

KEY INFORMATION**Ward** Strathmartine**Proposal**

Formation of internal roads,
parking area, drainage
facilities and erection of
fencing

Address

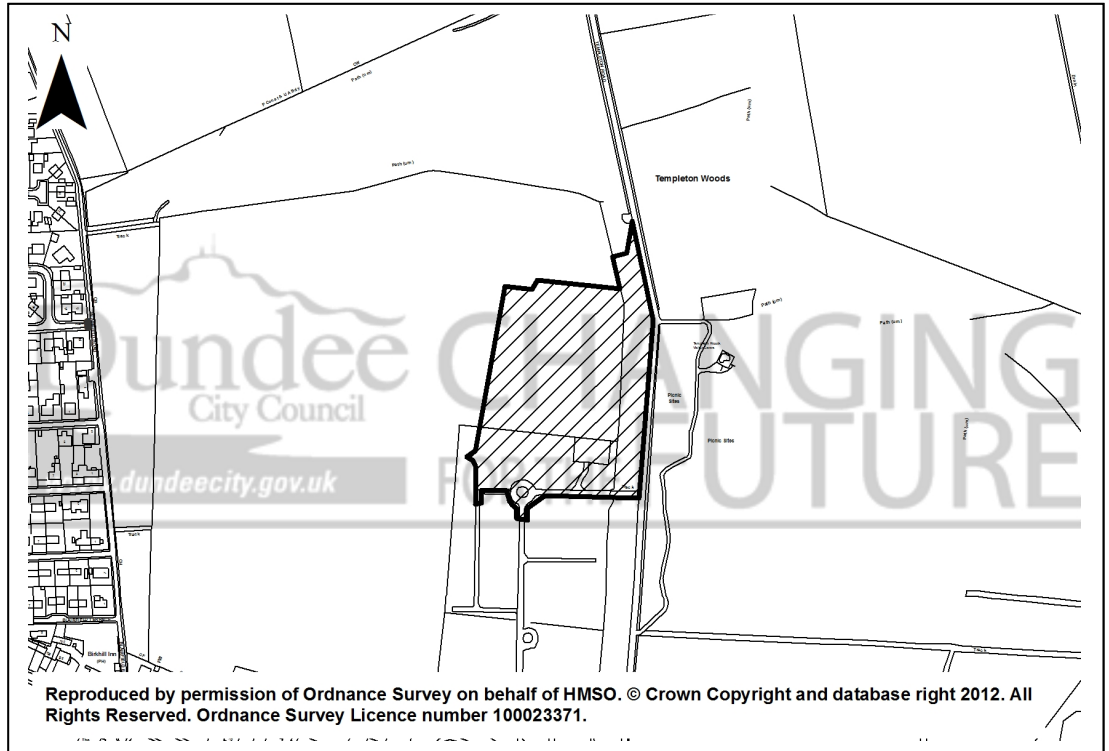
Birkhill Cemetery
Templeton Road
Dundee

Applicant

Rod Hudson
Environment Department
Dundee City Council
353 Clepington Road
Dundee DD3 8PL

Agent

Ross Speirs
City Engineers Division
Dundee City Council
City Development
Dundee House
50 North Lindsay Street
Dundee DD1 1LS

Registered 21 Nov 2012**Case Officer** Paul Macari

Internal Roads and Parking Area at Birkhill Cemetery

The formation of internal roads, parking area, drainage facilities and erection of fencing is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposals satisfy the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. It is therefore recommended that the application is **APPROVED** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for the formation of internal roads, parking area, drainage area and the erection of fencing at Birkhill Cemetery, Templeton Road, Dundee.
- Policies 55, 72, and 75 of the Dundee Local Plan Review 2005 are relevant to the outcome of this planning application.
- No letters of objection or representation have been received.
- The proposals accord with the provisions of the Development Plan.
- There are no material considerations that would justify refusal of planning permission.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the formation of internal roads, parking area, drainage area and the erection of fencing at Birkhill Cemetery, Templeton Road, Dundee.

The new roads, parking area and drainage facilities will be located in the extension to Birkhill Cemetery that was included as part of the Notice of Intention to Develop for the whole of the cemetery site that was approved by the Secretary of State on 28 September 1984.

The proposals will involve the formation of internal roads providing access to the new lairs and associated drainage facilities to serve the roads. A total of 27 new parking spaces will be created in addition to the 17 existing spaces to serve the existing cemetery and its associated extension. Access to the cemetery extension will be taken through the existing cemetery via the existing access from Templeton Road.

The proposals will involve the removal of some trees from site with replacement planting forming part of an overall landscaping strategy for Birkhill Cemetery.

The proposed fencing will take the form of 1.8m high deer fencing and will be erected around the perimeter of the cemetery extension. The proposals will also involve repairs to the boundary walls enclosing the site to the north.

In accordance with the Council's Scheme of Delegation this application is being reported to the Development Management Committee as the Council is the applicant and owner of the application site.

SITE DESCRIPTION

The application site is located to the west of Templeton Road and adjoins the northern boundary of the existing Birkhill Cemetery.

The application site is sown in grass and has tree lined boundaries. There are walls and fences which also

delineate the northern, eastern and western boundaries of the site.

Access to the application site will be taken from the existing vehicle access to Birkhill Cemetery with the new access roads linking the existing cemetery to the cemetery extension and new lairs.



POLICY BACKGROUND

TAYplan Strategic Development Plan

There are no policies relevant to the determination of this application.

Dundee Local Plan 2005

The following policies are of relevance:

- Policy 55: Urban Design;
- Policy 66B: Protection of Other Open Space;
- Policy 71: Future Cemetery Provision;
- Policy 72: Trees and Urban Woodland;
- Policy 75: Sustainable Drainage Systems;
- Proposed Dundee Local Development Plan;
- Policy 7: High Quality Design;
- Policy 36: Open Space;

- Policy 38: Trees and Urban Woodland; and
- Policy 42: Sustainable Drainage Systems.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

The existing Birkhill Cemetery and the extension to the cemetery which forms the application site for the current application was the subject of a Notice of Intention to Develop application for a proposed new cemetery that was Deemed to be Granted (approved) by the Secretary of State on 28 September 1984. Therefore no further permissions are required for the use of the land that falls within the boundaries of the application site for burials.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure was carried out.

No letters of objection or representation have been received.

CONSULTATIONS

No adverse comments have been received from statutory consultees.

OBSERVATIONS

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.

Policy 66B: Protection of Open Space & Policy 71: Future Cemetery Provision – these policies in the adopted Local Plan which relate to the protection of open space and future cemetery provision in the city are not engaged by the proposed development. This is because all of the cemeteries within the city are designated as areas of open space by the Dundee Local Plan Review 2005. The current proposals do not seek to change the use of the land from open space but rather facilitate its continued use as a cemetery.

Policy 55: Urban Design Policy is supportive of new developments that create new public places and points of interest which incorporate architectural and landscape features and that are safe and accessible to all.

The proposed works will maintain the rural character of the area surrounding the application site through the retention and repair of the existing boundary walls. The retention of the existing tree lined boundaries supplemented by additional landscaping works will enhance the environmental quality of the application site and will screen the cemetery from neighbouring properties while also maintaining the use of the site as “greenspace”. In addition the repair and retention of the boundary walls will maintain the rural setting of the cemetery.

The proposed deer fencing is of a timber post and mesh design and will be 1.8m in height. This will ensure that the fencing is robust and transparent so as not to adversely affect the appearance of the cemetery in relation to the wooded environment that it is located in.

The proposals satisfy the requirements of Policy 55.

Policy 72 - Trees and Urban Woodland requires new development to have regard to existing healthy mature trees and encourages their retention. The proposals are satisfactory in this regard and these matters can be dealt with by planning condition should Members be minded to approve the application.

Policy 75: Sustainable Drainage Systems - requires that all "development proposals must be accompanied by a Sustainable Drainage Scheme". The proposed roads and parking area will drain into a soak-away and areas of hard standing will be drained using permeable surfacing. This method of drainage will allow surface water to filter through to the water table. The proposed drainage strategy will therefore provide the necessary treatment for suspended contaminants while minimising any potential flood risk generated by surface water from roads, hard standings and buildings.

The proposals satisfy the requirements of Policy 75.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

The other material considerations to be taken into account are as follows:

A - Proposed Dundee Local Development Plan

The Proposed Dundee Local Development Plan was approved by the Council on 29 October 2012. It sets out the spatial strategy that will guide future development up to 2024 and shows which land is being allocated to meet the city's development needs. The proposed Plan contains policies and proposals covering the principal land use issues in the city and sets out where new development should and should not happen.

The proposed Dundee Local Development Plan will in time replace the Dundee Local Plan Review 2005. Approval of the Proposed Dundee Local Development Plan represents the Planning Authority's settled view as to what the final adopted content of the Plan should be. Whilst the Dundee Local Plan Review 2005 (along with TAYplan) constitutes the statutory Development Plan against which all applications require to be assessed in

accordance with Section 25 of the Planning Act, the Proposed Dundee Local Development Plan has the status of a material planning consideration to be taken into account in the assessment of planning applications.

The provisions of the Proposed Dundee Local Development Plan relevant to the determination of this application are specified in the Policy background section above.

Similar to Policies 66B, 72 and 75 of the Dundee Local Plan Review 2005, Policies 7, 36, 38 and 42 of the Proposed Dundee Local Development Plan seek to promote high quality design, protect open space, existing trees and woodland and to ensure that any development is drained in a sustainable manner. As the proposals satisfy the requirements of the Dundee Local Plan Review 2005, the requirements of Policies 7, 36, 38 and 42 of the Proposed Dundee Local Development Plan are also satisfied.

It is concluded from the foregoing that the material considerations support the approval of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The design and form of the proposed access roads, parking area, fencing and drainage facilities will not detract from the woodland setting of the cemetery.

CONCLUSION

The proposals satisfy the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. It is therefore recommended that planning permission is granted subject to conditions.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2005. Full details

of new planting and landscaping shall also be submitted to and approved by the planning authority prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition. The applicant shall inform the Council in writing of the date on which the landscaping was carried out (or if carried out in phases, the date of completion of each phase) as soon as practicable following completion of the landscaping.

Reasons

- 1 To ensure that the existing and proposed trees are adequately maintained, in the interest of the visual amenity value of the area.