

# Agenda Item 9

## MEETING OF DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

13 MARCH 2017

Report submitted in accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, (as amended) the Planning and Development Acts 2000, (as amended), and Section 138 of the Local Government Act, 2001, (as amended).

### Proposed Development of a new Crematorium and associated works at Shanganagh Cemetery, Shankill, Co Dublin

#### **1. PC/PKS/02/16**

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, (as amended), the Council gave notice of the proposed development in the Irish Times on 11<sup>th</sup> May 2016. Plans and particulars of the proposed development were available for inspection from Wednesday 11<sup>th</sup> May 2016 up to and including Tuesday 21<sup>st</sup> June 2016, at the Municipal Services Department and the Planning & Organisational Innovation Department, County Hall, Marine Road, Dún Laoghaire between the hours of 10.00 a.m. to 4.00 p.m., at the Council offices, Dundrum Office Park, Dundrum between the hours 9.30 a.m. to 12.30 p.m. and 1.30 p.m. to 4.30 p.m., and under dlr consultations on the Council's website homepage [www.dlrcoco.ie](http://www.dlrcoco.ie).

Submissions and observations with regard to the proposed development could be made up to and including 5<sup>th</sup> July 2016 by post, by email or online at [dlr](http://dlr) consultations at [www.dlrcoco.ie](http://www.dlrcoco.ie).

#### **2. SITE LOCATION AND DESCRIPTION:**

The proposed facility is to be located in the vacant field between the two developed burial areas within Shanganagh Cemetery. It is bounded to the north by Shanganagh Park and to the south by the lands at Woodbrook. The existing car park, bring facility and the existing cemetery are situated along its western and eastern sides respectively.

#### **3. ZONING AND OTHER OBJECTIVES:**

The site is zoned Objective F, '*To preserve and provide for open space with ancillary active recreational amenities*' with the other objective '*to protect and/or provide for a Burial Ground*' in the Dun Laoghaire-Rathdown County Development Plan, 2016-2022. There is a Specific Local Objective (SLO No.61) which seeks '*to encourage the development of a crematorium at Shanganagh Cemetery*'.

#### **4. DETAILED DESCRIPTION OF PROPOSED WORKS:**

The proposal is for a new crematorium facility and associated works at Shanganagh Cemetery in Shankill, Co Dublin to comprise the following buildings:

- An Upper and Lower Hall for conducting memorial ceremonies
- An administration building comprising staff facilities and public toilets

- A crematorium building
- A coffee and flower shop

The design also proposes:

- Additional car parking facilities
- A Columbarium wall
- New burial plots
- A meadow
- A woodland copse and walk
- A future pedestrian route to connect the Woodbrook LAP lands to Shanganagh Park

The proposed facility is located away from the current areas of public activity. It will be screened from the existing carpark, sports club and the relocated recycling facility by a new 3m high hedge and a new woodland copse and from Shanganagh Park by additional tree belts. It is also sited away from the boundary of the Woodbrook lands which will be developed in line with the adopted Local Area Plan.

Access to the proposed facility is by means of the existing cemetery road off the Dublin Road and via the existing carpark. Visitors will enter through a tall hedge that will screen the new facility. A rearranged and expanded carpark is proposed along with a coffee shop, toilets and a flower selling facility. Mourners will then take a processional route following the funeral cars past a meadow leading to the Lower or Upper Hall. Each Hall has a hard landscaped forecourt for the funeral party with elevated views over the landscape to the south. The Halls are framed on their eastern side by the administration building that also contains toilet facilities and a comfort room for funeral parties. After the ceremony mourners will be guided back to the car park along a meandering woodland walk.

The crematorium building and associated staff parking is located to the west side of the site away from the areas of activity. It is set lower into the landscape, is top lit and surrounded by trees and an embankment to minimise its visual impact.

The total site area is 4.15 hectares.

The internal floor areas of the buildings are:

Lower Hall (Hall 1)	140 sqm
Upper Hall (Hall 2)	119 sqm
Admin/Crematorium	320 sqm
Coffee/Flower Shop	44 sqm

## **5. APPROPRIATE ASSESSMENT**

The proposed development is subject to the Guidance for Planning Authorities on Appropriate Assessment of Plans and Projects in Ireland (Department of Environment, Heritage and Local Government, November 2009), and the Planning and Development (Amendment) (No. 3) Regulations, 2011. These require that screening is carried out for all projects to examine if any impacts are likely on Natura 2000 sites, that is, Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)

Scott Cawley Limited have reviewed the proposed development with respect to the requirement for an Appropriate Assessment and submitted their report. (Report attached).

The report concluded; "Following an examination, analysis and evaluation of the relevant information including, in particular, the nature and design of the proposed development and the potential relationship between the proposed development and the relevant European sites, and applying the precautionary principle it is the professional opinion of the authors of this report that there will be no likelihood of significant effects on any European sites, arising either from the proposed development alone or in combination with other plans or projects. Therefore it is our view that a full Appropriate Assessment is not required."

## **6. IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA:**

Under the current County Development Plan 2016 -2022, the site has the zoning Objective F, *'to preserve and provide for open space with ancillary active recreational amenities'* with the other objective *'to protect and/or provide for a Burial Ground'*. There are numerous uses that will be considered under this objective which are listed on pg. 230 (Chapter 8, table 8.3.10) of the DLR County Development Plan. Development of a crematorium is 'open for consideration' in this 'F' zone and the proposal is thus compatible with the zoning objective for the site.

*A Specific Local Objective (SLO 61) applies to the site. The aim of SLO61 is 'to encourage the development of a crematorium at Shanganagh Cemetery'.*

Having regard to all of the above-mentioned items, it is considered that the proposed development is in accordance with the proper planning and sustainable development of the area.

## **7. INTERNAL REPORTS**

### **1. INFRASTRUCTURE AND CLIMATE CHANGE – TRANSPORTATION SECTION**

In a report dated 8 March 2016 the Transportation Section stated that it had no objection to the proposed development.

It is recommended that that number and timing of crematorium services per day is limited and managed to minimise conflict with other users in the adjoining area.

It is suggested that a review of the pedestrian route to the park in the vicinity of the recycling vehicle access is undertaken to ensure adequate visibility for exiting vehicles of pedestrians at detailed design stage.

### **2. MUNICIPAL SERVICES – WATER & DRAINAGE**

In a report dated 8 April 2016 the Drainage Section note that the site suitability report submitted by Ian Heffernan & Associates is acceptable as it relates to the area adjacent to the trial hole locations. They note that the location of the Trial Pit is approximately 80.00m from the proposed WWTS and request that if on further investigations during detailed design suitable ground conditions cannot be found adjacent to the preferred site the WWTS shall be relocated towards (adjacent to) the existing trial investigation area.

### **3. PLANNING & ORGANISATIONAL INNOVATION – PLANNING SECTION**

In a report dated 16 March 2016 the Planning Department stated that it had no objection to the proposed development, having reviewed the revised Part 8 drawings which address their concerns raised previously.

### **4. HOUSING**

In a report dated 18 January 2016 the Housing Department stated that they have no objection to the proposed development.

## **8. STATUTORY BODIES/ORGANISATIONS:**

The plans were circulated to Irish Water. No report received.

## 9. SUBMISSIONS/OBSERVATIONS

### 9.1. Submissions

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended, the Council gave notice of the proposed development in the Irish Times on Wednesday 11 May 2016 indicating that submissions would be accepted up to and including Tuesday 5 July 2016.

A site notice (in the prescribed format) was also erected on the site and maintained in place for the prescribed period. 7 submissions were received within the stipulated time period and are listed as follows:

**TABLE A: List of persons/bodies who made submissions**

No.	Name
1.	Shanganagh Football Club
2.	Eileen Counihan
3.	Maria Griffin
4.	Corbawn Area Residents Association
5.	Colman Curran & Elizabeth Clooney
6.	Kiltarnan Glenamuck Residents Association
7.	Gay & Bernard Wright

### 9.2 Summary of the issues raised in the submissions/observations received

5 of the submissions were in favour of the proposed development. Those submissions which objected to the proposal raised a number of issues. The submissions (and the detail pertinent to the respective submissions) are duly noted, and have been assessed accordingly. The pertinent issues raised and the Chief Executive's responses are summarised as follows:

	Issue	Response
	<b>Emissions</b>	
	Concern about the potential health risks from harmful emissions entering the air, the soil and drinking water	In a report submitted to An Bord Pleanála, (copy attached) the likely emissions from the crematorium have been assessed by Consultants Clifton Scannell Emerson , who have concluded

		that "emissions from the crematorium exhaust stack will be effectively dispersed and are very significantly lower than the air quality limit values specified in the <i>Air Quality Standards Regulations 2011</i> , SI no 180 of 2011"
	Concern about proximity of facility to an area of sporting and recreational activities and to residential areas	As above. In addition the proposed development has been designed to be visually screened through dense planting from the adjoining open space
	Need for monitoring of emissions to be made public	The report from Consultants Clifton Scannell Emerson gives details of the planned programme for monitoring of emissions. Such data will be available for public inspection.
	<b>Traffic</b>	
	Significant increase to traffic and traffic pollution in Shankill village and into the cemetery/crematorium	In a report submitted to An Bord Pleanála (copy attached) this issue has been considered by Consultants Clifton Scannell Emerson who have concluded that the level of traffic likely to be generated by the proposed development is not significant for the public roadway and that the proposed development has sufficient onsite parking and will not adversely affect traffic on the public roadway (R119). In this regard it is also noted that the proposal may be developed on a phased basis.
	The local road infrastructure is inadequate to deal with increased levels of traffic	As above
	<b>Location</b>	
	Proposed facility is situated in a densely populated suburban area	The proposed facility is to be located in the vacant field between the two developed burial areas within Shanganagh Cemetery. It is located a considerable distance from existing suburban residential areas. Crematoria are generally sited in urban areas.

	Loss of public open space	There is no loss of public open space. The proposed facility is to be located in the vacant field between the two developed burial areas within Shanganagh Cemetery. The subject lands were acquired by the former Deansgrange Joint Burial Board for the purposes of developing a cemetery or other cemetery activities. It was not acquired as Public Open Space. A Specific Local Objective (SLO 61) applies to the site. The aim of SLO61 is ' <i>to encourage the development of a crematorium at Shanganagh Cemetery</i> '.
	<b>Other Issues</b>	
	An Environmental Impact Statement is needed to assess emissions and the impact on traffic	This issue was considered by An Bord Pleanála whose determination was that the proposed development would not be likely to have a significant effect on the environment and that an EIS is not required
	Could have chosen more appropriate period for the public consultation	The Statutory process has been adhered to. The Council gave notice of the proposed development in the Irish Times on 11 <sup>th</sup> May 2016. Plans and particulars of the proposed development were available for inspection from Wednesday 11 <sup>th</sup> May 2016 up to and including Tuesday 21 <sup>st</sup> June 2016. After this period submissions and observations with regard to the proposed development could be made up to and including 5 <sup>th</sup> July 2016 by post, by email or online at <a href="http://dlrconsultations.com">dlr consultations at www.dlrcoco.ie</a> .
	Lack of public meeting to discuss the proposal	As above
	Public parkland should not be reassigned for a commercial venture	The proposed facility is to be located in the vacant field between the two developed burial areas within Shanganagh Cemetery. The subject lands were acquired by the former Deansgrange Joint Burial Board for the purposes of developing a cemetery or other cemetery activities. It is not located on parkland. A

		Specific Local Objective (SLO 61) applies to the site. The aim of SLO61 is <i>'to encourage the development of a crematorium at Shanganagh Cemetery'</i> .
	The facility should be managed in the public interest and retained in public ownership.	Whilst not a planning issue, there are no plans for public ownership of the facility to change.

Corbawn Area Residents Association in accordance with Article 120(3b) of the Planning & Development Regulations, 2001-2015, also submitted a request to An Bord Pleanala seeking a determination as to whether the Council should be directed to prepare an Environmental Impact Statement in respect of the proposed development. Their request raised concerns in relation to the impact of the proposed development on local traffic and also in relation to emissions from the proposed development. An Bord Pleanala's determination, issued in January 2017, was that the Council should not be directed to produce an EIS.

## **10. CONCLUSION:**

The proposed development is in accordance with the zoning objective of the area and the specific local objective for the area as set out in the Dún Laoghaire-Rathdown County Development Plan, 2016-2022. The development accords with the proper planning and sustainable development of the area.

## **11. RECOMMENDATION:**

The proposed development is considered to be in accordance with the provisions of the 2016-2022 Dún Laoghaire-Rathdown County Development Plan and with the proper planning and sustainable development of the area. In accordance with the legislation, the proposed development may be carried out as recommended in the Chief Executive's Report, unless the Council, by resolution, decides to vary or modify the development otherwise than as recommended, or decides not to proceed with the development.

Subject to the above approval, members are hereby notified in accordance with Section 138 of the Local Government Act, 2001, as amended, of the intention to proceed with the proposed development, subject to any such minor or immaterial alterations to the plans and particulars of the development.

Richard Shakespeare, Director of Municipal Services