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# CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title: REPORT ON CALLED-IN PLANNING APPLICATION**

**Prepared by: MARY GRIER (SENIOR PLANNING OFFICER, DEVELOPMENT MANAGEMENT)**

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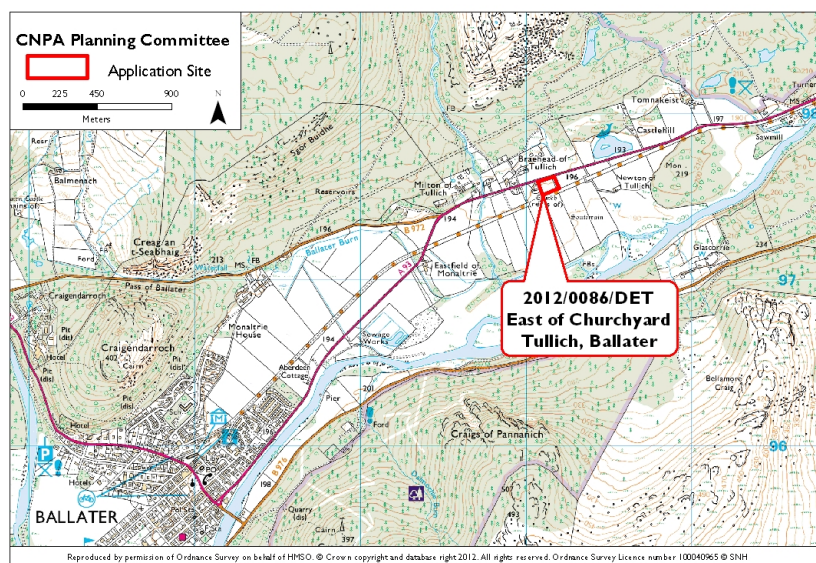
**DEVELOPMENT PROPOSED: PLANNING PERMISSION FOR CHANGE OF USE OF AGRICULTURAL LAND TO BURIAL GROUND (EXTENSION TO EXISTING BURIAL GROUND) AND FORMATION OF NEW ACCESS ON LAND EAST OF TULLICH CHURCHYARD, TULLICH, BALLATER**

**REFERENCE: 2012/0086/DET**

**APPLICANT: ABERDEENSHIRE COUNCIL, LANDSCAPE SERVICES**

**DATE CALLED-IN: 30 MARCH 2012**

**RECOMMENDATION : APPROVE WITH CONDITIONS**



**Grid reference : 339126 797577**

**Fig. I - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for an extension to the existing burial ground at Tullich, which is located to the north east of Ballater adjacent to the A93 road. The application has been submitted by Aberdeenshire Council's Landscape Services division, which is responsible for cemeteries. The extension to the cemetery is proposed on an adjacent agricultural field, extending to an area of approximately 0.656 hectares.
2. The proposed extension would provide 699 lairs, which would be arranged in a type of 'fan' shape layout. An area in the north west of the site i.e. closest to the existing cemetery, has been identified as a 'casket section.' It would accommodate 150 casket lairs, which would have individual headstones when required. The headstones would be restricted in size and would be no more than 0.60 metres wide x 0.76 metres high. The western most area of the site (immediately to the rear of the wall which encloses the existing cemetery) is proposed to be substantially given over to landscaping. A combination of grass and soft landscaping is identified, as well as a proposed area for a 'symbol stone shelter.' The latter feature is the subject of a separate planning application, which was called in for determination by the CNPA on May 25<sup>th</sup> 2012 (CNPA ref. no. 2012/0155/DET refers) and will be scheduled for determination at a forthcoming meeting. Details on the site plan submitted in relation to the current application indicate that soft landscaping within the site will contain a variety of shrubs, plants and trees of various sizes, and would be a mixture of evergreen and deciduous planting to allow for year round interest.



Fig. 2 : Proposed extension

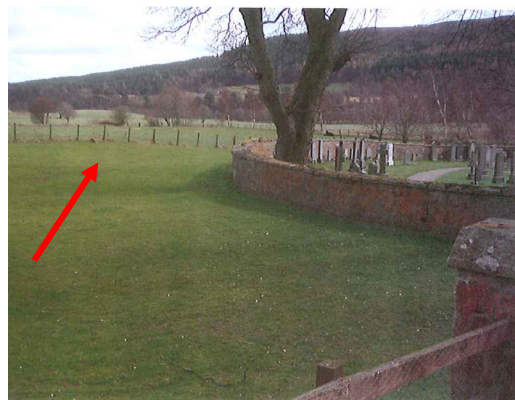


Fig. 3 : proposed landscape area

3. A new vehicular access and associated car parking area is proposed at the eastern end of the site. A double width access would be formed off the A93 road in the north eastern corner of the site. It would provide access to a car parking area consisting of 27 bays, of which 4 are identified for disabled parking.<sup>1</sup> The access from the public road into the car park would have a tarmac surface for the first 10 metres. The remainder of the car parking area would have a hardcore finish with a topping of quarry dust. The access from the public road would be open – supporting information states that gates would not be provided as they would pose a hazard to anyone opening or

<sup>1</sup> The original proposal included three disabled car parking bays, but was increased to four in response to a suggestion by Inclusive Cairngorms.

shutting them from the roadside, and access to the car park is intended to be open at all times.

4. A tarmac road is proposed from the centre of the car parking area, through the cemetery extension, and then tapering off to a pedestrian path which would lead westwards into the existing cemetery. Gates are proposed at the entry point from the car park, with the vehicular gates remaining locked except when access is required into the cemetery by a funeral hearse or maintenance vehicles. Pedestrian access from the car park into the cemetery would be unrestricted. Grass paths are proposed between the rows of lairs. Permanent surfaced paths were dismissed from the applicants' consideration partly due to budgetary constraints and also in an attempt to keep future maintenance costs at a reasonable level. Reference is made in supporting documentation to grass paths being "fairly common practise across many Local Authorities" and such paths already being in place in 213 burial grounds in the Aberdeenshire Council area. Notwithstanding this, the applicants have suggested that they would be prepared to "look into the costs of Grass Reinforced Protection Mesh" as a means of providing a more level and stable grass path.



Fig. 4 : Proposed site plan

## DEVELOPMENT PLAN CONTEXT

### National policy

5. **Scottish Planning Policy<sup>2</sup> (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish

<sup>2</sup> February 2010

Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:

- The constraints and requirements that planning imposes should be necessary and proportionate;
  - The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and
  - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
6. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
  7. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
  8. *Rural development* : The aim is to enable development in all rural areas which supports sustainable communities whilst protecting and enhancing environmental quality. Planning authorities are encouraged to support and promote opportunities for environmental enhancement in rural areas. Para. 97 focuses on prime agricultural land, advising that this is a finite national resource. Development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy or is necessary to meet an established need.
  9. *Historic Environment* : The historic environment is recognised as being a key part of Scotland’s cultural heritage. Development management decisions are noted as one of the ways in which planning authorities can assist in safeguarding historic assets. The historic environment includes ancient monuments, archaeological sites and landscape and also comprises both statutory and non statutory designations.
  10. **Scottish Planning Policy** includes a specific section on ‘Scheduled Monuments and Designed Wrecks.’ It clarifies that scheduled monuments are archaeological sites, buildings or structures of national or international importance and that “the purpose of scheduling is to secure the long term legal protection of the monument in the national interest, in situ, and as far as possible in its existing state and within an appropriate setting.” It is advised in para. 118 that development which would have an adverse effect on a scheduled monument or the integrity of its setting should not be permitted unless there are exceptional circumstances.

11. Landscape and natural heritage : The **Scottish Planning Policy** document recognises the value and importance of Scotland's landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
12. **Scottish Planning Policy** concludes with a section entitled 'Outcomes' in which it is stated that the "planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets."

### **Strategic Policies**

#### **Cairngorms National Park Plan (2007)**

13. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of 'conserving and enhancing the special qualities' strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.
14. Under the heading of 'Living and Working in the Park' the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them.

### **Structure Plan Policy**

#### **North East Scotland Together, Aberdeen and Aberdeenshire Structure Plan 2001- 2016**

15. The Structure Plan's vision is the development of a sustainable community. Achieving this is based firmly on the principles of
  - responsible management of natural, built and community resources;
  - fairness in allocation of these resources between competing demands; and
  - the need to benefit both existing and future generations.

16. In a section entitled 'Living in the North East' reference is made to community services. It is noted in para. 3.22 that community services take many forms and their distribution, the quality of services, and the level of access varies throughout the North East and impacts on the structure plan aim of connecting communities.
17. 'Looking after the North East' sets out the structure plan policies which provide a framework for the natural, built and cultural aspects of the environment. The approach taken is to give special protection to international, national and locally designated sites of environmental importance and to foster the natural and built heritage as a whole. Policy 20 concerns Built Heritage and Archaeology, stating that the built heritage will be conserved and promoted as a valuable non-renewable resource.

### **Local Plan Policy**

#### **Cairngorms National Park Local Plan (2010)**

18. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
19. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
  - Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
20. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
21. Policy 6 – Landscape : there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
22. Policy 8 – Archaeology : There will be a presumption in favour of preserving in situ Scheduled Monuments and other identified nationally and regionally important archaeological resources, and within an appropriate setting.

23. *Policy 11 – The Local and Wider Cultural Heritage of the Park* : there will be a presumption against development that does not protect or conserve and enhance a site, feature, or use of land of local wider or cultural historic significance, or its setting.
24. *Policy 16 – Design Standards for New Development* : this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. The design of all development is encouraged to :
- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
  - use materials and landscaping that will complement the setting of the development;
  - demonstrate sustainable use of resources; and
  - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.

#### **Supplementary Planning Guidance**

25. In addition to the adoption of the Cairngorms National Park Local Plan (2010), a number of Supplementary Planning Guidance documents were also adopted.

#### **Sustainable Design Guide**

26. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
27. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

#### **CONSULTATIONS**

28. **Historic Scotland** : The consultation responses refers to there being one scheduled monument within the immediate vicinity of the proposed development site (SM86 Tullich, church burial ground and symbol stones), which is located approximately 6 metres to the west of the development site. Historic Scotland confirm that there is no objection. The proposed extension

is considered to complement the existing burial ground and will not have a significant adverse impact on the setting of the scheduled monument.

29. **SEPA** : The initial response from SEPA raised an objection to the proposal due to insufficient information being provided to facilitate an assessment of whether or not the proposals are environmentally acceptable in this location, noting that burials pose a risk of pollution to groundwater. Further information was subsequently provided by the applicants and a revised response was received from SEPA on 7 June, withdrawing the objection and recommending conditions which should be included in the event of the granting of planning permission. Conditions pertain to the need to put in place a procedure, such as a procedure note for grave diggers, incorporating elements of advice.
30. SEPA also assessed the proposal in relation to surface water drainage. The proposals to dispose of surface water via a soakaway are acceptable and would provide the required one level of treatment for surface water run-off from the car parking area.
31. **Aberdeenshire Council Infrastructure Services (Roads)** : The response notes that visibility at the proposed new access is good to the west and adequate visibility<sup>3</sup> could be provided to the east if the roadside bank, wall and vegetation are removed to verge level. It is also confirmed that the proposed parking spaces are acceptable. There is no objection to the development subject to the inclusion of a number of conditions. The recommended conditions concern paving of the first 10m of driveway, the provision of the surfaced car parking area prior to the development being operational, the achievement of visibility splays and the provision of a vehicle turning area within the site,
32. **Aberdeenshire Council Archaeology Service** : The consultation response notes that the subject site occupies an area adjacent to previously recorded archaeology sites.<sup>4</sup> It is recommended, due to the potential for previously unrecorded archaeology to survive in the area, that a condition is applied in the event of the granting of planning permission. The condition would require the implementation of a programme of archaeological works in accordance with a written scheme of investigation.
33. **Aberdeenshire Council Environmental Health Officer (EHO)** : The proposal has been considered and the EHO has confirmed that there are no observations to make.
34. **Ballater and Craithie Community Council** : A number of suggestions for further improvements are offered in the response from Ballater and Craithie Community Council. Reference is made to the need to take into account

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<sup>3</sup> Based on minimum visibility requirements and on design speed, a visibility of 2.4 metres x 215 metres is required.

<sup>4</sup> Site of and remains of chapel (NO39NE0002), which is also designated as a Scheduled Ancient Monument.



access for the disabled at graveyards and in this context it is suggested that all paths, and all gravesides should be hard surfaced to assist with the movement of wheelchairs and those with mobility impairments. It is also suggested that “a covered seating area should be provided for visitors who wish to sit and contemplate” and that provision should also be made for bus parking including provision being made in the layout for adequate manoeuvrability.

35. **Inclusive Cairngorms** : The response from Inclusive Cairngorm makes a number of suggestions including increasing the number of disabled parking spaces from 3 to 4, that hardcore paths are provided between the lairs rather than grass paths in order to allow disabled people to access individual graves, and that all gradients should be in line with recognised standards in order to allow full accessibility for people with disabilities.
36. **CNPA Landscape Officer** : The response notes that the proposed site is within the Inver to Cambus O May landscape character area. Characteristics of the area include a mix of broadleaved, native and managed pine woodlands, open farmland, and settlement. At a local level, the Tullich area has a diverse landscape character and new development in this area has the potential to detract from this character and in particular from the existing cemetery as a historical focal point in the landscape, resulting in a locally significant impact. Notwithstanding this, it is commented that the proposed development respects the scale and pattern of landuse.
37. The response from the Landscape Officer includes recommendations on a number of mitigation measures, including ‘soft landscaping’ which should include a mix of large growing trees, together with small trees and shrubs, the formalisation of the access to the car park<sup>5</sup> in order to echo the strong estate architecture in this landscape character area, and the provision of a maintenance plan which would reflect the significance of the cemetery as a new landscape feature in close association with an historical site.

## REPRESENTATIONS

38. No representations have been received in relation to the development proposal.

## APPRAISAL

### Principle

39. A cemetery is already in existence in this location, and as such the general principle of an extension to that facility is considered acceptable. The cemetery is outside the settlement of Ballater and is on land which is not the subject of any specific land use allocation. The existing cemetery has historic origins at this location. On the basis that an extension to the facility is required, the currently proposed location on adjacent agricultural land is the

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<sup>5</sup> The Landscape Officer suggests that the entrance feature could be mortared stone piers with stone caps, or short stretches of wall with some salvaged cope.

logical and only possible option. Development on the western side of the existing cemetery would not be feasible due to the presence of existing properties. The use of the agricultural land to meet a particular alternative need is acceptable in the context of Scottish Planning Policy considerations on rural development, as discussed in para. 9 of this report.

40. There is an absence of planning policy relating directly to the development of cemeteries. However, in considering it in the context of policies relating to rural development and landscape, the proposal is acceptable. The change of use of this agricultural ground to a cemetery would be a relatively low key development. The main engineered elements, such as the new access and car parking area, would be confined to the eastern extremity of the site. The proposed layout of the rows of lairs echoes the arc arrangement in the existing cemetery. The provision of a substantial area of landscaping in the western area of the subject site would enable the new expansion to merge with the grassed area which is currently on the eastern boundary of the existing cemetery. Although the landscaping details which have been provided at present are limited, this is a matter which is capable of resolution through the use of a condition requiring further details to be agreed with the CNPA prior to the commencement of development. The applicant has already confirmed that a full landscaping plan and maintenance plan will be provided. Details to be agreed would include a comprehensive landscaping plan, including boundary treatments, with treatment of the roadside boundary being of particular importance. Subject to appropriate landscaping the development can be considered to accord with Policy 6 – Landscape of the CNP Local Plan and it has the potential to complement and enhance the landscape character of this particular location.

#### **Natural and cultural heritage**

41. Other than landscape considerations, the proposed cemetery expansion does not raise any other natural heritage issues. The change of use of the agricultural field does not present any ecological concerns. In addition, the earlier concern of SEPA in relation to the potential impact of the development on groundwater has been alleviated due to further information being provided by the applicant.
42. In terms of the cultural heritage of the area, para's 28 and 32 of this report summarise the comments contained in the consultation responses from Historic Scotland and Aberdeenshire Council's Archaeology Section. Whilst the proposed site is in close proximity to a scheduled ancient monument and a recorded archaeological site, the cemetery expansion would not disturb or impact on those features. As stated in the response from Historic Scotland, the proposed extension would complement the existing burial ground. The proposal does not raise issues in relation to the natural or cultural heritage of the area and as such can be considered to accord with the first aim of the National Park.

#### **Technical issues**

43. In considering the technical issues associated with the proposed cemetery expansion, the car parking arrangements and access (both from the public road

and through the cemetery) have generated a number of comments from consultees. The access and car parking arrangement is generally acceptable to the Roads section of Aberdeenshire Council, subject to compliance with a number of conditions, such as achievement of adequate visibility and the provision of a turning area within the new car parking area.

44. As detailed in para. 34, Ballater and Craithie Community Council suggested that provision should be made for bus parking within the proposed new car park. This is a matter which was investigated with the applicant and the response indicated that there is not “available extra space or budget provision in the car park to provide an area to be made for bus parking or for associated manoeuvring provision for buses.” The lack of an identified bus parking area was not mentioned in the response from the Roads department and on the basis of the advice provided in that response, the currently proposed car parking layout is considered acceptable. The new parking area would be a significant improvement on the current car parking provision at the existing cemetery, which is extremely limited, being confined to a recessed area adjacent to the roadside. The use of buses to transport funeral attendees is likely to occur in limited instances and on those occasions, should the need arise, there could be potential to utilise the existing recessed parking area for a large vehicle.
45. Concerns were also raised about the limited number of disabled car parking bays, and in response the number has now been increased from 3 to 4. The nature of the proposed access paths between the lairs was also highlighted, in the context of the need to ensure that there was adequate access provision for all users. Again, this is a matter which was brought to the attention of the applicant. The applicant’s views on the appropriateness of the proposed grass paths is detailed in para. 4. There is a strong precedent for the use of grass paths between lairs rather than the provision of hard surfaced paths, with grass paths being in place in the majority of cemeteries in Aberdeenshire, including within the existing cemetery. From a landscape perspective, the introduction of hard surfaced paths between lairs would introduce a significantly increased extent of engineered works and could potentially give rise to an adverse visual impact. Engineered paths throughout the cemetery extension would negatively contrast with the more low key grassed path finish in the existing adjacent cemetery. A proliferation of hard surfaced paths could also compete with and detract from the setting of the Scheduled Ancient Monument. Taking all of those factors into account, and also recognising that adequate access provision should be provided, the use of grass reinforced protection mesh would appear to offer the best solution. The applicant has indicated a willingness to “look into this.” Rather than a vague commitment, it is suggested that the use of grass reinforced protection mesh becomes a requirement in the event of the granting of planning permission.

### **Conclusion**

46. In conclusion, the proposal to expand the cemetery onto the adjacent agricultural land, and to create a new access and car parking area is acceptable, fits with planning policy, and respects the cultural heritage and traditions of the existing cemetery.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

### Conserve and Enhance the Natural and Cultural Heritage of the Area

47. The proposed development is in close proximity to recorded sites and a Scheduled Ancient Monument. The proposed extension of the cemetery would not adversely impact on the cultural heritage attributes. It has been sensitively designed to echo the existing cemetery layout and would result in the remains of the chapel in the existing cemetery becoming a central feature of the overall expanded cemetery.
48. Landscaping which would be undertaken in conjunction with the development would also be of assistance in setting the cemetery extension into the existing landscape character of the area.

### Promote Sustainable Use of Natural Resources

49. The proposal does not have any impact on this aim.

### Promote Understanding and Enjoyment of the Area

50. The proposal is of limited relevance to this aim.

### Promote Sustainable Economic and Social Development of the Area

51. Cemeteries are necessary to serve communities in the National Park and as such an application for an extension to the existing cemetery at Tullich is considered to contribute to this aim.

## RECOMMENDATION

**That Members of the Committee support a recommendation to GRANT planning permission for a change of use of agricultural land to burial ground (extension to existing burial ground) and formation of new access on land to the east of Tullich Churchyard, Tullich, Ballater, subject to the following conditions :**

1. The development to which this permission relates must be begun within three years from the date of this permission.

**Reason:** To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 or amended by the Planning etc. Scotland Act 2006.

2. Prior to the commencement of development, the following details shall be submitted for the agreement of the Cairngorms National Park Authority acting as Planning Authority :
  - (a) A contoured site plan showing existing and proposed ground levels;
  - (b) A section through the site, from north to south (including from the A93 road to the southern site boundary; and
  - (c) Identification of the gradient of all access roads and paths within the subject site.

**Reason:** to ensure that the development assimilates into the surroundings and to ensure that there is adequate accessibility for all user groups.

3. Prior to the commencement of development the following landscaping details shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority –
  - (a) A detailed landscaping plan pertaining to all areas identified for ‘soft landscaping.’ The landscaping strategy shall include a mix of large growing trees together with smaller trees and shrubs;
  - (b) A planting specification that ensures a high level of establishment and good early growth. The specification shall include details of timing, ground preparation, fertilising and watering;
  - (c) A long term maintenance schedule that secures the form, stability and longevity of the planting and reflects the significance of the cemetery as a new landscape feature in close association with an historical site;
  - (d) Details of all boundary treatments , including details of the treatment of the new access to the car parking area, and details of all gate arrangements. The design of the access and gates should reflect the strong influence of estate architecture in the locality; and
  - (e) Proposals for the provision of grass reinforced protection mesh on all grass paths through the cemetery extension.

The landscaping works shall be undertaken thereafter in accordance with the agreed measures. The landscaped areas shall be maintained in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

**Reason :** in the interests of visual amenity and to enhance the natural heritage value of the area.

4. No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Aberdeenshire Council’s Archaeology Service. Thereafter, the agreed programme of archaeological works shall be fully implemented to ensure that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Cairngorms National Park Authority.

**Reason :** to safeguard and record the archaeological potential of the area.

5. Prior to the commencement of development, a revised site plan shall be submitted for the agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Aberdeenshire Council’s Roads section, to show the achievement of visibility splays, measuring 2.4 metres x 215 metres, at either side of the junction of the new vehicular access and the

A93 public road. The visibility splays shall be formed prior to the first use of the cemetery extension and shall thereafter be kept free of all permanent obstructions above the adjacent carriageway level.

**Reason :** in the interests of traffic safety and in the interests of public safety.

6. The following roads related conditions shall be complied with prior to the cemetery extension coming into use :
- (a) The maximum gradient of the first 5m of the new access must not exceed 1 in 20;
  - (b) the first 10 metres of vehicular access (measured from the edge of the road) shall be fully paved;
  - (c) off street parking for 27 cars, surfaced in hard standing materials, shall be provided within the site, at the location identified on Drawing No. TE/AL Rev F (Tullich Extension, Amended layout);
  - (d) a suitable vehicle turning area, measuring not less than 7.6m x 7.6m shall be formed within the site, to enable all vehicle movements onto or from the public road to be carried out in forward gear.

**Reason :** in the interests of traffic safety and public safety.

7. Prior to the cemetery extension coming into use, a procedure note shall be prepared and made available in perpetuity to all grave diggers, and shall include the following measures :
- (a) Top soil from the top part of the pits shall be placed below the lowest burial depth. This layer of topsoil shall have a minimum thickness of 1 metre and where necessary to achieve this thickness shall include imported topsoil;
  - (b) The burial depth shall be deep enough to allow for 1 metre of soil cover.

All relevant works shall thereafter be undertaken in accordance with the procedures.

**Reason :** as a mitigation measure due to the permeable nature of the soil.

**Advice notes :**

- 1. Adequate precautions shall be taken to protect any Statutory Undertaker's plant which may be affected by the works / development;
- 2. Adequate provision shall be made for internal surface water drainage to ensure that surface water does not run into the site or onto the public road or vice versa;
- 3. An application for a Road Excavation Permit must be submitted to the Infrastructure Services, Area Roads Office, at least 15 days prior to the commencement of any excavation works within the boundaries of the public road. Note : the public road may incorporate carriageway, verge, cycleway / footway and visibility envelopes.

4. In the event that signage regarding 'No dogs' is to be placed on the cemetery gates, it should include details to clarify that this does not pertain to assistance dogs.
5. From the beginning of the operational period of the cemetery extension, burial plots from across the whole of the site area shall be utilised, in order to attenuate the contaminant concentration by increasing dilution / dispersal.
6. For the avoidance of doubt, this consent does not permit the development of the symbol stones shelter shown on the site layout plan, as it is the subject of a separate planning application (CNPA ref. no. 2012/0155/DET).

**Mary Grier**  
[planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)  
**11 June 2012**

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.