

Report

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Report to:	Planning Committee
Date of Meeting:	21 June 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CL/11/0184
Planning Proposal:	Change Of Use of Agricultural Land to Cemetery, Creation of Vehicular Access, Car Park and Associated Landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : Land to north of Winston Barracks
A70 (Hyndford Bridge to Carstairs)
Lanark
ML11 8SG

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission (Subject to Conditions – Based on Conditions Listed Overleaf)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted 2009)**
 - Policy STRAT 4: Accessible Rural Area
 - Policy CRE2: Stimulating the Rural Economy
 - Policy DM1: Development Management
 - Policy ENV34: Development in the Countryside
 - Policy ENV4: Protection of the Natural and Built Environment
 - Policy ENV29: Special Landscape Area

◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

Scottish Water

West of Scotland Archaeology Service

Roads and Transportation Services (Clydesdale Area)

S.E.P.A. (West Region)

The Royal Burgh of Lanark Community Council

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application site consists of agricultural land located to the south-east of Lanark adjacent to the Winston Barracks site on the A70 (Hyndford Bridge to Carstairs section). The site extends to 1.9 hectares and is bounded by a tree belt which separates the site from the Winston Barracks development. The A70 bounds the site to the east with agricultural land bounding the site to the north and east. The land is held in the Lanark Common Good Account.

2 Proposal(s)

- 2.1 Detailed planning permission is sought by the Council for the creation of a new cemetery. The submitted plans show the potential future expansion of the site to the north-east of the current application site, however this is only for indicative purposes and is not included in the current planning application. It is proposed to take vehicular access to the site via a new access created on the A70 which would then lead to a turning circle and internal access road within the site. Parking facilities comprising 76 spaces (including 10 bays suitable for disabled drivers) would be provided within the site adjacent to the entrance and a pedestrian access would be created at the southern end of the site. Landscape planting is proposed along the boundaries of the site and in particular, the landscape planting along the boundary with the A70 would accommodate an area for commemorative trees to be planted. The southern part of the site would accommodate a proposed reed bed drainage system and outflow soakaway. The plans indicate that this area will be designated for future consideration as a potential woodland burial ground.
- 2.2 A design and access statement and supporting information in terms of ecology and details of consultation which took place prior to the submission of the application have been submitted by the applicant.
- 2.3 The design and access statement states that the proposed cemetery will provide 1731 lairs and that this new cemetery is required to provide burial facilities for Lanark and the immediate surrounding area as the existing Lanark Cemetery is close to capacity. They explain that the design proposals include the provision of a pedestrian path linking the cemetery to the proposed path network terminating at the vehicular access junction in close proximity to the new roundabout on the A70 at the edge of the Winston Barracks housing development. The pedestrian access will provide a public transport link to the cemetery from the proposed bus stop on Hyndford Road forming part of the Winston Barracks housing development.
- 2.4 An ecology survey was submitted which confirms there are no signs of otter or water vole along the Sandy Burn located to the north of the site. Only one tree is suitable for bat roosting which was found adjacent to the site and five badger setts were recorded in the vicinity, but none on the actual site itself.
- 2.5 A statement submitted by the applicant explains that prior to the submission of the planning application consultation took place with SEPA and with the local clergy and funeral directors.

3 Background

3.1 Local Plan Status

- 3.1.1 In terms of local plan policy the site is located outwith the settlement boundary of Lanark in the Accessible Rural Area where Policy STRAT4: Accessible Rural Area of the adopted South Lanarkshire Local Plan applies. Policies CRE2: Stimulating the Rural Economy, DM1: Development Management and ENV34: Development in the Countryside are also relevant. The site is located within a Special Landscape Area

therefore Policies ENV4: Protection of the Natural and Built Environment and ENV29: Special Landscape Areas also apply.

3.2 **Relevant Government Advice/Policy**

3.2.1 None relevant.

3.3 **Planning History**

3.3.1 There are no records of any previous planning applications on the application site. Winston Barracks sits to the south of the current application site. The original outline planning application for residential development on that site was submitted in 2000, and was granted in 2006 (CL/00/0320). A number of applications for the site have since been approved and construction has started.

3.3.2 In terms of the current proposal, the Chief Executive presented a report to the Finance and Information Technology Resources Committee on 29 March 2011. The purpose of the report was to inform the Committee that part of Springbank Farm, Lanark had been identified as a potential location for a new cemetery. The Committee subsequently gave approval in principle subject to suitability and relevant approval including planning consent and consent from SEPA, and in terms of the Burial Ground Scotland Act 1855, approval from the full Council.

4 **Consultation(s)**

4.1 **Roads & Transportation Services (Area Office)** – offer no objections. They advise that the standard of visibility splay required can be achieved and that a 2 metre wide footway along the A70 from the boundary of the application site, along the side of the newly constructed A70 roundabout to tie in with the footway within the Winston Barracks site should be provided.

Response: Noted. The required visibility splays can be achieved and the plans show the inclusion of the footway link. These matters can be covered by condition if consent is granted.

4.2 **SEPA** – Have confirmed that they have no objection to the planning application. They are content that the proposal will generate no significant risk to groundwater in the vicinity of the site.

Response: Noted.

4.3 **Environmental Services** – offer no objections and comment that a site investigation report should be carried out.

Response: Noted. Site investigation works have been undertaken to address issues raised by SEPA during pre-application discussions, therefore I am content that appropriate investigations have taken place. A condition can be attached to the consent if granted requiring any remediation to be carried out.

4.4 **Scottish Water** – offer no objection. They advise that a totally separate drainage system will be required with the surface water discharging to a suitable outlet.

Response: Noted. This matter can be covered by condition if consent is granted.

4.5 **West of Scotland Archaeology Service** – advise that the proposal constitutes a fairly large area of ground disturbance to green fields in an area of archaeological potential and they recommend a prior archaeological evaluation of the application area.

Response: Noted. I am satisfied that this matter can be covered by condition if consent is granted.

4.6 **The Royal Burgh of Lanark Community Council** – offer no objection but are concerned about cars parking on the slip road into the site.

Response: Parking provision has been provided in line with the Roads Service guidelines and they have offered no objection in respect of the parking facilities. I am therefore satisfied that adequate parking has been provided and consider that on the occasion that the car park is full, there is scope for cars to park within the site on the internal road layout. There is also ample space available to provide additional parking if the need arises.

4.7 **Scottish Natural Heritage** – offer no objections. They provide advice on the potential need for a badger licence and a suggested landscaping specification.

Response: Noted. The applicant has confirmed that the location of the badger setts adjacent to the site are more than 30 metres from the position of any road or car park construction and as such it is unlikely that a badger licence will be required. The applicant has been advised of SNH's comments and consideration will be given to their landscaping advice.

5 Representation(s)

5.1 The application was advertised in the press as Development Potentially Contrary to the Development Plan, Nature or Scale of Development and Non-notification of neighbours, however, no letters of objection have been received.

6 Assessment and Conclusions

6.1 The existing Lanark Cemetery is close to capacity therefore the Council seeks detailed planning consent for the formation of new cemetery on land to the north of Winston Barracks on the A70, to serve Lanark and the immediate area. The determining issues in respect of this proposal are compliance with the adopted Local Plan policies, impact upon visual and rural amenity and road safety.

6.2 The adopted South Lanarkshire Local Plan covers the application site and identifies the site as lying within the countryside in an area which is subject to Policy STRAT4: Accessible Rural Area. This policy aims to promote the development of the settlements within this area as more sustainable communities and states that isolated and sporadic development will generally not be supported except under exceptional circumstances set down in Policy CRE2: Stimulating the Rural Economy. Policy CRE2 provides guidance on the range of uses that the Council would consider appropriate in principle within the countryside subject to other planning considerations being met such as such traffic, access, amenity and impact on the environment. The policy specifically states that the list is not intended as a definitive list of acceptable uses and it explains that a full range cannot be given as, in certain instances, very special circumstances may exist that would justify approval of a proposal that would otherwise be contrary to policy. I consider that this is one such circumstance. The use of the land as a cemetery will be relatively unobtrusive in the countryside and can be a common feature on the edge of settlements. The Chief Executive's report which was presented to the Finance and Information Technology Resources Committee in March explains that Community Resources have reviewed cemetery provision throughout the Council area and assessed the remaining capacity of existing cemeteries. The review identified Lanark as an area where there is a need for new cemetery provision. It should be noted that over the past two years Community Resources have identified and investigated a number of alternative sites in the Lanark area however, these proved to be unsuitable mainly due to ground

conditions, size constraints or approval being unlikely to be granted by SEPA. I am therefore satisfied that appropriate consideration has been given to alternative locations and that the proposal raises no issues in terms of Policies STRAT 4 and CRE2.

- 6.3 Policies ENV34 and DM1 encourage development which respects the local surroundings, landscape, biodiversity, avoiding infringing upon views in and out of the site, discourage suburbanisation and adhere to the principles of sustainability. Following a detailed assessment of the proposals I am of the opinion that the development will be visually contained to the south by an existing tree belt. This would be reinforced by the additional landscape planting that is proposed around the remaining boundaries, therefore any visual impact upon the landscape setting of the wider rural area will be minimal.
- 6.4 The site is located within a Special Landscape Area where Policies ENV4: Protection of the Natural and Built Environment and Policy ENV29: Special Landscape Area apply. These policies specifically state that development will only be permitted if it can be accommodated without adversely affecting the overall quality of the designated landscape area. As stated above, the site will be screened to the south by the existing tree belt and additional landscape planting will be incorporated on the site. The use of the site as a cemetery will be unobtrusive within the wider countryside setting and as such I consider that it will not have an adverse affect on the quality of the Special Landscape Area.
- 6.5 There have been no objections or adverse comments to the proposal from statutory consultees. In terms of road safety, the Roads Service has confirmed that they have no objection. They advise that the proposed vehicular access onto the A70 is acceptable and that the required visibility splays can be achieved and maintained. No representations from the public have been received and it should be noted that the Community Council were consulted and they offer their support for the proposal.
- 6.6 Following a detailed assessment, I am satisfied that the proposal represents an appropriate form of development for the site and as such recommend that detailed planning consent be granted.

7 Reasons for Decision

- 7.1 The proposal is considered an appropriate use in the countryside and as such complies with Policies STRAT4 and CRE2 of the adopted South Lanarkshire Local Plan. In addition the proposal complies with Policies ENV4, ENV29, ENV34 and DM of the adopted local plan and there are no road safety or infrastructure implications.

Colin McDowall
Executive Director (Enterprise Resources)

13 June 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Scottish Water 16/05/2011
 - Roads and Transportation Services (Clydesdale Area) 25/05/2011
 - West of Scotland Archaeology Service 23/05/2011
 - The Royal Burgh of Lanark Community Council 27/05/2011
 - Environmental Services 31/05/2011
 - S.E.P.A. (West Region) 07/06/2011
 - SNH 02/06/2011

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Gail Rae, Planning Officer, Council Offices, South Vennel, Lanark, ML11 7JT
Ext 3205 (Tel :01555 673205)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers: PLAN/11-12/LP, Plan/11-12/DP
- 2 That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 160 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 3 That before the development hereby approved is completed or brought into use, a 2 metre wide footway shall be constructed between the pedestrian entrance marked A on the approved plan and along the roundabout on the A70, to tie in with the footway within the Winston Barracks site, to the specification of the Council as Roads and Planning Authority.
- 4 That before the development hereby approved is completed or brought into use, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 5 No development shall take place within the development site as outlined in red on the approved plans until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority, in agreement with the West of Scotland Archaeology Service.
- 6 That before any work commences on the site, a scheme of landscaping for the whole site and the eastern, western and northern boundaries shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 7 That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.
- 8 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

- 9 That notwithstanding the terms of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 or (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site other than post and wire fences up to 1 metre in height or those expressly authorised by this permission without the prior written permission of the Council as Planning Authority.
- 10 That for the avoidance of doubt no consent is hereby granted for the indicative future expansion of the site shaded in purple on the approved plans.
- 11 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 12 That the development hereby approved shall not be commenced until the drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 11 above.
- 13 That before cemetery hereby approved is brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interest of road safety
- 3 In the interest of public safety
- 4 To ensure the provision of a satisfactory drainage system.
- 5 In order to safeguard any archaeological items of interest or finds.
- 6 In the interests of the visual amenity of the area.
- 7 In the interests of amenity.
- 8 These details have not been submitted or approved.
- 9 To ensure only fencing of a type and height appropriate to the countryside is erected.
- 10 In order to retain effective planning control
- 11 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 12 To ensure the provision of a satisfactory land drainage system.
- 13 To ensure the provision of adequate parking facilities within the site.

CL/11/0184

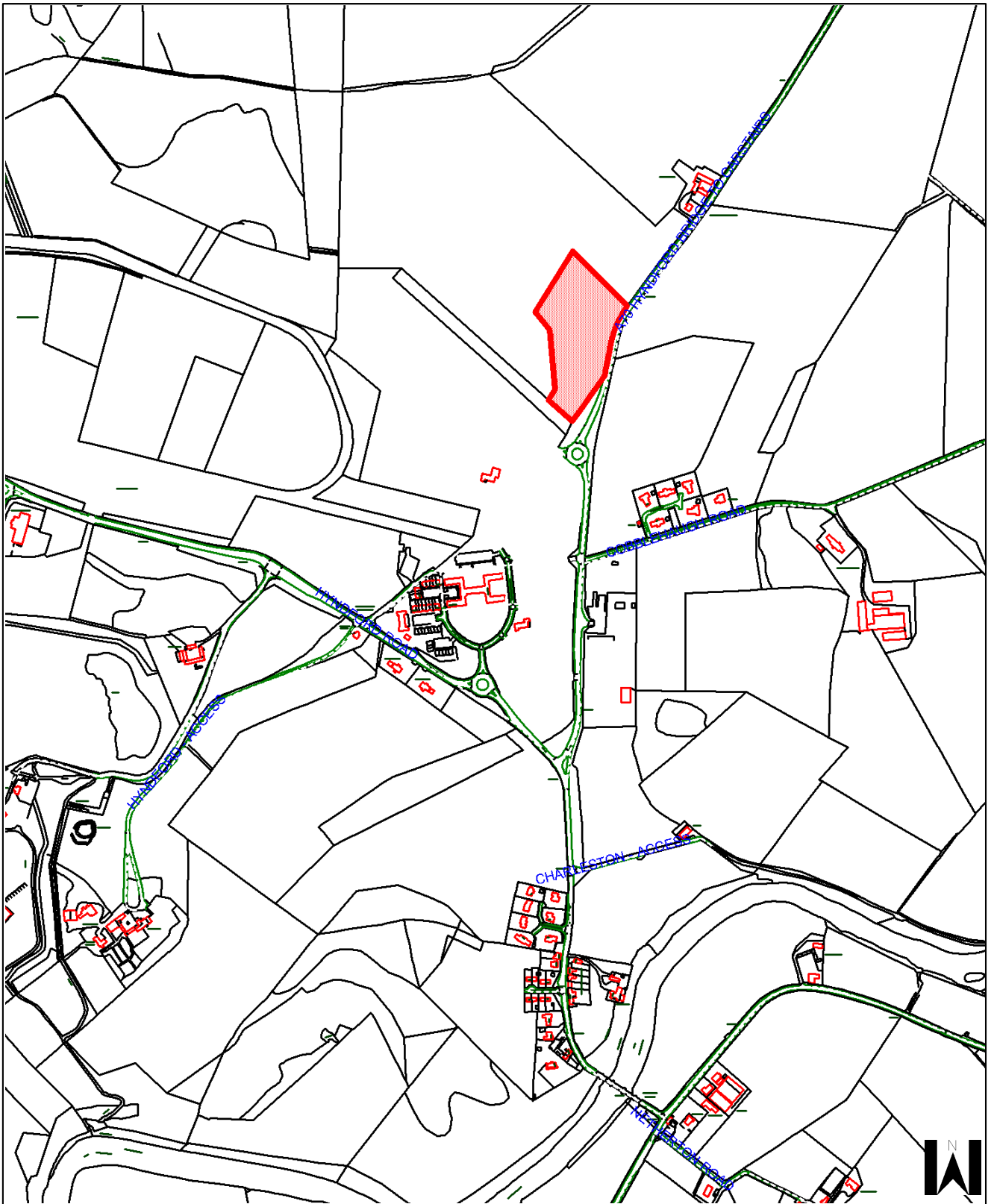
Land to north of Winston Barracks, ML11 8SG

Planning and Building Standards Services

Scale: 1: 10000

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