

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 03 SEPTEMBER 2010

10/0135/PP: PROPOSED CEMETERY EXTENSION AT CUMNOCK CEMETERY, GLAISNOCK ROAD, CUMNOCK BY EAST AYRSHIRE COUNCIL

Report by Head of Planning and Economic Development

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/0135/PP>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal comprises the change of use of the vacant ground to form an extension to the existing cemetery. The northern part of the ground will predominately be utilised for new lairs and a section at the east of the site is to be utilised as a children's burial ground. The development also proposes the formation of a new fence and tree screening around the boundaries of the site with the adjacent uses. The development is partly in retrospect in that the site layout including roads and paths have largely been formed as well as the children's burial ground.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to conditions.

3. CONCLUSIONS

3.1 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.2 As detailed previously in this report the proposal is considered to be in compliance with the applicable policies in the Development Plan and the material considerations are supportive of the proposal.

CONTRARY DECISION NOTE

Should the Committee agree that this application be refused contrary to the recommendation of the Head of Planning and Economic Development then the application will not require to be referred to Council as it would not be a

significant departure from Council Policy as the site is not zoned for a cemetery.

Alan Neish
Head of Planning and Economic Development

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for planning permission which is to be considered by the Southern Local Planning Committee under the scheme of delegation as the Council has an ownership interest in the land to which the application relates.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises an area of ground adjacent to the existing Cumnock cemetery measuring 8005 square metres. The site is bounded to the north and north-west by dwellings, to the east by the existing cemetery and to the west and south by Caponacre Industrial Estate.

2.2 **Proposed Development:** The proposal comprises the change of use of the vacant ground to form an extension to the existing cemetery. The northern part of the ground will predominately be utilised for new lairs and a section at the east of the site is to be utilised as a children's burial ground. The development also proposes the formation of a new fence and tree screening around the boundaries of the site with the adjacent uses. The development is partly in retrospect in that the site layout including roads and paths have largely been formed as well as the children's burial ground.

3. CONSULTATIONS RECEIVED

3.1 Cumnock Community Council has no objections.

3.2 Estates Management has not responded to their consultation at the time of writing.

3.3 Environmental Health Service has no objections to the development subject to standard comments.

3.4 East Ayrshire Roads and Transportation Service has no objections to the proposal.

- 3.5 The Scottish Environment Protection Agency has no objections to the development.
- 3.6 Scottish Water has no objections to the development.
- 3.7 Cumnock and Doon Valley Access Panel has no comments on the application.

4. REPRESENTATIONS

- 4.1 No letters of objection have been received in connection with this application.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

- 5.1 For the purposes of this application the development plan comprises the Adopted East Ayrshire Local Plan (EALP) (2003).

- 5.2 Policy CS1 relates to the provision and improvement of community facilities and advises that the Council will encourage and support the development of such new facilities to meet local needs.

The proposal is considered to improve the range of community facilities within the town of Cumnock and as such is compliant with this policy.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

- 6.1 The principal material considerations relevant to the determination of this application are the Alteration to the East Ayrshire Local Plan, consultation responses and the impact on the amenity of the area.

Alteration to the East Ayrshire Local Plan

- 6.2 Policy CS1 relates to the provision and improvement of community facilities and advises that the Council will encourage and support the development of such new facilities to meet local needs.

The proposal is considered to improve the range of community facilities within the town of Cumnock and as such is compliant with this policy.

Consultation Responses

- 6.3 No issues have been raised in the consultation process which warrant refusal of the application.

Impact on the amenity of the area

6.4 The proposal will not adversely affect the amenity of the surrounding area as it is an extension to an existing facility and appropriate screening and boundary treatments are proposed where the site meets with adjacent residential property.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications or legal implications arising from the determination of this application other than in terms of the Council implementing its own development.

8. CONCLUSIONS

8.1 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 As detailed previously in this report the proposal is considered to be in compliance with the applicable policies in the Development Plan and the material considerations are supportive of the proposal.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to conditions.

CONTRARY DECISION NOTE

Should the Committee agree that this application be refused contrary to the recommendation of the Head of Planning and Economic Development then the application will not require to be referred to Council as it would not be a significant departure from Council Policy as the site is not zoned for a cemetery.

Alan Neish
Head of Planning and Economic Development

DW/HM
03 August 2010

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application forms and plans
2. Statutory Notices and Certificates
3. Adopted East Ayrshire Local Plan
4. Alteration to the East Ayrshire Local Plan with Modifications
5. Consultation responses

Anyone wishing to inspect the above papers should contact David Wilson, Acting Senior Planning Officer on 01563 576779.

TP24

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0135/PP

Location	Cumnock Cemetery Glaisnock Road Netherthird Cumnock
Nature of Proposal:	Proposed Cemetery Extension
Name and Address of Applicant:	Mr Ian Allan Outdoor Amenities Outdoor Amenities Western Road Depot Western Road Kilmarnock KA3 1LL
Name and Address of Agent	Asset Improvement Service Lugar Council Offices Rigg Rd Lugar Cumnock KA18 3JQ

Officer's Ref: David Wilson
01563 576779

The above Planning Permission application should be approved subject to the following conditions:

1. Notwithstanding the plans and details hereby approved, further details of the proposed landscaping within the site shall be submitted for the written approval of the Planning Authority prior to works recommencing on site. The landscaping shall be implemented during the next available planting season following completion of the development.

Reason: In the interests of visual amenity.

2. Notwithstanding the plans hereby approved, details of the height, materials and colour of all boundary treatments shall be submitted for the written approval of the Planning Authority prior to works recommencing on site and shall be constructed in accordance with such details thereafter and be completed prior to the use commencing.

Reason: In the interests of visual amenity and to maintain the character and setting of the area.

REASON FOR THE DECISION

The application is considered to be appropriate in terms of the Development Plan and the material considerations do lend support to that proposal.



