

# NOTICE OF MEETING

**A SPECIAL MEETING** of the **PLANNING & REGULATION PANEL** will be held in the **BANNOCKBURN COMMUNITY CENTRE** on **THURSDAY 18 JANUARY 2018** at **10.00 a.m.**

**IAIN STRACHAN**  
*Chief Officer - Governance*  
Clerk to the Council

12 January 2018

## A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**
2. **DECLARATIONS OF INTEREST**

### PLANNING

3. **CREMATORIUM AND ASSOCIATED DEVELOPMENT INCLUDING LANDSCAPED GARDEN OF REMEMBRANCE AND AREAS FOR THE INTERMENT OF CREMATED REMAINS, CAR PARKING AND ACCESS AT LAND AT FORMER BANNOCKBURN HOSPITAL, BANNOCKBURN HOSPITAL ACCESS, BANNOCKBURN - CREMATORIA MANAGEMENT LTD & SCOTTISH MINISTERS PER FORTH VALLEY HEALTH BOARD - 17/00676/FUL - HEARING**  
Report by Senior Manager, Infrastructure, Localities & Infrastructure (Pages 1 – 22)

(For further information contact Mary Love, Committee Officer on 01786 233078 or  
Iain Strachan, Chief Governance Officer on 01786 233108)



**STIRLING COUNCIL**

**THIS REPORT RELATES  
TO ITEM 3  
ON THE AGENDA**

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**PLANNING & REGULATION PANEL**

**LOCALITIES &  
INFRASTRUCTURE**

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**18 JANUARY 2018**

**NOT EXEMPT**

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**CREMATORIUM AND ASSOCIATED DEVELOPMENT INCLUDING LANDSCAPED GARDEN OF REMEMBRANCE AND AREAS FOR THE INTERMENT OF CREMATED REMAINS, CAR PARKING AND ACCESS AT LAND AT FORMER BANNOCKBURN HOSPITAL, BANNOCKBURN HOSPITAL ACCESS, BANNOCKBURN - CREMATORIA MANAGEMENT LTD & SCOTTISH MINISTERS PER FORTH VALLEY HEALTH BOARD - 17/00676/FUL - HEARING**

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**1 SUMMARY**

- 1.1 The application has been referred to the Planning and Regulation Panel by the Council's Planning and Building Standards Manager since the application proposes a 'Major' development as defined in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.
- 1.2 At its meeting on Tuesday 5 December 2017, the Panel agreed to defer consideration of the application pending a Site Visit and Hearing to take place at a future meeting of the Panel. The Site Visit is scheduled for Thursday 11 January 2018.

**2 OFFICER RECOMMENDATION(S)**

The Panel agrees:

- 2.1 to approve the application subject to the conditions and reasons as set out in Appendix 1 attached to the report; and
- 2.2 the Financial contributions to a Traffic Order and City Transport Plan to be secured through an invoice

**3 CONSIDERATIONS**

**The Site**

- 3.1 The site is located in the countryside to the south-east of the A91, and south-west of the A9. The site is set back from the Greencornhills Roundabout by a distance of 192 metres and the periphery of Bannockburn by 257 metres. The site is set back and is separated from the A91 by a green field, the depth of which is 205 metres – this green field rises up towards the site and the site

is on a level that is elevated from the Greencornhills Roundabout and the A91.

## The Proposal

- 3.2 The proposed development and operation is as follows:
- 3.2.1 The crematorium building is 467.5 square metres and single storey. It includes: a chapel, with seating for up to 98 people, with the potential to accommodate an additional 100 persons standing; a 'Porte-cochere' entrance; vestry; waiting area; operational areas for the cremation process; offices and staff facilities.
- 3.2.2 A garden of remembrance, an area for interment of ashes and floral tribute.
- 3.2.3 Parking provision for 86 cars with 6 spaces provided for those with disabilities, with overflow parking for 30 cars, total parking provision is 116 spaces.
- 3.2.4 The proposed crematorium would provide 3 types of Services. These are:
- 3.2.41. Funeral Service - where the celebrant will be present and a service will be held followed by the committal. The duration of the service can vary but it tends to be 30 to 40 minutes.
- 3.2.42. Committal only Cremations - a celebrant will be present with no more than about 6 mourners, often comprising immediate family. The procedure can take 15 minutes.
- 3.2.43. Funeral Director Only – The only people present are funeral directors. The procedure takes 10 minutes.
- 3.2.5 It is proposed that there would be a maximum of 6 funeral services per day. The proposed crematorium is expected to handle 1100 cremations per year, equivalent to an average of 4 services per day. There are 304 days cremation days a year equating to 3.6 per day. Cremation services are generally spread throughout the day and do not take place during highway peak hours. It is anticipated that 95% of services will take place between the hours of 10:30 hours and 15:30 hours, with the final service finishing by 16:00 hours, with the emphasis generally being on the morning. The operating hours proposed are 09:30 hours to 17:30 hours from Monday-Friday and 09:30 hours to 13:00 hours on a Saturday with no Sunday working. Services will not start before 09:30 hours.
- 3.2.6 It is proposed that new accesses (serving separately as an entrance and exit) will be created with access taken from the A9 Falkirk Road. This will necessitate the removal of a number of trees on the site's northern boundary. The existing exit only access on Falkirk Road will be widened for the site entrance and a new left turn exit only access will be provided.

3.2.7 Landscaped grounds that includes trees, shrubs and hedging.

### **Previous History**

3.3 Approval in 1992 of full planning permission for proposed erection of 30 bed psychogeriatric ward at Bannockburn Hospital site – reference 92/00088/DET.

### **Development Plan Policy**

3.4 The relevant policies within the Adopted Stirling Local Development Plan September 2014 are listed below. The Proposed Local Development Plan June 2016 is a material consideration. In some cases, in the corresponding proposed Local Development Plan policy, there is a small addition to the wording of the adopted Local Development Plan policy. Any additions are identified at the end of the adopted Local Development Plan policies listed below.

3.5 Overarching Policy and Sustainable Development Criteria  
Overarching Policy  
The Proposed Local Development Plan 2016 Overarching Policy:

3.6 Sustainable Development Criteria (these are derived from Scottish Planning Policy):

Proposed Local Development Plan 2016 Sustainable development Criteria.

3.7 Primary Policy 1: Placemaking:

3.7.1 Proposed Local Development Plan 2016 Primary Policy.

3.8 Policy 1.1: Site Planning:

3.8.1 Proposed Local Development Plan 2016 Site Planning Policy 1.1.

3.9 Policy 1.3: Green Network and Open Space.

3.10 Policy 3.1: Addressing the Travel Demands of New Development.

3.11 Scottish Planning Policy – ‘Brownfield land’ is identified as land which has previously developed. The term may cover vacant or derelict land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable.

3.12 Proposed Local Development Plan 2016 – Addressing the Travel Demands of Local People.

### **Assessment**

3.13 Following consideration of an Environmental Impact Screening Opinion, it is considered that the crematorium proposed does not warrant the submission of an Environmental Impact Assessment (EIA). The proposed crematorium falls within Schedule 2 (urban development on a site that exceeds 0.5ha) Part 10 b) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. Schedule 3 of the Regulations sets out the selection criteria for screening schedule 2 development and covers the

characteristic of the development, including size and accumulation with other development, the location of the development and the environmental sensitivity of the geographical area, and the characteristics of the potential development/impact. The scale of crematorium proposed does not warrant the submission of an EIA. It is considered that the potential environmental impact of a crematorium at the former Bannockburn Hospital site is not so significant that an Environmental Impact Assessment is required.

- 3.14 Planning Policy: The relevant policies within the Adopted Stirling Local Development Plan September 2014 are listed above. The Proposed Local Development Plan June 2016 is a material consideration. The proposal site was previously used as a hospital and as such is a brownfield site, which could be redeveloped. The site is vacant land which has been previously developed so the site complies with the above Scottish Planning Policy definition of 'brownfield land'.
- 3.15 There is support from the Council's Cemeteries Service for a crematorium to the south of Stirling. Whilst there is no specific policy dealing with a crematorium use, the above policies are all relevant, as they relate to the redevelopment of this site within a countryside location.
- 3.16 The Council's overarching policy is for a presumption in favour of planning proposals that contribute to sustainable development as defined in Local Plan Development Plan criteria list above. The proposed crematorium use is considered to be an appropriate land use for this 'brownfield land', located within the countryside, as it would contribute to sustainable development.
- 3.17 The application addresses the relevant planning issues as follows:
- 3.18 Landscape and Visual Impact: The proposed building height (8.25 metres from ground to ridge) including the stack (9 metres), modest building footprint of 467.5 square metres, layout of the building and internal roads, detailed building design and external material finishing, and landscaped grounds/carpark will achieve a sympathetic fit and integration into the site. There will be less built development, in building numbers and scale, than there was when the former hospital was on the site.
- 3.19 The topography of the land rises up from the south side of Bannockburn and sits on elevated ground so visual integration into landscape setting is important. The site is visible from the Greencornhill Roundabout to the north and from the adjacent Falkirk Road to the east, from 8 houses within the estate housing at Gartclush Gardens on the southern periphery of Bannockburn, from the adjacent housing to the south at 147 and 149 Falkirk Road, and a house at Muirpark Farm to the east. Wider long range views of the site are very limited due to the topography of adjacent fields which screen the site from public roads/viewpoints.
- 3.20 Overall, the potential visual effects of the proposed development will be contained to the local area by its relatively low building scale, despite being set on a locally high ridge. The building's lower scale and external finishes in render walls and pitched natural slate roof will help it fit appropriately within its rural setting. The existing retained trees along with new planting along the site boundary and within the grounds of the Crematorium will help to contain views of the proposed building, car parking and low level lighting. As the newly proposed planting grows and thickens out it will help to reduce the

visual impact by further screening views of the building, lighting and movement of people and traffic within the grounds of the site. Overall, the landscape and visual impact from the proposed building and carpark will be less than the former Bannockburn Hospital and is considered acceptable.

- 3.21 Trees: There are mature trees along the site frontage that require to be felled to form 3rd ghost lane for right hand turning. The Tree Survey, Arboricultural Implications Assessment and Arboricultural Method Statement and Trees Planting Plan will mitigate for the loss of the trees along the Falkirk Road which is acceptable. There are conditions in the recommendation requiring additional planting of a native planting mix, shrubs and hedges and timescale for the implementation of all new planting, including the proposed tree planting.
- 3.22 Roads, Access and Parking: The application is supported with a Transport Statement and a Stage 1 Road Safety Audit (see link at Paragraph 5.1). The site is to be accessed and egressed via an 'in and out' system from the A9 Falkirk Road. Right hand turning from the A91 into the site is proposed through local road widening from a 3rd middle ghost lane which is technically feasible and is required by the Roads Authority. The applicant is proposing 116 parking spaces in total, which is sufficient parking for the seating and standing room capacity especially during the end and start of a separate funeral services where parking demand will be greatest, so there is no overspill onto the A9.
- 3.23 Funeral services would typically be timetabled at 45 minute to hourly intervals, with the chapel service usually lasting around half an hour, although some services would be shorter than this. This allows some time for gathering together outside afterwards before moving on and this time management will prevent overspill parking onto the A9. Appendix 1 recommends an Advisory Note be included to the planning permission, which requires the applicant to apply for and implement a Road Traffic Regulation Order for the introduction of double yellow line road markings over the sites frontage with Falkirk Road. The recommendation requires the applicant to meet the cost of the promotion of a Road Traffic Regulation Order for the introduction of double yellow line road markings over the sites frontage with the A9 Falkirk Road, prior to the issue of the planning permission. The proposal for parking within the site and double yellow lines on the adjacent A9 will prevent overspill onto the A9 and therefore a planning condition which spaces the timing of Funeral Services to one per hour is not necessary. In the event that the Panel considers a condition that spaces the timing of Funeral services to one per hour, then this would be acceptable to the applicant.
- 3.24 The Transport Development consultation reply requires conditions for signage on the A9 to be provided to minimise the risk of late breaking and rear shunt type collisions and adequate lighting to be provided to ensure that the lighting is sufficient to illuminate the whole width of the carriageway and new footway. These matters are covered by planning conditions.
- 3.24.1 A developer contribution to the City Transport Strategy of £15,980 is required and this would be administered through an invoice as Supplementary Guidance on Developer Contributions.

- 3.24.2 The site is currently served by bus stops in both directions on Falkirk Road; the stop on the western side of the road is located adjacent to the vehicular access and the southbound stop almost directly opposite. The closest train station is Stirling station, some 6 kilometres north west of the site. The railway station is only around a 3 minute walk from the bus station in Stirling and therefore the site can be accessed from the train station by the bus service.
- 3.25 Drainage: The consultation reply from Scottish Water advises that there is adequate water and drainage capacity.
- 3.26 Noise: The noise impact on adjacent residential properties at 147 and 149 Falkirk Road is relevant. Two matters are critical here:
- 3.26.1 Noise from cremation equipment: There is no concern regarding noise from the cremation equipment causing a noise disturbance to the adjacent houses at 147 and 149 Falkirk Road, due to the set back from the cremator equipment in relation to these houses. A test of the equipment as suggested by Scottish Environment Protection Agency (SEPA) is not necessary due to the set back of these houses. Environmental health has advised a condition that the cremator is not audible from the boundary adjacent to the closest housing. This condition has not been applied in the recommendation as the housing is too far away from the cremator for any noise to be discerned and so it is not necessary; in any case it is not precise and enforceable and so could not be applied as a condition.
- 3.26.2 Funeral Operating hours: The applicant's proposal for hours of operation for funeral services are 09:30 hours to 17:30 hours from Monday-Friday and 09:30 hours to 13:00 hours on a Saturday with no Sunday working. The use of the site for funeral services will generate traffic movement, parking, and the people congregating, which will have a degree of impact on residential amenity which is acceptable to Environmental Health within these hours proposed. A Condition has been applied that restricts the use of the site for funerals (this does not include office administrative work, visits to the remembrance garden, and the carrying out of cremations, which would not impact on neighbour's amenity and would not result in a noise disturbance).
- 3.27 Air Pollution: In terms of air pollution and residential amenity, the site boundary adjoins with residential properties at 147 and 149 Falkirk Road, (these houses are within 10 metres of the south-east site boundary) and as such the impact of the proposal from air pollution on these properties and on the wider area has been taken into account. Environmental Health has advised two conditions to regulate air quality which are that the cremator flue shall terminate at least 1 metre above the supporting roof level, shall discharge vertically upwards and be unimpeded by any fixture on top of the stack, which might reduce the initial momentum of the plume and no more than 1100 cremations shall be carried out at the premises per year. As there are matters regulated by Environmental Health, they have not been included as conditions. Environmental Health has advised that air quality monitoring is not required as a planning condition as this falls under the regulatory controls of the Scottish Environment Protection Agency (SEPA). The SEPA consultation response on air quality advises that a Construction



Environmental Management Plan is submitted for the written approval. As this is a matter regulated by SEPA and not planning, this has not been included in the recommendation.

- 3.28 Contaminated Land: The Environmental Health conditions on contaminated land are incorporated into the recommendation. The consultation reply from SEPA queries whether the site is affected by radioactive substances. Based on the results of the site investigation, no evidence of waste disposal of material formerly used on site were encountered. Based on the results of the investigations and the strict regulation of radioactive materials, it is unlikely that there are any residual materials/equipment present on-site.
- 3.29 Archaeology: The report from Guard Archaeology Cultural Heritage has been considered by the Council's Archaeologist – there is no objection to the proposals or recommendations for mitigation.
- 3.30 Jobs: It is anticipated that 2 full time and 2 part time jobs will be created. This is located within the countryside and so these jobs will contribute to the rural economy.
- 3.31 A crematorium does not fall within any of the 'Use Classes' set out within the Town and Country Planning (Use Classes) (Scotland) Order 1997. Any proposal for a change in use of the building e.g. a proposed conference centre, would therefore require full planning permission.
- 3.32 Conclusion: The proposed crematorium is considered to comply with the Development Plan policies and criteria relating to sustainable development, rural employment, site planning, and travel demands for new development. The planning application satisfies all technical considerations in relation to roads and access/parking, air quality, and noise and conditions in respect of these matters are recommended in order to manage the development. The application warrants support subject to the Conditions in Appendix 1.

### **Objections**

- 3.33 Eight representations have been received – three individual objections and a petition (274 signatures) opposing the application (the petition indicates a wish to speak at the Planning and Regulation Panel) and three representations in support have been received which cover the following matters:

3.33.1 Need for crematorium - The location need for the crematorium in the countryside is not proven.

Response: Whether there is a need for development is not a material planning consideration. However, for completeness the applicant has submitted a report on the need for a crematoria in the Stirling area.

3.33.2 Development Plan and Scottish Planning Policy - No policy support in Local Development Plan in that there is not a specific policy to support a crematorium. The application does not comply with the Local Development Plan policy criteria for economic development in the countryside. It is not a sustainable development as it will be harm to amenity in terms of water, noise, air, and soil quality.

Response: A Planning Statement accompanies the planning application. The statement fully considers the Development Plan and National Planning Policy context for the proposed development and demonstrates that whilst there is no specific policy in the development plan for a crematorium use, there are a number of policies that are relevant to the proposal and support it. Furthermore, Scottish Planning Policy SPP states that where the Development Plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. The proposed development meets the 13 criteria set out in paragraph 29 of SPP and constitutes sustainable development.

3.33.3 Impact on Stirling Landscape character - The site is in a prominent location on both the A81 and A91 and is an important site in providing the setting for Stirling and Wallace Monument. The proposed building mass and oven tower will be incongruous.

Response: The impact of the proposed building and car parking will be less than the former Bannockburn Hospital which had more building at a similar height and a large hard standing for car parking. The building design and external finishing materials along with new planting will integrate the scheme into the site and surrounding area. The impact on landscape and visual terms would be localised and the siting and design of building are completely acceptable.

3.33.4 Impact on battlefields:

Response: The application submission is accompanied by a Desk Based Assessment Archaeological Report (DBA) which considers the impact of the proposed development on the site's cultural heritage. The DBA identifies the site as being located within the Inventory boundary of the Battle of Sauchieburn and observes that the site has been subject to previous development (Bannockburn Hospital). It concludes that it is therefore highly unlikely that sub-surface archaeological remains relating to the battle survive. The Council's Archaeologist consultation reply recognises the impact of previous development and concludes that, "while the proposed development will have an impact on a Designated Battlefield, it is not at all clear if anything from the battle will have survived previous development. I therefore have no objection to the proposals or recommendations for mitigation."

3.33.5 Noise disturbance to residential properties:

Response: Environmental Health has no objection to the noise impact assessment.

3.33.6 Car Parking - Large funerals will result in overflow parking onto the adjacent A91 Falkirk Road, as there is insufficient parking provision.

Response: The proposed car parking (86 car spaces and 30 additional overspill car spaces) has been subject to detailed consideration. The core designated space provision of 86 spaces complies with the Council's parking standards. There is a total of 30 spaces classified as 'overflow' and provided separately from the core layout but within the application boundary. These spaces, in addition to the proposed Traffic Regulation Order, serve for double yellow lines as a safeguard against the potential safety implications

associated with overspill onto the A9. The level of parking provided is considered appropriate given the limited opportunities for off-site parking.

- 3.33.7 Impact on road network: The proposals for access to the site and alterations to the A9 are not sufficient to deal with the volume of cortege traffic associated with the proposed crematorium use.

Response: The predicted travel demand is considered by the Transport Statement (section 5.2) and considers both the number of predicted vehicle movements and the timing of vehicle movements. Evidence from survey demonstrates that only staff will arrive and leave the proposed development during the AM and PM peak times. Services will take place during the interpeak period and accordingly the majority of vehicle movements will take place during this period. The Transport Statement (section 5.4) considers the impact on road junctions including the proposed site access and Greencornhills Roundabout. It is concluded that (paragraph 6.1.1, page 23), “(xii) Junction assessment modelling of the inter-peak period for the year of opening has shown that the proposed site access junction is predicted to operate with a significant amount of spare capacity. (xiii) At the Greencornhills Roundabout it has been demonstrated that the change in travel demand in the inter-peak period would not lead to any perceptible change in the operation of this junction. Accordingly, it is appropriate to conclude that the proposed development will not result in the congestion suggested by public representation”.

- 3.33.8 Falkirk Road access lane - The proposal will result in parking in the private lane that borders the southern boundary of the site that is required for farm vehicle access and bin storage/bin lorry access.

Response: It is noted that local resident concerns were raised regarding the placement of bollards adjacent to their property at 147 Falkirk Road. Notwithstanding the fact that sufficient car parking is proposed and constraints on localised off-street parking, the bollards proposed on the site layout are proposed because of concerns which were previously expressed, however, the applicants have no objection in removing this element of the proposal because it is not necessary. Furthermore, it should be noted that the bollards are proposed in an area identified as the adoptable highway. Immediate local residents have concerns regarding parking on the local access lane and the potential for vehicles to access the site from the local access lane. The proposals do not include access to the site from the lane and as noted above, sufficient parking has been provided to accommodate the crematorium’s operational demands.

- 3.33.9 Impact on road network - Due to the proximity of the carpark to the site entrance, it will result in cars backing up onto the A91, and slow moving funerals cortege entering and leaving, which is not in the interest of road safety.

Response: The proposed ‘in and out’ accesses, adequate parking provision, road widening improvements on the A9, signage and lighting complies with the Council Roads standards and there is no concern regarding road safety and backing up on the A9.

3.33.10 Application boundary – There are two owners of the private lane within the site boundary that have been served a ‘land owner notification.’

Response: The applicant has carried out additional notification and notified all parties with a legal interest in the lane - the land owner notification certificate is accepted as being correct.

3.33.11 Public Transport - unsuitable location that does not have good access for public transport.

Response: The site is accessible by bus as there 2 bus stops – one on site frontage and one across the road.

3.33.12 Neighbouring agricultural use – the operation of a crematorium adjacent to farm land is incompatible in terms of air quality and odour impact. The spraying of crops, dust and laying of manure will result in odours throughout the year and loss of amenity.

Response: SEPA and Environmental Health Officers have no concerns in relation to proximity to farm land and air quality and odour issues. The majority of crematoriums are located in rural areas adjacent to farmer fields and this application is no different. An Air Quality Assessment has been undertaken and accompanies the application. It demonstrates that the proposed cremator plant will not lead to any significant changes in concentrations of all pollutants, at all local sensitive receptor locations, for all averaging periods. The overall operational air quality effects of the development are thus judged to be ‘not significant’. It should be noted that emissions from the proposed cremator will be regulated by SEPA in accordance with the Environmental Protection Act and Pollution Control Regulations. The applicant will require to apply for the relevant authorisation in accordance with the Pollution Prevention Control Regulations. SEPA’s consultation response of 18 October 2017 confirms that they have no objection to the proposed development.

3.33.13 If approved, then the following is requested:- higher embankment and denser planting on the north, west and east boundaries; entrance into the site from the adjacent farm access lane blocked off with fence re-instated and boundary planted; and all groundworks traffic to enter the site via the A9.

Response: The adjacent lane is a public road that is adopted for maintenance by the Council and so could not be blocked off. The landscaping proposed and the set back of the proposed building from housing is sufficient to protect residential amenity.

3.33.14 Stirling does not have its own crematorium and so this has merit.

Response: This is accepted as a valid point.

3.33.15 Crematorium will enhance Stirling economy.

Response: It is anticipated that 2 full time and 2 part time jobs will be created. The site will create jobs and contribute to the Stirling economy and so this point is accepted as valid.

3.33.16 With motorway access from Pirnhall interchange and road widening proposed, the proposal is easily accessible from north, east, south and west without causing any disruption or inconvenience to the local community.

Response: The site is accessible and this point is accepted as valid.

3.33.17 Stirling Council has been trying for 10 to 15 years to identify a suitable location without success and this accessible site is appropriate for the use proposed.

Response: This point is accepted as being valid.

#### 4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

|   |           |
|---|-----------|
| <b>Policy Implications</b>  |           |
| Equality Impact Assessment  | No        |
| Strategic Environmental Assessment                                      | No        |
| Serving Stirling  | No        |
| Single Outcome Agreement  | No        |
| Diversity (age, disability, gender, race, religion, sexual orientation) | No        |
| Sustainability (community, economic, environmental)                     | No        |
| Effect on Council's green house gas emissions                           | No Effect |
| Strategic/Service Plan  | No        |
| Existing Policy or Strategy   | No        |
| Risk  | No        |
| <b>Resource Implications</b>  |           |
| Financial   | No        |
| People  | No        |
| Land and Property or IT Systems   | No        |
| <b>Consultations</b>  |           |
| Internal or External Consultations                                      | Yes       |

##### Equality Impact Assessment

4.1 This application was assessed in terms of equality and human rights. Any impact has been identified in the Considerations/Assessment section of this report.

##### Strategic Environmental Assessment

4.2 An Environmental Impact Assessment is not required.

##### Serving Stirling

4.3 The provision of a crematorium is a facility that would serve Stirling, as per the consultation reply from the Cemeteries Officer.

Single Outcome Agreement

4.4 No implications.

Other Policy Implications

4.5 No implications.

Risk

4.6 No implications.

Resource Implications

4.7 No implications.

Consultations

4.8 **Roads Development Control:** No objection, subject to condition related to access/egress design, compliance with the recommendations of the Stage 1 Road Safety Audit, which requires implementation of a Road Traffic Order for double yellow lines, to prevent parking on the A9 Falkirk Road along the development frontage of the site. Signage on the A9 to be provided to minimise the risk of late breaking and rear shunt type collisions. Adequate lighting to be provided to ensure that the lighting is sufficient to illuminate the whole width of the carriageway and new footway, and a developer contribution of £15,980 towards the City transport Strategy.

4.9 **Service Manager (Environmental Health):** Advise on the following conditions:

Noise and amenity of surrounding residential properties.

- 4.9.1 No noise from the cremation plant or associated equipment shall be audible at the site boundaries close to housing.
- 4.9.2 The days/hours of operation of funeral services at the crematorium shall be restricted to 9am-5.30pm Monday-Friday and Saturday 9am to 1pm.

Air Quality

- 4.9.3 The cremator flue shall terminate at least 1 metre above the supporting roof level, shall discharge vertically upwards and be unimpeded by any fixture on top of the stack which might reduce the initial momentum of the plume.
- 4.9.4 No more than 1100 cremations shall be carried out at the premises per year,
- 4.9.5 A condition requiring ambient air quality monitoring is not required as SEPA have regulatory control over the process.

## Public Health

- 4.9.6 Prior to commencement of any site works, the further Site Investigation works, as recommended by SLR Consulting Limited in Section 6 of their Geoenvironmental Investigation Report (SLR Project 402.02845.00020), December 2015 shall be completed and an interpretative report on their findings submitted to and approved by the Planning Authority in writing.
- 4.9.7 Following the further investigation, the remediation strategy for the site shall be agreed in writing by the Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.
- 4.9.8 Remediation of the site shall be carried out in accordance with the approved remediation strategy. Any amendments to the approved remediation strategy shall not be implemented unless approved in writing by the Planning Authority.
- 4.9.9 On completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the Planning Authority, confirming the works have been carried out in accordance with the remediation plan.
- 4.9.10 The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority.
- 4.10 **Bannockburn Community Council:** Object. The proposed crematorium is surrounded by farm land which is sprayed with slurry several times a year depending on what crops are grown.
- 4.10.1 Access - Average traffic usage on the A9 passing the crematorium site is 200 vehicles per half hour (cars, lorries and buses). Lorries use this road as their only access to Caberboard and Redland Tiles in Cowie. Proposals for widening road at that point will make congestion worse, especially where 2 bus stops are planned.
- 4.10.2 Stirling does need a crematorium but this site is only 4 miles from the existing upgraded crematorium in Camelon. Would it not be more beneficial to the outlying communities in the north-west of Stirling to site the new crematorium in that area as their nearest crematorium at the moment is Perth?
- 4.11 **Cemeteries Officer:** No objection. The Cemeteries Service commissioned a crematorium feasibility study in 2006/7 as it was recognised that there have been important social changes since 1855 (Burial Grounds Scotland Act) and cremation in the UK has increased consistently over the last 60 years. The original report examined the demographics of Stirling and Clackmannan and concluded that the only feasible location to site a crematorium was on the south side of the City of Stirling – as this is ultimately the only area that would

produce in excess of 1000 cremations per year, to make it economically viable. The effect of a site at this location would be to reduce numbers from the area currently using crematoria elsewhere and increasing choice. Falkirk Council currently charge a non-resident supplement which increases costs for residents of Stirling and elsewhere. The distance from Greencornhills roundabout to Falkirk Crematorium has been calculated at 7.48 miles by road. In summary a crematorium facility would give much needed choice to an expanding population.

- 4.12 **Scottish Environment Protection Agency (East):** No objection subject to a condition requiring a Construction Environmental Management Plan – this is to control pollution of air, land and water and to ensure that waste is managed in a sustainable manner.
- 4.12.1 **Flood Risk:** There is no objection on the grounds of flood risk. Waste water should be connected to the foul sewer network which serves the area.
- 4.12.2 **Drainage:** The Sustainable Urban Drainage System detailed within the proposal is adequate for protection of the surface water environment.
- 4.12.3 **Noise:** Noise emissions from the proposal are unlikely to cause significant loss of amenity. Prior to the submission of the application, the applicant confirmed that the plant would not operate beyond 5.30 pm. It is anticipated that the Planning Authority would attach a condition to any planning permission requiring the plant's noise levels to be tested prior to operation.
- 4.12.4 **Air Quality:** The discharge from the process will be controlled by SEPA under its environmental regulatory controls. However, the impact on local air quality is also a material consideration for planning and the Council needs to be satisfied the applicant has demonstrated that emissions to atmosphere, whether point source or traffic related, have been adequately assessed. The applicant uses a robust industry standard model (ADMS 5.1) and Defra pollutant background maps, in the absence of local monitoring data, to conclude that emissions from the crematorium will be negligible and will not impact on local air quality. However, as modelling is largely deficient in assessing short-term impact from start-up and burndown periods, the Local Authority may wish to consider conditioning the developer to conduct ambient monitoring of nitrogen dioxide, PM10 and PM2.5 at a representative sensitive receptor. The results of all monitoring should be used to validate the dispersion modelling provided within the report.
- 4.12.5 **Contaminated Land:** Advice on land contamination issues should be sought from the Local Authority contaminated land specialists because the Local Authority is the lead authority on these matters under Part IIA of the Environmental Protection Act 1990 except for matters relating to radioactively contaminated land or special sites. As the site for the crematorium was a hospital, there could be contamination with radioactive materials and therefore we checked our records on relation to this. SEPA has no record of any licences relating to radioactive substances for the Bannockburn Hospital.



However, it would be prudent to carry out a detailed desk study to establish whether radioactive substances were used at the hospital and the possibility for the burial of radioactive wastes. If such materials were used in the past, SEPA would be happy to provide further advice.

4.13 **Scottish Water:** No objection.

4.13.1 Water Supply: - There is currently sufficient capacity in the Turret Water Treatment Works.

4.13.2 Foul Water Discharge and Treatment -There is currently sufficient capacity in the Stirling Waste Water Treatment Works.

4.14 **Archaeologist:** The proposed development lies on the north-eastern edge of the Sauchieburn (1488) designated battlefield. This particular location may be associated with the edges of troop movements, but may be more correctly interpreted as a buffer zone to the key features and events of the battle. There is however, a possibility that it contains objects associated with the battle, however, given that the site has been previously developed, it is likely that will have destroyed any such objects. In addition, this previous development will have made the area less sensitive to further change. While the proposed development will have an impact on a Designated Battlefield it is not at all clear if anything from the battle will have survived previous development and as such there is no objection to the proposals or recommendations for mitigation.

## 5 BACKGROUND PAPERS

5.1 Planning Application file 17/00676/FUL. File can be viewed online at:

<https://pabs.stirling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OV8CWO PILHB00>

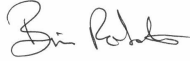
## 6 APPENDICES

6.1 Appendix 1 – Conditions and Reasons.

## Author(s)

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## Approved by

| Name          | Designation                     | Signature   |
|---------------|---------------------------------|---|
| Brian Roberts | Senior Manager - Infrastructure |  |

Date 11 January, 2018

Service Reference 17/00676/FUL

**CREMATORIUM AND ASSOCIATED DEVELOPMENT INCLUDING LANDSCAPED GARDEN OF REMEMBRANCE AND AREAS FOR THE INTERMENT OF CREMATED REMAINS, CAR PARKING AND ACCESS AT LAND AT FORMER BANNOCKBURN HOSPITAL, BANNOCKBURN HOSPITAL ACCESS, BANNOCKBURN - CREMATORIA MANAGEMENT LTD & SCOTTISH MINISTERS - 17/00676/FUL**

Approve, subject to the following conditions:

1. **Roads - Vehicular Access to Site:** The approved development shall not be used for the purposes of cremation, funerals, a garden of remembrance and administrative work until the vehicular access into the site from the A9 Falkirk Road has been laid out and constructed in accordance with IMA Transport Drawing No. IMA-15-078 or any revision to the design which is approved in writing by the Planning Authority.
2. **Roads- Signage on the A9:** Prior to the commencement of development on site, proposals shall be submitted to the Planning Authority for signage on the A9 as recommended in the Road Safety Audit Stage 1; the approved signage proposals shall be implemented in full prior to the use of the site for cremation, a garden of remembrance, funeral services and administrative work.
3. **Roads - Lighting on the A9:** Prior to the commencement of development on site, details proposals for the siting and design of public road lighting on the A9 as recommended in the Road Safety Audit Stage 1, shall be submitted to the Planning Authority and approved in writing; the approved lighting proposals shall be implemented in full prior to the use of the site for cremation, a garden of remembrance, funeral services and administrative work.
4. **Operating Hours of Services:** The days/hours of operation of Services shall be restricted to 0930 hours to 1730 hours from Monday-Friday and 0930 hours to 1300 hours on a Saturday with no Sunday working.
5. **Contaminated Land -Site Investigation:** Prior to commencement of any site works, the further Site Investigation works as recommended by SLR Consulting Limited in Section 6 of the Geoenvironmental Investigation Report (SLR Project 402.02845.00020), December 2015 shall be completed and a further interpretative report on their findings shall be submitted to and approved by the Planning Authority in writing.
6. **Contaminated Land - Remediation Strategy:** Following the further interpretative report, the remediation strategy for the site shall be agreed in writing by the Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.

7. **Contaminated Land - Compliance with Remediation Strategy:** Remediation of the site shall be carried out in accordance with the approved remediation strategy. Any amendments to the approved remediation strategy shall not be implemented unless approved in writing by the Planning Authority.
8. **Contaminated Land- Confirmation Report:** On completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the Planning Authority confirming the works have been carried out in accordance with the remediation plan.
9. **Contaminated Land - Unencountered Contamination:** The presence of any previously contamination not identified in the remediation strategy that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority.
10. **Low Level Lighting:** The external lighting shall work on a dusk-dawn basis and will be off at night time when the remembrance garden and crematorium building is closed.
11. **Landscape - No Topping, Lopping or Felling:** No trees, shrubs or hedges within the application site shall be topped, lopped, felled or uprooted without the prior written consent of the Planning Authority.
12. **Landscape - New Planting:** Within 6 months of the commencement of development on site, details of new planting proposals for a native planting mix, shrubs and hedges and any revisions to the approved tree planting (an annotated Planting Plan at least at 1:200 scale with Plant Schedule and Specification) including details of ground preparation, species, nursery stock size and density of planting and areas of grass seed/turf shall be submitted to and approved in writing by the Planning Authority.
13. **Timescale for New Planting:** All new tree planting shall be carried out prior to the operation of the crematorium for funeral services and all native planting mix, shrub and hedge planting shall be implemented at least by the first planting season after the completion of the building operations and formation of roads and carparks.
14. **Landscape - Maintenance:** No development shall take place until a detailed statement illustrating the proposed provisions for the establishment and maintenance of all areas of landscaping including identification of persons responsible for maintenance, and any proposed phasing of works has been submitted to and approved in writing by the Planning Authority.
15. **Landscape - Replacement Planting (3 Years):** Within three years of the completion of the approved landscaping scheme, any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased, or areas of grass which become eroded or damaged shall be replaced and reinstated by the end of the next planting season, to the satisfaction of the Planning Authority.

16. **Construction Management Plan:** Prior to the start of any work on the site, a Construction Management Plan shall be submitted to the Planning Authority and approved in writing, that sets out how all tree removal and construction are to be carried out in relation to machinery required to access and be delivered to the development site, the means of access, restrictions on times of access and delivery of construction and vehicles delivering construction materials and all construction staff parking and site office arrangements.

**Reasons:**

- 1 To ensure the effective management of traffic movements on the A9 in the interest of road safety.
- 2 To minimise the risk of late breaking and rear shunt type collisions in the interest of road safety, in the interests of road safety.
- 3 To ensure that the lighting on the A9 adjacent to the site is sufficient to illuminate the whole width of the carriageway and new footway in the interest of road safety.
- 4 To protect the amenity of adjacent residential properties at 147 and 149 Falkirk Road and to ensure that Services do not conflict with morning peak travel and result in the back up of vehicles towards the Greencornhills Roundabout, in the interest of road safety.
- 5 To ensure potential risks arising from previous site uses have been fully assessed.
- 6 To ensure the proposed remediation plan is suitable.
- 7 To ensure the remedial works are carried out to the agreed protocol.
- 8 To provide verification the remediation has been carried out to the Authority's satisfaction.
- 9 To ensure all contamination within the site is dealt with.
- 10 To protect the amenity of adjacent residential properties at 147 and 149 Falkirk Road and to ensure that the internal site lighting is appropriate for the rural landscape setting.
- 11 As the planting proposals are required to assimilate the approved development into the site and to protect the amenity and setting of the surrounding landscape.
- 12 As the planting proposal are required to assimilate the approved development into the site and to protect the amenity and setting of the surrounding landscape.
- 13 As timeous implementation of the new planting proposals are required to assimilate the approved development into the site and to protect the amenity and setting of the surrounding landscape.
- 14 As a maintenance scheme is required to ensure the growth and health of approved planting proposals in the interest of the amenity and setting of the site and surrounding landscape.

- 15 As replacement planting proposals, where necessary is required to assimilate the approved development into the site and to protect the amenity and setting of the surrounding landscape.
- 16 To ensure that the down taking and construction work on the site and parking for construction staff is managed in the interest of public and road safety.

**Financial contributions to be secured through invoice as per Supplementary Guidance on Developer Contributions – SG06, paragraph 2.6, prior to the issue of Full Planning Permission:**

Traffic Order (Double Yellow Lines): The applicant is required to meet the cost of the promotion of a Road Traffic Regulation Order for the introduction of double yellow line road markings over the sites frontage with Falkirk Road, as per the applicant's Road Safety Audit Stage 1.

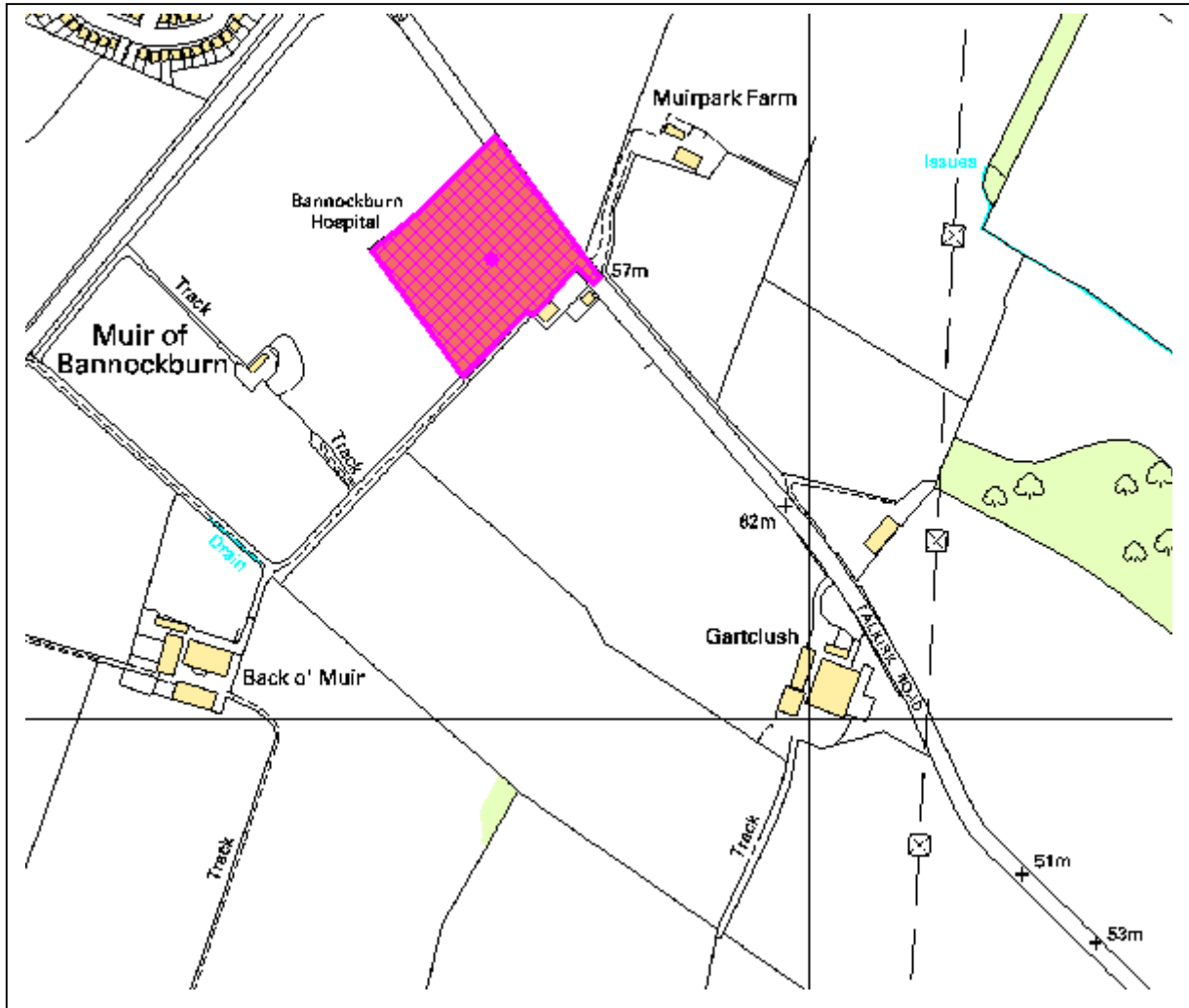
Developer Contribution: The Council's Supplementary Planning Guidance SG14: Ensuring a Choice of Access for New Developments requires a financial contribution from developments of this nature towards transport measures identified in the City Transport Plan to address the cumulative impact of new development across Stirling City. Given the information provided in the Transport Statement, a developer contribution of £15,980 has been calculated for this proposal.

**Advisory Note:**

Consent: The applicant will require to apply to the Council's Service for a Road Opening Permit for the access improvements and any associated works.

Road Traffic Regulation Order: The applicant is required to apply for and implement a Road Traffic Regulation Order for the introduction of double yellow line road markings over the sites frontage with Falkirk Road. The applicant shall make written application to Stirling Council's Traffic Management Team requesting the road marking prior to any construction works commencing.

## Location of Development



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