed change of use is from an open grassed area to that of a cemetery. Although this represents a material change of use in relation to the Use Classes Order, the use of the land for cemetery purposes is still considered to be Open Space in terms of the requirements of the Dundee Local Development Plan. Therefore, the proposals are in accordance with the requirements of the above Policy.

7.4 **The proposal satisfies Policy 36.**

7.5 **It is concluded from the foregoing that the proposal complies with the provisions of the Development Plan.**

OTHER MATERIAL CONSIDERATIONS

A - SUITABILITY OF THE SITE

7.6 As discussed above in relation to the consultation responses, the applicants have carried out a hydrogeological risk assessment in order to ascertain the suitability of the site for the purpose proposed. The recommendations advise that with the carrying out of certain remedial measures, the ground conditions will be suitable for the purposes of a burial ground as proposed

B – APPEARANCE OF THE PROPOSED DEVELOPMENT AND ITS RELATIONSHIP TO THE SURROUNDINGS

7.7 The application site would be comprised of a grid layout of lairs with main access paths measuring approximately 2.5 metres in width with narrower access paths in between each row of lairs. The plans indicate that there will be a degree of ground works which will result in the ground level sitting at a higher level than the existing situation. The applicants have advised that this is due to the level of the water table, the ground requires such works to allow for the proposed use as a burial ground.

7.8 At the present time, the ground rises from its entrance point close to Old Craigie Road and then gently declines back down into the site. The general contours of the land will be retained but the overall height of the land will sit at a height approximately 1.5 metres higher than the existing situation. It is proposed that there will be screen planting along the west boundary to the rear of the existing dwellings.

7.9 It is considered that the ground works will afford the surrounding residential occupiers a degree of screening from the site and that the screen planting will contribute towards this screening effect.

7.10 There will be a turning area at the front of the site close to Old Craigie Road and this is the main opportunity for views into the site.

7.11 The impact upon the surroundings will therefore be limited due to the screening effects of the ground works and landscaping.

7.12 Within the site, it is considered that there is an opportunity for the inclusion of additional landscaping as an integral part of the layout of paths and lairs. It is considered that a landscaping condition be attached to any grant of permission to ensure the quality of the boundary screen planning and the above opportunity for additional planting within the site could be discussed and agreed by this mechanism.

7.13 In addition, the proposed layout indicates that there will be limited impact upon the existing trees in the north west corner of the site. However, a condition should be applied to any grant of planning permission in order to obtain a tree protection plan including details of the trees to be felled and further details regarding the replacement planting to be carried out.

7.14 It is concluded that the appearance of the proposed development from both within and outwith the site will be of an acceptable level such as to maintain the attractive character of the area.

C – COMPATIBILITY WITH EXISTING USES

- 7.15 There are no concerns in relation to compatibility of the cemetery with the nearby existing uses. The nature of the use means that there will be intermittent gatherings of groups of people but these are unlikely to result in excessive noise to the detriment of the neighbouring residential occupiers.
- 7.16 In relation to the parking provision for the area it is noted that there is generally capacity in the surrounding streets to accommodate on street parking and that the access routes throughout the site will allow for access in relation to burial ceremonies and visitors. In addition, a turning area is proposed to the entrance area of the site to ensure vehicles will always be able to enter and leave the site in a forward gear. It is considered that the proposals will not result in a detrimental impact upon the parking provision for the surrounding area.
- 7.17 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

8 CONCLUSION

- 8.1 The proposal complies with the Development Plan and there are no material considerations that would justify the refusal of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following condition:
- 1 Prior to the commencement of development on site, full details for a scheme of landscaping shall be submitted in writing. For the avoidance of doubt, this shall include all hard and soft landscaping details. The scheme shall thereafter be implemented in full accordance with the agreed details.
 - 2 The site shall be developed, managed and run in accordance with the hereby approved Land Assessment Report dated November 2011, Hydrogeological Risk Assessment dated November 2013 (6-Report in the drawing schedule) and SEPA's recommendations as set out in letter dated 6 January 2014 unless otherwise agreed in writing with the Council.

REASONS

- 1 In order to ensure the site is finished to an acceptable standard.
- 2 In order to ensure the works are carried out to a satisfactory standard and that there are no issues of groundwater contamination.