



PLANNING AND ACCESS COMMITTEE

MEETING: Monday 26th September 2016

SUBMITTED BY:	Head of Planning & Rural Development
APPLICATION NUMBER:	2016/0138/DET
APPLICANT:	Stirling Council
LOCATION:	Land Some 600M East Of Braes Of Greenock, Callander, Stirling
PROPOSAL:	Formation of a cemetery with associated vehicular access, car parking and landscaping

NATIONAL PARK WARD:	3 (Callander)
COMMUNITY COUNCIL AREA:	Callander Community Council
CASE OFFICER:	Name: Catherine Stewart Tel: 01389 727731 E-mail: catherine.stewart@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 This proposal is for a 'Major' application, as defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and under the scheme of delegation it requires to go before the Planning and Access Committee for a decision.
- 1.2 It is a Major application as it falls under category 9 in the Schedule of Major Developments: 'Other Developments' where the site area exceeds 2 hectares. The application site area is approximately 3.8 hectares.

2 RECOMMENDATION

That Members:

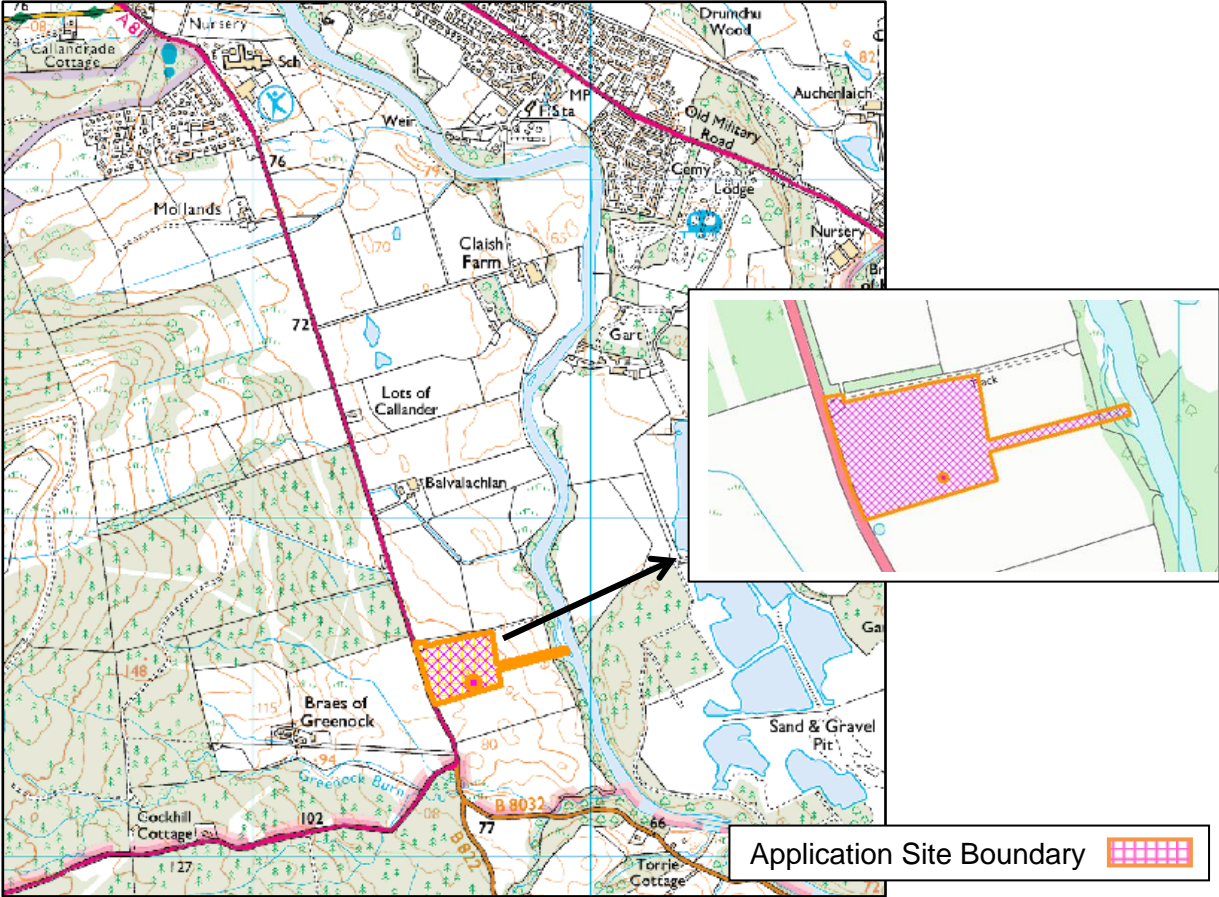
- 1. **APPROVE the application subject to the conditions contained in Appendix 1.**

3 BACKGROUND

Site Description:

- 3.1 The site is a field located approximately 1.5km south of Callander, along the 'Mollands Straight' (see Figure 1). There are two parts to the site – one which is roughly rectangular in shape within the north west of the field adjacent to the A81, the other is a narrow corridor leading from the former approximately 200m down to the River Teith. The land is in agricultural use for sheep grazing and consists of undulating land which has rough grassy vegetation including some reeds and rushes (see Figure 2).

Figure 1 Site Location Plan



3.2 Figure 2 Photograph of site looking east towards river



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3.3 The site is bounded to the roadside (west) by a low stone wall which has some scattered shrubs and trees and a grass verge to the side of the A81 (see Figure 3). To the rear of the wall is a metal post and wire fence. The current access to the site is from the A81 via a 5 metre wide metal farm gate at the north western edge of the site. An existing farm track runs along the north of the site (see Figure 4). To the north and east of the site is land associated with Cambusmore Quarry. Land to the north appears agricultural in nature with a recent band of newly planted trees/structural planting as screening in advance of a future (already consented) expansion of the quarry to the west side of the river.

3.4 **Figure 3 Photograph of site from A81 / “Mollands Straight”**



3.5 **Figure 4 Photograph of northern boundary of site and existing farm track**



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- 3.6 There is currently no defined eastern or southern boundary. The field slopes down towards the shrubs and trees alongside the River Teith. To the south and across the road to the west is open agricultural land. The nearest residential properties to the site are Braes of Greenock Farm House, approximately 400 metres to the west and Balvalachlan Farm approximately 45 metres to the north.

Environmental Impact Assessment (EIA):

- 3.7 The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (Scotland) Regulations 2011. In this particular instance it has been determined that an EIA is not required as the proposal is not identified within Schedule 2 of the Regulations.

Habitat Regulations Appraisal

- 3.8 The drainage outfall from the scheme would discharge into the river which is part of the River Teith Special Area of Conservation (SAC) and will require a Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) licence from SEPA. The following individual elements of the project have the potential to give rise to impacts upon the Natura 2000 site (the SAC): a reduction in water quality due to pollution and siltation in runoff caused during the construction phase; contamination of groundwater by burial lairs and/or a reduction in water quality due to pollution and siltation in drainage water discharged to the River Teith. This could have a significant effect on habitat and population of fish if no mitigation is put in place.
- 3.9 An appropriate assessment for the qualifying features of fish (Atlantic salmon and brook, river and sea lamprey) and fish habitat was carried out. Measures suitable to ensure that sedimentation and pollution of the water environment does not occur include submission of a detailed Construction Method Statement. This should be required by condition to ensure control of runoff during construction; all construction work shall be undertaken in strict accordance with SEPA's Pollution Prevention Guidelines; construction of a drainage network discharging to an underground storage crate, collecting the surface water and groundwater that passes through the cemetery site, so that the potential impact of the development on water quality is very low. Long term monitoring of groundwater levels will be required to verify that the Planning Conditions continue to be satisfied.
- 3.10 Provided that these mitigation measures are implemented there should be no sediment, pollution or contamination within the watercourse, and therefore there will be no adverse impact on the integrity of the SAC as a result of this development.

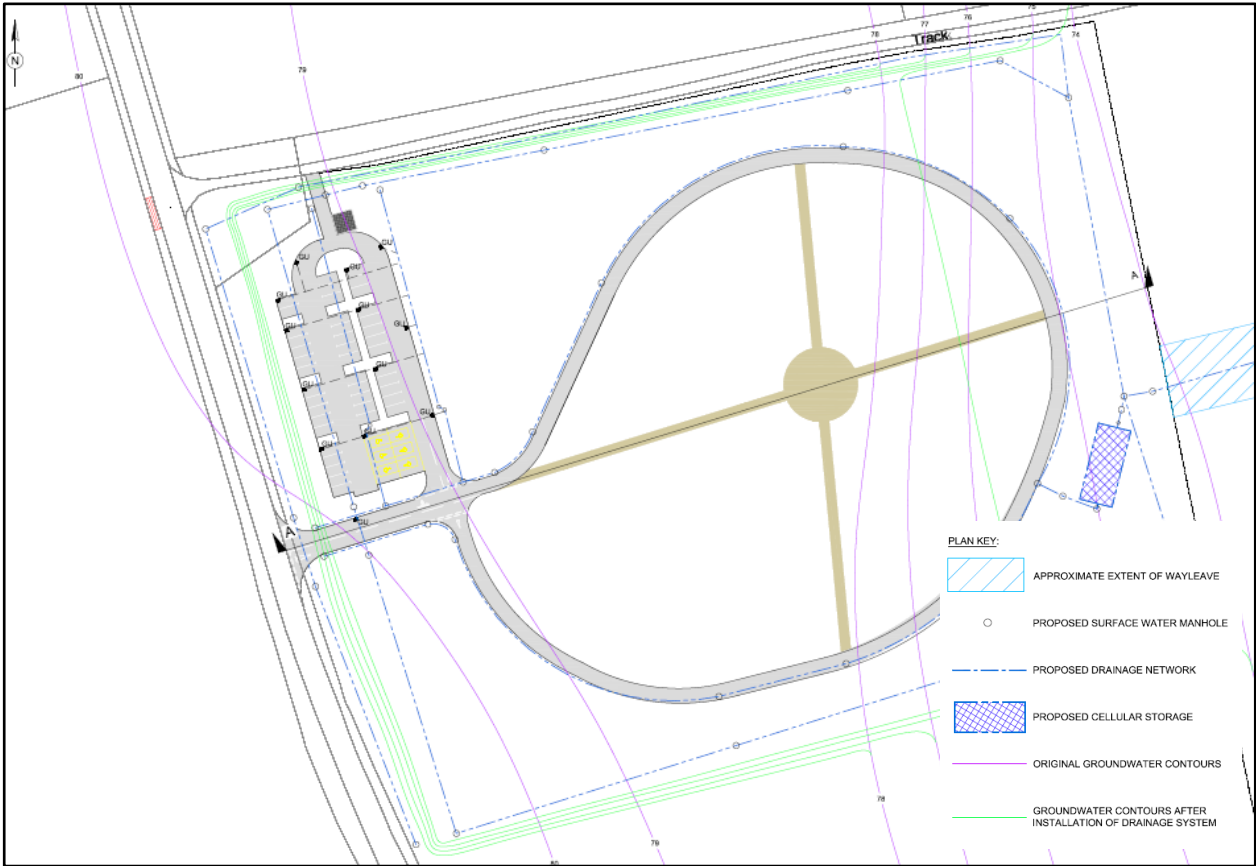
Description of Proposal:

- 3.11 The proposal is for the formation of a cemetery with associated vehicular access, car parking and landscaping. It includes the following:
- formation of car park with 44 spaces and 6 disabled spaces,
 - creation of a new vehicular entrance and internal loop roadway;
 - creation of walkways that cross the area within the loop roadway;
 - planting a memorial garden including a stand of trees around a wildflower grass maze at the intersection of the walkways;
 - native woodland planting, acting as visual screening from the road into the site;
 - formation of a drainage system; and
 - stock proof fencing around the north, east, and south boundaries, with gates in the north and south. The existing stone wall along the western boundary will be improved, and a new entrance provided.

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- 3.12 The plans show the location of a new access into the site, including areas of vegetation to be cleared in order to create adequate sightlines. The proposed internal road leads to a cross roads with one branch leading north into the car park and the other two branches forming a circular loop around the site (see Figure 5). The proposed memorial garden is to be located at the centre of the site with 4 pedestrian paths radiating out and connecting up with the road network. The car park is proposed in the north west corner of the site. Bands of native woodland screen planting are proposed alongside the A81 to the north and south of the new access road, but set back so as not to obstruct the visibility splay from the site entrance. A new post and wire stock-proof fence is proposed to delineate the cemetery boundaries to the south, east and north. In addition a new mixed field hedge is proposed to be planted along the northern boundary.
- 3.13 As the groundwater levels recorded on the site are relatively shallow a drainage solution is proposed which is to incorporate road runoff from the adjacent A81 through the placement of a groundwater drain along the western site boundary and the lowering of the groundwater by the installation of drains. Internal surface water drainage, groundwater level lowering drainage and surface water boundary ditch drainage will discharge via a buried pipe carrier drain and headwall arrangement into the River Teith. The internal surface water drainage discharge is to be restricted by a flow control device.

3.14 **Figure 5 Site Layout Plan with Drainage details**



Planning History:

- 3.15 Following the submission of a 'proposal of application notice' (ref 2010/0009/PAC) a Planning Permission in Principle application (ref 2010/0207/PPP) for the "formation of a new cemetery

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development, associated vehicular access and landscaping”, was approved subject to conditions at the Planning and Access Committee, in December 2010. This was for an eleven hectare site. In 2012 a Matters Specified in Conditions application (ref 2012/0001/MSD) was approved for the “Formation of a new cemetery, associated vehicular access, SUDS pond and landscaping” within a smaller six hectare site. This permission expired on 3 September 2015.

- 3.16 A new ‘proposal of application notice’ (ref 2015/0331/PAC) for “Formation of cemetery with associated vehicular access, car parking and landscaping” was submitted in September 2015.

4 CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations:

- 4.1 Scottish Water (Glasgow)
No objections.
- 4.2 Scottish Natural Heritage Stirling
No objections.
- 4.3 Scottish Environmental Protection Agency (East Kilbride)
No objections subject to a condition requiring no burials to take place within 10 metres of the groundwater drainage system. SEPA also highlight the effectiveness of the drainage solution is dependent on the drains functioning as designed and that a maintenance program is followed to ensure that this remains a permanent solution.
No objections on flood risk grounds given the site lies outwith the area identified as medium to high flood risk.
SEPA initially objected to this planning application (responses dated 8th June and 8th July 2016) on the grounds of the lack of information regarding the protection of the water environment. Further information was submitted by the applicant in June and August 2016 and the objection was removed on 25th August 2016.
- 4.4 STC Environmental Health (Stirling)
No objections.
- 4.5 Callander Community Council
No response received.
- 4.6 West Of Scotland Archaeology Service (Glasgow)
Heritage Archaeological Research Practise (HARP) were appointed to undertake a programme of archaeological trial trenching across the area of the proposed new cemetery, and this was carried out in October 2011. Whilst evaluation did not indicate the presence of densely-concentrated remains across the whole of the proposed new cemetery, it did identify potentially-significant deposits in some areas of the site. The report includes the recommendation that further work may be necessary to investigate the features identified, and their immediate vicinity and WOSAS agree with this recommendation. In order to ensure that this work is completed in advance of development, WOSAS would advise that a condition should be attached to any consent requiring the implementation of a programme of archaeological works in accordance with a written scheme of investigation.
- 4.7 STC Roads (Stirling)
No objections subject to conditions regarding vehicular access, visibility sightlines and access gates.
- 4.8 STC Flood Prevention (Stirling)
No objections.

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Representations Received:

4.9 None received.

5 POLICY CONTEXT

National Park Aims:

5.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:

- (a) to conserve and enhance the natural and cultural heritage of the area;
- (b) to promote sustainable use of the natural resources of the area;
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- (d) to promote sustainable economic and social development of the area's communities.

5.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

Development Plan:

5.3 National Park Local Plan (adopted Dec 2011)

Relevant Policies:

TRAN4 Provision of New Transport Infrastructure

TRAN6 Parking Provision

L1 Conserving and Enhancing the Diversity and Quality of the Park's Landscapes

D1 Design Quality

SUSDEV1 Sustainable Development

ENV1 Natura 200 Sites (SACs and SPAs)

ENV 6 Enhancing Biodiversity in New Developments

ENV 9 Development Impacts on Trees and Woodlands

ENV10 Protecting the Water Environment

ENV12 Surface Water Drainage

ENV27 Sites with Unknown Archaeological potential

ENV31 New Open Space Opportunities

COM1 New Community Facilities

Callander – proposals map:

“Consultation on the draft local plan highlighted the need to identify additional land for a cemetery due to the current cemetery nearing capacity. Stirling Council is reviewing preferred locations with a proposal near Balvalachlan Farm to the south of Callander being favoured.”

Other Material Considerations:

5.4 National Park Proposed Local Development Plan

The final consultation period for the Proposed Local Development Plan closed on 29 June 2015. The Proposed Local Development Plan was submitted to Scottish Ministers on 09 December 2015 to request an examination of unresolved representations. The Examination formally

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commenced on 04 February 2016. The Reporter will submit a report of their examination to the planning authority, containing their conclusions and recommendations on each issue and any modifications to the plan. In the interim, the Proposed Local Development Plan is a material consideration in the assessment of planning applications and the amount and type of representations are key considerations in determining the weight given to each policy or proposal.

The Proposed Plan provides an indication of likely changes in current planning policy. In this respect, the following policies are relevant:

Overarching Policy 1: OP1 – Strategic Principles
Overarching Policy 3: OP3 – Development Contributions
Transport Policy 3: TP3 - Impact Assessment and Design Standards of New Development
Natural Environment Policy 1: NEP1 - National Park Landscapes, seascape and visual impact
Natural Environment Policy 2: NEP2 - European sites - Special Areas of Conservation and Special Protection Areas
Natural Environment Policy 6: NEP6 - Enhancing Biodiversity
Natural Environment Policy 11: NEP11 - Protecting the Water Environment
Natural Environment Policy 12: NEP12 - Surface Water and Waste Water Management
Historic Environment Policy 8: HEP8 - Sites with Unknown Archaeological Potential
Open Space Policy 3: OSP3 - New Open Space Opportunities
Community Facilities Policy 1: CFP1 - Supporting New and Existing Community Facilities

Supplementary Guidance

Sustainable Design Supplementary Planning Guidance (adopted Dec 2011)

Draft Supplementary Guidance Design & Placemaking (May 2015)

5.5 National Park Partnership Plan (2012-2017)

All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. In this respect the following policies are relevant:

Con Policy 2: Natural Heritage

Con Policy 3: Landscapes

Con Policy 4: Water

Con Policy 6: Cultural Heritage

RD Policy 1: Sustaining our Population

RD Policy 7: Sustainable Design and Construction

6 SUMMARY OF SUPPORTING INFORMATION

6.1 The following documents were submitted by the applicant in support of the application:

6.2 Archaeological Report 2011

This report comprises the archaeological evaluation of the proposed development site carried out in October 2011. This involved excavating a total of 46 trenches across the site (8%). The trial trenching revealed the presence of a 19th century or earlier field bank, and two possible pits and a possible ditch of unknown date. The report recommends investigating the north eastern area of the evaluation area for further archaeological remains due to the presence of two possible pits, and it's higher position and better drained soils.

6.3 Flood Risk Assessment 2010

The assessment found that it is unlikely the proposed development will increase the risk of

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flooding.

6.4 LVIA (Landscape Visual Impact Assessment) September 2015

This updates the original LVIA from August 2011 taking into account the reduction in the site boundary. The report concludes that given the low profile nature of the proposed cemetery site, the landscape impact is not considered to be significant. The overall landscape impact of the development with the proposed mitigation was assessed to be “minor adverse” to “minor beneficial”. The overall visual impact of the development with the proposed mitigation was assessed as being “neutral” to “minor adverse”.

6.5 PAC Report (Pre-application Consultation Report) March 2016

This summarises the consultation agreed through the Proposal of Application Notice that was carried out including:

- Information packs sent to stakeholders
- Advertisement on the Stirling Council website
- Advertisement in the local paper, the Stirling Observer
- Public meeting/drop-in session held in Kirk Hall, Callander on 10th March 2016.

Additionally a meeting was held on site with a Land Agent representing a number of interests in the land adjacent to the site.

6.6 Planning, Design and Access Statement May 2016

This document sets describes the site and development proposals, sets out the need for a new cemetery; looks at the alternative site options which were rejected; and summarised the pre-application consultation and technical assessments.

6.7 Geophysical Survey December 2014

This survey sought to determine the heterogeneity of the underlying superficial deposits and to determine if transmissive units are interconnected and to aid investigation into whether the shallow water table is in direct continuity with the main water table.

6.8 Ground Investigation and Groundwater Risk Assessment Report June 2010

This report analyses the results from the Ground Investigation Report and involves a Risk Assessment considering the current site conditions and the potential risk of the proposed burial grounds to the underlying groundwater.

6.9 Ground Investigation Report May 2010

This details the general sequence of strata, soil conditions, gas and groundwater conditions on the site.

6.10 Drainage Strategy June 2016

In response to the objection from SEPA, the applicant submitted an email (20th June 2016) with a Drainage Strategy document, and factual report on groundwater monitoring data.

6.11 Site Drainage Strategy for Discharge Approval V2, 11 August 2016

In response to the continued objection from SEPA, the applicant submitted this document which is a technical note explaining how the groundwater levels within the site are to be lowered.

6.12 Bat survey of mature oak tree 17 June 2016

In response to a request by the planning case officer, the applicant submitted a bat survey report for a tree which is to be removed to create the new site access. The overall conclusion from the survey was that the oak tree has no suitable holes or crevices that could be used by bats.

7 PLANNING ASSESSMENT

Principle

7.1 The principle of the proposal should be considered first, by assessment against local plan policies and other material considerations including the fact that planning permission has previously been granted for a similar proposal at this location.

7.2 The key local plan policy against which to assess this proposal is COM1 New Community Facilities as the development is for a cemetery which is a community facility. This policy supports such proposals where they are:

- (a) Located within or immediately adjacent to settlements;
- (b) Compatible with existing or proposed adjoining land uses; and
- (c) Readily accessible by public transport (where available), walking and cycling.

Each of these will be considered in turn below:

7.3 (a) Located within or immediately adjacent to settlements

The site is not located within Callander settlement boundary, nor is it 'immediately adjacent' being approximately 1.5 km to the south. Cemeteries have historically been associated with church yards within settlement boundaries. However as these have reached capacity new cemeteries tend to be located on undeveloped land on the edge of settlements or within the countryside. For the size of the cemetery proposed there are no suitable sites within the settlement boundary. The "Planning, Design and Access Statement" sets out the need for the development stating: "*the existing cemetery in Callander has up to three year's burial capacity left*". The statement also includes a Site Options Appraisal looking at two other sites closer to Callander – site A 'Agricultural land located south of Callander High School' and site B 'Agricultural land located east of Callander, adjacent to mature woodland', however these sites were considered unsuitable for reasons including location on the flood plain and "*not favoured by the community*". It can therefore be accepted that a cemetery is needed as the existing provision is close to capacity, there are no suitable sites of this size within the settlement and that this site is the applicant's preferred site, despite being further away from the settlement boundary.

7.4 (b) Compatible with existing or proposed adjoining land uses

The existing adjoining land uses at the proposed cemetery site are agricultural. An extension to Cambusmore Quarry has extant permission to the north of the site. The cemetery use is considered to be compatible with the existing uses. Should quarrying commence on the land to the north of the site there may be occasional noise disturbance for those visiting the cemetery, but these uses are still considered to be compatible.

7.5 (c) Readily accessible by public transport (where available), walking and cycling

At present there are no bus routes along the A81, however there is a Demand Responsive Transport ('Taxi' Service) for this rural areas where commercial or conventional bus operators are unable to provide bus services. Although outwith the site boundary, the plans show a bus stop on the west side of the road to enable the creation of a safe place for buses/taxi to stop close to the pedestrian entrance to the site. The Mollands Straight (A81) is used by vehicles travelling at high speeds (60 mile per hour limit) and is unlikely to be attractive for use by pedestrians or cyclists for this reason.

7.6 The proposed cemetery therefore complies with local plan policy COM1 criteria (b). In terms of criteria (a) the countryside location is accepted due to the demonstrated need for the facility and the lack of other options within or close to the settlement boundary. The proposed development does not meet criteria (c) as the site is not readily accessible by walking or cycling however the

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existence of the Demand Responsive Transport service means that members of the public without private transport could still access the site safely – either by taxis entering the site for drop-off or pick-up or potentially using the proposed bus stop (which is not part of this application).

Previous Permission

- 7.7 As described in section 3.15 of this report planning permission has been previously granted for a larger cemetery at this site, and this must be given due weight in determining the ‘renewal’ application. The Planning Permission in Principle was granted at the Planning and Access Committee held on 20th December 2010 when the development plan consisted of the Clackmannanshire and Stirling Structure Plan 2002 and the Stirling Council Local Plan 1999 and the current local plan was at the ‘Finalised Draft’ stage. There has not been a great change in policy direction from that time as development is still directed towards settlements and is only allowed within the countryside under certain circumstances. A countryside location was accepted as the only realistic option for this facility and that remains the case currently.
- 7.8 Having considered the principle of this development at this location other key planning considerations must now be assessed:
- Traffic generation, access and car parking
 - Pollution / Ecological Impacts
 - Drainage, Groundwater and Flooding
 - Landscape and design
 - Archaeology

Traffic generation, access and car parking

- 7.9 The issue of traffic generation was considered in the previous application for Planning Permission in Principle - The site is located along the ‘Mollands Straight’ on the A81 between Callander and Aberfoyle. It is approximately 1.5 km from the edge of Callander, and about 2 km from the town centre. There is no separate pedestrian access to the site. The road is busy with a 60mph speed limit and as a result is unlikely to attract walkers or cyclists. Consequently the site would inevitably be visited by the vast majority of people by car.
- 7.10 No transport assessment has been submitted or requested for this application. A cemetery is not likely to have a large number of vehicle movements on a daily basis, especially in its formative years as it will not contain many lairs, but may be heavily used at occasional funerals throughout the year. The roads service has no objections to the proposal, subject to conditions on visibility splays and the new access formation. They note that the current planning application is similar to those previously approved although the number of car parking spaces has been reduced by 7 spaces. Whilst the roads service would prefer to see the number of parking spaces maximised they note that the applicant’s ‘Planning, Design and Access Statement’ highlights that the internal loop road will be built to accommodate stacking of vehicles, with passing places provided in the form of a grass over-run verge. As such the proposed parking arrangements are acceptable to the roads authority.
- 7.11 Section 7.5 above discusses the fact the site would not be readily accessed by foot or cycle. Conditions proposed by the roads authority regarding signage and bus stops should not be included as these are outwith the site boundary and can be erected by the applicant, Stirling Council, under their permitted development rights as a local authority.

Pollution / Ecological Impacts

- 7.12 There are three main areas which could be affected by pollution from the proposed development. These are:

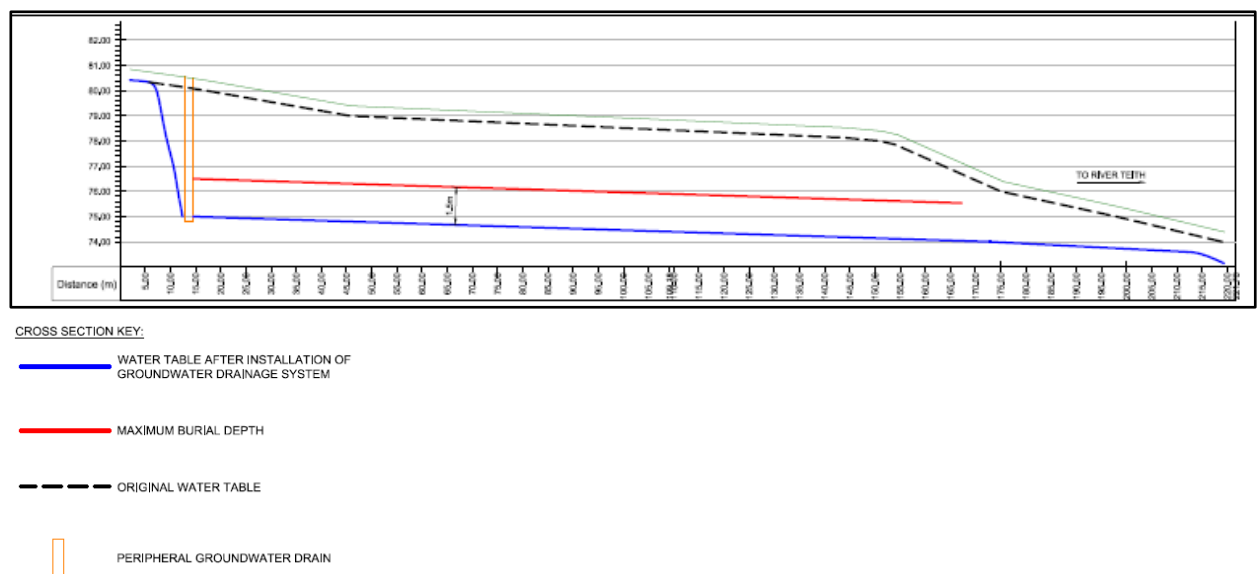
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- Impact on groundwater
- Impact on nearby SAC
- Impact on biodiversity

(i) Impact on Groundwater

7.13 In the Atkins report 'Site Drainage Strategy for Discharge Approval V2' it states that land within the site boundary is poorly drained with areas of standing water and overland flow apparently originating at groundwater emergences. Groundwater levels during the recent monitoring period (2015) were recorded close to, or at, ground level within the site boundary. In order to lower groundwater levels across the site to a level that would be suitable for burials in accordance with SEPA Guidance a groundwater drainage strategy has been developed by the agent. This is a twofold plan – raising the surface level in the west and suppressing groundwater levels across the site through the installation of a passive groundwater drain. SEPA removed their earlier objection to the proposal, since the Atkins report referred to above adequately demonstrated that the groundwater level would be reduced to 1.5 metres below the bottom of the burial lairs: see Fig 6 below

7.14 **Fig 6 Excerpt from the Indicative Groundwater Contours and Water Levels Drawing**



7.15 Provided that the proposed drainage strategy works (maintenance and monitoring should be required by condition) the burial lairs will be kept dry and there will be no contaminated leachate filtering into the groundwater, and thereby into the watercourse.

(ii) Impact on nearby SAC

7.16 As described in sections 3.8 to 3.10 above a Habitats Regulation Appraisal has been carried out due to the fact that the outflow from the scheme runs into the River Teith SAC. This concludes that provided certain mitigation measures are implemented there should be no sediment, pollution or contamination within the watercourse, and therefore there will be no adverse impact on the integrity of the SAC as a result of this development

(iii) Impact on biodiversity

7.17 At the time of the site visit the site was still being grazed by sheep. It is not considered to be of high biodiversity importance. The proposals involve planting new trees and hedges etc. which will contribute to biodiversity creation and enhancement in accordance with local plan policy ENV 6 'Enhancing Biodiversity in New Developments' and ENV 9 'Development Impacts on Trees and Woodlands'.

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7.18 **Bats** - A mature tree and several shrubs are to be removed from the field boundary in order to improve the sightlines and visibility for the new access. The tree required to be surveyed for bats prior to determination as bats are a European Protected Species. The bat survey report found that the oak tree had no suitable holes or crevices which could be used by bats, however if the site is not felled in the current growing season features may develop into suitable roost sites with further growth. A condition should therefore be placed on any consent to require a further bat survey if the tree is not felled this year.

7.19 **Seeding** – Grass areas are proposed to be planted with amenity grass and wildflower mixes. The particular grass species initially chosen were not indigenous species, and following feedback from the LLNTP Natural Heritage Planning officer the applicant has agreed to source a native species 'Festuca rubra'. This change should be incorporated within the landscaping scheme.

Drainage, Groundwater and Flooding

7.20 As explained in sections 3.13 and 7.13 above the site has a high groundwater level and requires to be drained in order to accommodate the burial lairs as the correct depth. Initial plans submitted with this application showed a surface water, boundary drainage and groundwater drainage system flowing into a SUDS pond for attenuation prior to discharge to the watercourse, however now it is proposed to use an underground storage crate system for attenuation. The alteration by the applicant was due to the remote nature of the site and potential health and safety concerns around open water. All plans were updated to reflect this change.

7.21 SEPA have no objections to the proposed development provided that a condition is placed on the consent for no burials to take place within 10 metres of the groundwater drainage system.

7.22 Also, as stated above (section 7.13) conditions should be placed on the consent to ensure that the system is properly maintained and that groundwater levels are monitored.

Flooding

7.21 A Flood Risk Assessment was submitted with the application and both SEPA and Stirling Council Flood Team have no objections to the proposal on flood risk grounds.

Landscape and design

7.22 The LLTNPA Landscape Adviser has assessed the planning application and is satisfied that these proposals are in keeping with the local character of the area. However she also advises that a Landscape Clerk of Works should be appointed to ensure best practice techniques are followed during construction in order that the development is integrated into the site and landscape and visual impacts are minimised.

7.23 **Feature Wall Detail** – The submitted plans show a random rubble stone wall at the entrance to the site, initially blonde sandstone was proposed however a red sandstone wall is more appropriate to the area in terms of local geology. The applicant agreed that red sandstone could be utilised and this is now reflected on the revised plans. A condition requiring a stone sample to be provided for approval should be required on any consent.

7.24 **Woodland Planting and Hedging** – The planting specified is for native trees and shrubs for boundary woodland planting, specimen trees and hedging. Woodland is proposed along the western boundary to screen the site from the A811 whilst the northern and southern boundaries adjacent to fields are proposed to be hedged. Additional woodland planting at the SUDs pond will connect the site with the riparian edge of the River Teith. Overall the planting proposed will integrate the proposal into the river valley farmland landscape character type. The LLTNP

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Trees and Woodlands Officer has commented as follows:

- The timber from the felled trees should be used to increase the biodiversity of the site by retention on site, or adjacent to some of the newly planted areas to create a supply of wood for saprophytic organisms.
- The planting stock should be UK grown and Scottish Provenance
- The Species mix is appropriate to the location although the applicant may wish to consider the inclusion of "*Quercus petraea*" for additional variety.
- The species of the proposed standards should be varied to include longer lived species such as oak, yew, sycamore or lime. As birch is a relevantly short lived tree.
- The planting plan should also include a number of long lived standards along on current southern boundary of the site to create a degree of habitat connectivity between the riparian woodland to the east of the site and the woodland at the west of the site.

A condition should be placed on the consent requiring these amendments, and that of the change in grass seed, to the landscaping proposed.

- 7.25 **Central Maze Feature Detail** – This detail is for a wildflower and grass maze edged in aluminium edging and includes birch as specimen trees and will be an attractive, sensitive and low key feature.
- 7.26 **Landscape Maintenance and long term management** – The maintenance regime and management of the site for seeding and wildflower areas has been stated however further details are necessary and can be required by condition.

Archaeology

- 7.27 As noted in the Archaeology report submitted with the application there is a high potential for buried archaeological remains in the site due to the presence of four Scheduled Ancient Monuments less than a kilometre to the north of the site. Following the grant of Planning Permission in Principle an archaeological field evaluation was carried out on site in accordance with a Written Scheme of Investigation. In their consultation response WOSAS note that while the evaluation did not indicate the presence of densely-concentrated remains across the whole of the proposed new cemetery, it did identify potentially-significant deposits in some areas of the site. The report includes the recommendation that further work may be necessary to investigate the features identified and their immediate vicinity. Therefore WOSAS have recommended a condition should be attached to any consent requiring the implementation of a further programme of archaeological works in accordance with a written scheme of investigation.

8 CONCLUSION

- 8.1 Whilst the proposal does not fully comply with local plan policy COM1 "New Community Facilities", as the site is not located within or adjacent to the settlement boundary and it is not readily accessible by walking or cycling, the applicant has confirmed that there is a need for a new cemetery to serve Callander, as the existing cemetery in Callander has as little as three year's burial capacity left. No suitable sites are located within or immediately adjacent to the settlement boundary. Planning permission was previously granted for a cemetery at this site and this has been given due weight in the assessment of the proposal. A countryside option has been accepted as the only realistic option for this facility. The existing adjoining land uses at the proposed cemetery site are agricultural. An extension to Cambusmore Quarry has extant permission to the north of the site. The cemetery use is considered to be compatible with these uses.
- 8.2 In terms of traffic generation, access and car parking roads service has no objections to the proposal, subject to conditions on visibility splays and the new access formation. In terms of pollution/ecological impacts a condition is required by SEPA to ensure that no burials take place

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within 10 metres of the groundwater drainage system. The site is agricultural and is not of high biodiversity importance. New tree planting will comply with policies ENV6 and ENV9 provided native species are used.

- 8.3 A peripheral passive groundwater drainage system has been designed to lower the groundwater level on site. Conditions should be placed on the consent to ensure that the system is properly maintained and that groundwater levels are monitored. There are no concerns on the grounds of flood risk.
- 8.4 In terms of landscaping and design the proposals are in keeping with the local character of the area and comply with local plan policies L1 and D1. An ECoW should be employed to ensure best practice techniques are followed during construction in order that the development is integrated into the site and landscape and visual impacts are minimised.
- 8.5 Due to the potential for buried archaeological remains in the site WOSAS have recommended a condition should be attached to any consent requiring the implementation of a further programme of archaeological works in order to comply with policy ENV27 Sites with Unknown Archaeological potential.

List of Plans

Title	Reference	Date Received
Location Plan	5050784-ATK-ZZ-XX-DR-C-0001 P2	29/04/16
Site Plan	5050784-ATK-ZZ-XX-DR-C-0101 P1	29/04/16
Plan Temporary Works and Accommodation Works	5050784-ATK-ZZ-XX-DR-C-0023 P1	09/05/16
Plan Ground Improvements and Earthworks Layout	5050784-ATK-EGT-DR-C-0601 REVA	25/08/16
Plan Fencing Layout	5050784-ATK-HFE-DR-C-0301 REVB	25/08/16
Plan Fencing Details	5050784-ATK-HFE-DR-C-0302 REVA	25/08/16
Plan General Arrangement	5050784-ATK-HGN-DR-C-0001 REVC	25/08/16
Plan Car Park Layout	5050784-ATK-HGN-DR-C-0002 REVA	25/08/16
Plan Access Road and Car Park Profiles	5050784-ATK-HGN-DR-C-0201 REVB	25/08/16
Plan Access Road and Car Park Cross Sections	5050784-ATK-HGN-DR-C-0202 REVB	25/08/16
Plan Traffic Signs and Road Markings	5050784-ATK-HGN-DR-C-1201 REVB	25/08/16
Plan Pavement, Kerbs, Footways and Paved Areas Layout	5050784-ATK-HPV-DR-C-0701 REVA	25/08/16
Plan Highway Design Standard Construction Details	5050784-ATK-ZZ-XX-DR-C-0012 REV	25/08/16
Plan Proposed Drainage Layout	5050784-ATK-ZZ-XX-DR-C-0014 REVA	25/08/16
Plan	5050784-ATK-ZZ-XX-	25/08/16

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Proposed Drainage Networks Manhole and Pipe Schedule	DR-C-0015 REVA	
Plan Standard Drainage Details	5050784-ATK-ZZ-XX- DR-C-0017 REVA	25/08/16
Plan Landscape Proposals General Arrangement	5050784-ATK-ZZ-XX- DR-L-0025 REVB	25/08/16
Plan Landscape Proposals Woodland Planting Detail	5050784-ATK-ZZ-XX- DR-L-0026 REVB	25/08/16
Plan Specimen Trees Planting Detail	5050784-ATK-ZZ-XX- DR-L-0027 REVB	25/08/16
Plan Hedges Planting Detail Landscape Proposals	5050784-ATK-ZZ-XX- DR-L-0028 REVB	25/08/16
Plan Grassed Areas Planting Detail Landscape Proposals	5050784-ATK-ZZ-XX- DR-L-0029 REVC	25/08/16
Plan Central Maze Feature Detail Design Landscape Proposals	5050784-ATK-ZZ-XX- DR-L-0031 REVB	25/08/16
Plan Feature Wall Detail	5050784-ATK-ZZ-XX- DR-L-0034 REVB	25/08/16

Background <http://www.lochlomond-trossachs.org/planning/>

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as '2016/0138/DET'.*

List of *Appendix 1 Conditions and Informatives*

Appendices:

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Appendix 1

Conditions

Roads

- 1 **Vehicular Access:** Prior to the commencement of development hereby permitted the proposed access shall be constructed at right angles to the public road and formed as a bellmouth type comprising 6m entrance radii, leading to an entrance throat width of 6m. The initial 10m of the access road shall be suitably drained and surfaced to ensure no surface water or loose material is carried from it out onto the adjacent public road. All works shall be constructed to Stirling Council Roads Service "Development Roads Guidelines and Specifications".

REASON: To ensure a suitable standard of access provision in the interests of highway safety.

- 2 **Visibility Sightlines:** Prior to the commencement of development hereby permitted visibility at the new access shall be provided and maintained by forming visibility splays of 4.5m x 215m in either direction from the centre of the new access, within which there should be no obstruction to visibility above adjacent carriageway level.

REASON: In the interests of highway safety.

- 3 **Access Gates:** Any access gates shall open inwards only and be set back a minimum of 10 metres from the carriageway edge.

REASON: In the interests of highway safety.

Archaeology

- 4 **Archaeological Investigation:** No development shall take place within the development site as outlined in red on the approved plan 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 in writing 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.

REASON: To enable the opportunity for a person appropriately qualified and experienced in archaeology to identify and examine any items of archaeological interest which may be found on the site, and to allow any action required for the protection, preservation or recording of such remains to occur.

Surface Water, Drainage and Groundwater monitoring

- 5 **Long-Term Drainage Maintenance and Monitoring:** Prior to the commencement of the development hereby permitted, details of a scheme for the long-term maintenance and monitoring of the proposed drainage system and groundwater levels across the site, in order to ensure that the scheme complies with SEPA "Guidance on Assessing the Impacts of Cemeteries on Groundwater" (24/09/2015), shall be submitted to, and approved in writing by, the Planning Authority. Thereafter the approved scheme shall be implemented, unless otherwise approved in writing by the Planning Authority.

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REASON: To ensure that groundwater resources are appropriately protected.

Construction Method Statement

- 6 **Construction Environmental Management Plan (CEMP):** Prior to commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Planning Authority. The CEMP shall detail the following:
- (a) phasing of the development;
 - (b) hours of construction;
 - (c) detailed Construction Method Statements (CMSs) for all elements of the scheme, including detailed drawings;
 - (d) methods to control sediment, noise, vibration and pollution. In particular this should detail how sediments will be prevented from entering the River Teith SAC and include details of adequate pollution prevention and control measures (as advised by SEPA) to protect the groundwater resource from any contamination from the burials lairs;
 - (e) methods to ensure all elements of the scheme are integrated into their landscape setting;
 - (f) Arrangements for responding to complaints including contact details;
 - (g) Contact details and key intervention points for the Landscape Clerk of Works;
 - (h) Details of all ecological and tree mitigation measures that must be complied with by site operatives.

Thereafter all works shall be carried out in accordance with the approved Construction Environmental Management Plan.

REASON: To prevent pollution or contamination of the River Teith Special Area of Conservation during the construction period and to ensure that the construction methods are effective for landscape integration.

Landscaping

- 7 **Landscape Clerk of Works/ On-site Landscape Architect:** No development shall commence on site until a suitably qualified Landscape Clerk of Works (LCoW) or On-site Landscape Architect (LA) has been appointed to oversee the setting out and construction of all project elements likely to have a landscape impact.

REASON: To ensure that the landscape mitigation agreed in the detailed Construction Environmental Management Plan is followed during construction and to minimise landscape and visual intrusion from the development.

- 8 **Scope of works to be carried out by the Landscape Clerk of Works/On-site Landscape Architect:** Prior to appointing the LCoW/LA in accordance with condition no.7 above, the scope of works and responsibilities for that person shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum, the LCoW/LA shall:

- Attend pre start meeting;
- Give toolbox talks to contractor and ECOW;
- Have a watching brief over key stages within the construction schedule of the development and monitor implementation of the construction method statement with regard to landscape integration;
- Oversee all elements of the hard and soft landscaping; and

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- Site Monitoring – Reports and site photographs - submit regular follow ups (monthly during construction period), including photographic record, to the planning authority.

Thereafter, all works shall be carried out in accordance with the agreed Scope of Works.

REASON: To define the Role of the LCOW and ensure best practice techniques are followed during construction in order that the development is integrated into the site and landscape and visual impacts are minimised.

- 9 **Red Sandstone Rubble Wall Feature:** A 1.0 m x 1.0 m sample panel of stonework to be used on the Rubble Wall Feature at the entrance to the site shall be constructed for inspection and approval by the Planning Authority prior to the application of the stone to the remainder of the wall. The walls shall thereafter only be constructed in such a manner as to harmonise with the approved sample panel.

REASON: To ensure that the external appearance of the development complements the rural character of the area and to ensure a satisfactory external finish in the interests of visual amenity

- 10 **Implementation of Cemetery Entrance and Stone Rubble Wall Feature:** Within one year of the date of commencement of the development (as indicated on the 'Notification of Initiation of Development', or date of commencement of development as determined by the Planning Authority) the Cemetery Entrance and Stone Rubble Wall Feature (drawing ref 5050784-ATK-ZZ-XX-DR-L-0034 RevB) shall be erected to the satisfaction of the Planning Authority, unless otherwise approved in writing by the Planning Authority.

REASON: To ensure a satisfactory standard of appearance of the entrance to the development and to safeguard the visual amenities of the area.

- 11 **Existing boundary wall:** Prior to the cemetery being commissioned or brought into use, the existing stone boundary wall shall be repaired. The wall shall be of a dry stone construction using locally sourced material. The repairs shall match (in terms of colour, rugged appearance, profile & block size) and otherwise harmonise with the appearance and character of the existing stone walls.

REASON: In order to minimise the visual impact of the development and ensure its integration within the landscape setting.

- 12 **Amendments to Landscaping Plan:** Prior to the commencement of development hereby permitted, an amended landscape plan shall be submitted to and approved in writing by the Planning Authority. The plan shall be based on drawing ref: 5050784-ATK-ZZ-XX-DR-L-0025 RevB and shall include the following changes:
- The timber from the felled trees shall be retained on site;
 - The planting stock should be UK grown and Scottish Provenance;
 - The Species mix shall be amended to include "*Quercus petraea*";
 - The species of the proposed standards shall be amended to include longer lived species such as oak, yew, sycamore or lime;
 - The planting plan shall also include a number of long lived standards along on current southern boundary of the site to create a degree of habitat connectivity between the riparian woodland to the east of the site and the woodland at the west of the site; and
 - Use of native grass seed species '*Festuca rubra*'.

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REASON: The proposed development and its location requires landscaping to fully integrate with its surroundings. Without such landscaping the proposal would be considered contrary to the provisions of the development plan.

- 13 **Implementation of Landscaping including SUDS pond landscaping:** Unless otherwise agreed in writing with the Planning Authority, all landscaping works hereby approved (see condition 12 above) shall be carried out not later than 12 months from the cemetery being commissioned or brought into use, whichever is the sooner. Any trees or plants which, within a period of 5 years thereafter, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written consent to any variation.

REASON: The proposed development and its location requires landscaping to fully integrate with its surroundings. Without such landscaping the proposal would be considered contrary to the provisions of the development plan.

- 14 **Details of Landscape Maintenance and Management Plan:** Within six months of the commencement of the development (as indicated on the 'Notification of Initiation of Development', or date of commencement of development as determined by the Planning Authority) on site full details of the maintenance and long term management plan for the hard and soft landscaping of the site shall have been submitted to, and approved in writing by, the Planning Authority. This shall include:
- Details of the proposed future management of the site as a whole including: car park, boundary treatments including fencing and walling, woodland planting, specimen trees, hedging and grass/wildflower seeded and plug planted areas.

REASON: To minimise the visual impact of the development and to ensure best integration within the setting and wider surroundings and to enhance the local landscape character.

- 15 **Limitation on maximum height of monuments:** Unless otherwise agreed in writing with the Planning Authority the maximum height of any monument or headstone memorial erected within the site shall be no more than 1.6 metres above ground level.

REASON: In order to minimise the visual impact of the development.

Informatives

- 1 Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 2 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as

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soon as practicable after each phase is finished by the person carrying out the development.

- 3 Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.
 - 4 Roads Consent - The applicant is advised that in terms of Sections 21 and 65 of the Roads (Scotland) Act 1984 he/she/they must obtain from the appropriate Council as Roads Authority consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
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