

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 1 APRIL 2011

**10/1016/PP – DEMOLITION OF EXISTING PLAYBARN AND ERECTION
OF NEW SPORTS CHANGING PAVILION, SECURITY FENCE AND CCTV
COLUMNS
AT THE RECREATION GROUND, HEMPHILL VIEW, KNOCKENTIBER
BY EAST AYRSHIRE COUNCIL (NEIGHBOURHOOD SERVICES)**

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/1016/PP>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission is sought for the erection of a sports changing pavilion to the north of the football pitch. The changing facility will be single storey in construction and be of an L shape layout some 228 square metres in floorspace, approximately 28 metres in length and some 13 metres in width at its widest point. The maximum height of the pitched roof building will be approximately 5.6 metres. The building will be enclosed in a compound area surrounding by fencing some 2.4 metres in height consisting of weldmesh panels of a painted finish.

1.2 Internal accommodation will consist of two changing rooms with associated shower and WC accommodation. There will also be an accessible toilet accommodation, storage and a social area.

1.3 The property has a pitched roof and external works will be a wet dash render finish with magnolia masonry paint. The roof will be finished in platisol coated sheeting with the colour to be confirmed. The barge boards under the roof on the gable elevation, are similarly detailed.

1.4 The front and side elevations contain access doors with the main accessible access being located on the west gable elevation facing into the recreation ground. Level access will be provided at the main entrance on the elevation facing Hemphill View. The rear elevation facing Kilmaurs Road will have two external heat pump units. The changing facility will be surrounded by a 2.45 metre high palisade fence which will also enclose two CCTV columns within the site.

1.5 As detailed in Section 6 of this report, this is an amended application following the approval of a sports changing pavilion in 2010. Members are advised that the primary changes with this application comprise the demolition of the existing playbarn and in its place, the erection of this proposed pavilion. The previous application retained the playbarn. The current application also

proposes a building some 37 sqm in floorspace larger than the previous approval and is no greater in height. This application has been submitted as an alternative to the earlier application due to a change in the applicant's circumstances with the playbarn,

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the application is in accordance with the Development Plan and therefore should be approved unless material considerations indicate otherwise. As indicated in Section 6 there are material considerations relevant to this application however these are supportive of the application.

3.2 The existing pavilion will accommodate modern facilities to better enable the use of the sports playing field at this location. The new pavilion will provide up to date and secure sporting facilities as well as improving the visual amenity of the area. The design of the new building is relatively simple in form and is positioned further away from nearby residential properties than the earlier application improving residential amenity for residents. The removal of the playbarn will result in one changing pavilion at this location which will improve the general amenity of the surrounding area. The ancillary security fence and associated CCTV help maintain a level of security and do not adversely impact on the proposal. Whilst no objections have been raised with this application in the neighbour notification process and the application has also been advertised in the local press, it would be prudent noting the proximity of this application site to the previous site, for Members to consider imposing the same conditions as were agreed in respect of the earlier consent.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development, the application would not require to be referred to the Full Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

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

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 1 APRIL 2011

10/1016/PP – DEMOLITION OF EXISTING PLAYBARN AND ERECTION OF NEW SPORTS CHANGING PAVILION, SECURITY FENCE AND CCTV COLUMNS AT THE RECREATION GROUND, HEMPHILL VIEW, KNOCKENTIBER BY EAST AYRSHIRE COUNCIL (NEIGHBOURHOOD SERVICES)

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for planning permission which is to be considered by the Northern Local Planning Committee under the Council's scheme of delegation as the Council is the applicant.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within the settlement of Knockentiber and comprises an area of land within the existing Recreation Ground, located centrally within the village. The site extends to some 462 sqm. The application site includes the area of ground where the existing sports playbarn is positioned and is bound by Kilmaurs Road to the east, the recreation ground to the west and south, beyond which are the residential properties of Castle Terrace and Hemphill View, and to the north of the site lies the terraced residential properties of Hemphill View and a small area of open space.

2.2 **Proposed Development:** Planning permission is sought for the erection of a sports changing pavilion to the north of the football pitch. The changing facility will be single storey in construction and be of an L shape layout some 228 square metres in floorspace, approximately 28 metres in length and some 13 metres in width at its widest point. The maximum height of the pitched roof building will be approximately 5.6 metres. The building will be enclosed in a compound area surrounding by fencing some 2.4 metres in height consisting of weldmesh panels of a painted finish.

2.3 Internal accommodation will consist of two changing rooms with associated shower and WC accommodation. There will also be an accessible toilet accommodation, storage and a social area.

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2.5 The front and side elevations contain access doors with the main accessible access being located on the west gable elevation facing into the recreation ground. Level access will be provided at the main entrance on the elevation facing Hemphill View. The rear elevation facing Kilmaurs Road will have two external heat pump units. The changing facility will be surrounded by a 2.45 metre high palisade fence which will also enclose two CCTV columns within the site.

2.6 As detailed in Section 6 of this report, this is an amended application following the approval of a sports changing pavilion in 2010. Members are advised that the primary changes with this application comprise the demolition of the existing playbarn and in its place, the erection of this proposed pavilion. The previous application retained the playbarn. The current application also proposes a building some 37 sqm in floorspace larger than the previous approval and is no greater in height. This application has been submitted as an alternative to the earlier application due to a change in the applicant's circumstances with the playbarn,

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Leisure Services have advised that their service will be responsible for the management of the new sports pavilion.

3.2 Scottish Power have no objections but require their apparatus in the vicinity to be notified to the applicant.

An advisory note can be attached to any consent that Members decide to grant.

3.3 East Ayrshire Access Panel does not object but raises a query concerning internal fixtures and fittings within the social area.

The applicant's agent will address this matter through the building warrant process.

3.4 The Scottish Environment Protection Agency does not object to the proposal and comments via standard advice on foul and surface water drainage, pollution prevention, and domestic waste.

Appropriately worded conditions and advisory notes can be incorporated to address such issues should Members decide to grant consent.

3.5 East Ayrshire Council's Estates and Asset Management and Outdoor Services Divisions have not responded to their consultations.

3.6 Knockentiber Community Council is not in operation at the present time.

3.7 East Ayrshire Council's Roads and Transportation Service have no objections subject to:-

- The provision of a car parking plan
- surface water should not run off the car park area to the public carriageway
- the car park access using the existing access
- the provision of visibility sightline splay areas
- boundary hedging/fencing adjacent to the public road being less than 1 metre in height
- any proposed gates opening inwards away from the public road.

A revised plan has been provided showing the car park layout which has been agreed with the Council's Roads and Transportation Service. Should Members choose to grant consent the other matters raised above can be addressed by conditions or advisory notes.

3.8 East Ayrshire Council's Environmental Health Service have not responded to their consultation at the time of writing this report.

3.9 Scottish Water has no objections to this application and recommends early contact with the developer.

A copy of this consultation response was forwarded to the applicant's agent and an advisory note can be incorporated into any consent that Members might choose to grant.

4. REPRESENTATIONS

4.1 Following neighbour notification and public advertisement of this proposal, no objections have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of this application, the Development Plan comprises the Adopted East Ayrshire Local Plan (EALP 2010).

East Ayrshire Local Plan

5.2 Policy CS6 presumes against certain types of development within safeguarded areas of public recreational space unless it complies with certain criteria such as the development of pavilions or other ancillary facilities to serve any existing or proposed outdoor sport or recreational facilities.

The proposed development is for the erection of a new sports pavilion including changing facilities for use in sports playing fields. The application is therefore compliant with the principles of Policy CS6.

5.3 Policy CS8 states that the council will not support the redevelopment of playing fields and sports pitches unless in certain stated circumstances including where the proposed development would be ancillary to the principal use of the site as a playing field or sports pitch, and the proposed development involves a minor part of the playing field/sports pitch which would not affect its use and its potential for sport and training.

The proposed sports pavilion is on the site of the existing playbarn and is located outwith the pitch area of the recreation ground. The changing pavilion is ancillary to the use of the recreation ground as a playing field or sports pitch and will not compromise its use. The pavilion will provide up to date changing facilities and will be complementary to the pitches, seeking to encourage sport and recreation. The proposed development is therefore compliant with Policy CS8

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The material considerations relevant in the determination of this application are the consultation responses, letters of representations, planning history and the impact upon amenity.

Consultation Responses

6.2 The consultation responses do not raise any issues of sufficient weight to warrant refusal of this application.

Representations

6.3 No objections have been received.

Impact on Visual Amenity

6.4 The impact of the proposed single storey development on the surrounding visual amenity is considered to be a significant improvement noting that this application seeks to remove the existing playbarn which would benefit from works to improve its condition and that this proposal will result in a single building within this area of open space and an improved facility. The relocated building has also been re-positioned and is not now located in front of residential properties as it is now proposed to locate it on the site of the playbarn closer to Kilmaurs Road.

Planning History

6.5 09/0780/PP for the erection of a sports changing pavilion, security fence and CCTV columns was granted subject to conditions on 29 January 2010. This application sought to retain the existing playbarn and site the proposed changing pavilion alongside the playbarn opposite the terraced residential properties at nos. 69-75 Hemphill View.

6.6 This application received six objections which related to a lack of consultation with residents and concern at the proposal to retain two buildings when one building to encompass both facilities could have been provided, the detrimental impact on residents from the location and design of the building (including an obstruction of views to monitor their children when playing in the recreation ground), a lack of information of refuse storage, concerns over the proposed social area and concerns over CCTV.

6.7 The application was considered by the Northern Local Planning Committee following a hearing process. The committee members heard from both objectors and the applicant and it was agreed to grant planning permission subject to the recommendation in the committee report with additional conditions being imposed in respect of landscaping (between the building and the residential properties at Hemphill View) and fencing design details to be agreed prior to work commencing on site and the formation of a Community Liaison Committee to inform and discuss matters which arise during the construction of the new sports pavilion and which relate to the local community and surrounding area.

The planning history is a material consideration in the determination of this planning application and whilst this application has not attracted any objections though the neighbour notification and public advertisement processes, it would be prudent for Members to consider attaching these conditions to this application if they choose to grant consent. In this respect it is noted that the application site is adjacent to that of the previous application and whilst the playbarn is now proposed for removal, there is merit in the interests of residential amenity to impose the same conditions in planning terms.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The Council has an ownership interest in the site and is the applicant for this proposal, but there are no significant legal implications in the determination of this application.

7.2 The application will not require to be referred to the Scottish Ministers in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 if Members decide to grant consent.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the application is in accordance with the Development Plan and therefore should be approved unless material considerations indicate otherwise. As indicated in Section 6 there are material considerations relevant to this application however these are supportive of the application.

8.2 The existing pavilion will accommodate modern facilities to better enable the use of the sports playing field at this location. The new pavilion will provide up to date and secure sporting facilities as well as improving the visual amenity of the area. The design of the new building is relatively simple in form and is positioned further away from nearby residential properties than the earlier application improving residential amenity for residents. The removal of the playbarn will result in one changing pavilion at this location which will improve the general amenity of the surrounding area. The ancillary security fence and associated CCTV help maintain a level of security and do not adversely impact on the proposal. Whilst no objections have been raised with this application in the neighbour notification process and the application has also been advertised in the local press, it would be prudent noting the proximity of this application site to the previous site, for Members to consider imposing the same conditions as were agreed in respect of the earlier consent.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development, the application would not require to be referred to the Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

23 March 2011

FMF/RH

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Adopted East Ayrshire Local Plan
5. Planning application 09/0780/PP

Anyone wishing to inspect the above papers please contact Fiona Finlay, Principal Planning Officer, on 01563 576798.

Implementation Officer: Hugh Melvin

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/1016/PP

Location	Recreation Ground Hemphill View Knockentiber KA2 0DG
Nature of Proposal:	Demolition of existing playbarn and erection of new sports changing pavilion, security fence and CCTV columns
Name and Address of Applicant:	Neighbourhood Services London Road KA3 7BU
Name and Address of Agent	East Ayrshire Council Asset Improvement Service Lugar KA18 3JQ

Officer's Ref: Fiona Finlay
01563 576798

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

1. Prior to the commencement of development on site, details of the proposed colour and external materials of the profiled roof structure and associated wall panelling shall be submitted to, and approved in writing by, the Planning Authority.

Reason: In the interests of visual amenity.

2. Prior to their installation on site, details shall be submitted to and approved in writing by the Planning Authority, which confirm the extent of the area over which the proposed CCTV cameras will be able to view. The CCTV cameras shall thereafter operate within the agreed parameters at all times.

Reason: In the interests of residential amenity.

3. No demolition or external construction work, site clearance or preparation works shall take place before 08:00 hours and after 18:00 hours on Mondays to Fridays and before 08:00 and after 13:00 hours on Saturday, nor at any time on Sundays.

Reason: In the interests of residential amenity.

4. During the period of construction works, the developer of the site shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction and any other vehicles.

Reason: In the interests of public and road safety.

5. No material other than topsoil shall be brought into the site for the purposes of infilling or raising ground levels without the prior written consent of the Planning Authority.

Reason: In order to control the development of the site and materials used in the making up of ground levels.

6. Any waste arising from the construction works shall be disposed of to the satisfaction of the Waste Management Authority and other than by means of burning on site.

Reason: In the interest of residential amenity.

7. If any unsuspected contamination is encountered during construction works, the Planning Authority shall be informed immediately and any required remedial measures shall be submitted to and approved by this Authority. The approved measures shall be implemented on site and confirmation that all contaminated land has been dealt with as approved shall be forwarded to the Planning Authority, all prior to the building being brought into use.

Reason: In order to ensure that any contaminated soil is dealt with appropriately.

8. All proposed floodlighting shall be positioned and directed to minimise disturbance to neighbouring properties.

Reason: In the interests of residential amenity.

9. Notwithstanding condition 8 above, prior to any work commencing on site and notwithstanding the approved plans, details and plans of the position, height and light direction and technical specification of all floodlights shall be submitted to and approved in writing by the Planning Authority. All floodlighting shall thereafter be installed as approved prior to the building being brought into use.

Reason: In the interests of residential amenity.

10. Prior to any work commencing on site and notwithstanding the approved plans, details of refuse storage shall be submitted to and approved in writing by the Planning Authority. The approved scheme shall be implemented prior to the building being brought into use.

Reason: In the interests of residential amenity.

11. Prior to any work commencing onsite and notwithstanding the approved plans, details of the position, design and specification of the 'heat pumps' as indicated on the proposed plans, shall be submitted to and approved in writing by the Planning Authority. The heat pumps shall be installed and thereafter maintained as approved for the life of the building.

Reason: In order to ensure that there is no disturbance to neighbouring properties.

12. Any proposed gates shall open inwards into the application site and away from the public road.

Reason: In the interests of road safety.

13. All boundary hedges and/or walls adjacent to the public road shall be maintained at less than 1 metre in height.

Reason: In the interests of road safety.

14. Prior to the approved pavilion being brought into use, visibility splays at the access to the car park shall be formed being 2 metres back from the rear of the footway to 2 metres either side of the car park entrance. These shall be maintained for the operational life of the pavilion. Within this visibility splay, no obstruction greater than 1 metre in height shall be formed.

Reason: In the interests of road safety.

15. Notwithstanding the approved plans, details of the design and construction of all fences and walls (including details of the design of any gates) to be erected on the site shall be submitted to and approved in writing by the Planning Authority before any development commences on the site. These shall be formed on site prior to the sports changing pavilion being brought into use and shall be maintained thereafter. The details to be submitted under the terms of this condition shall include a design of the boundary fence, which is not a palisade fence.

Reason: In order to allow the Planning Authority to control the design and construction of such features in the interests of visual amenity;

16. Prior to the commencement of any works on site, the applicant shall establish a Community Liaison Committee to inform and discuss matters which arise during the construction of the new sports pavilion and which relate to the local community and surrounding area. The composition of this Committee, the means by which it shall be formed and its role shall all be agreed in writing with the Planning Authority prior to the commencement of works on site. Meetings shall be held on a monthly basis or as otherwise required thereafter for the entire period of construction works on site.

Reason: To inform the community of matters which arise during the construction of the new sports pavilion;

17. Notwithstanding the approved plans, a landscaping scheme (including a maintenance scheme) of planting in the area of land facing onto the residential properties at Hemphill View, shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any development on site and shall be implemented not later than the next appropriate planting season after the occupation of the sports pavilion. The scheme shall include details of the provision to be made for maintenance of soft landscaped areas and shall be maintained thereafter in accordance with these details. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size or species as may be agreed in writing with the Planning Authority.

Reason: in the interests of visual amenity and to ensure that adequate open space is provided and to provide screening to adjacent residential properties.

Advisory Notes to Applicant

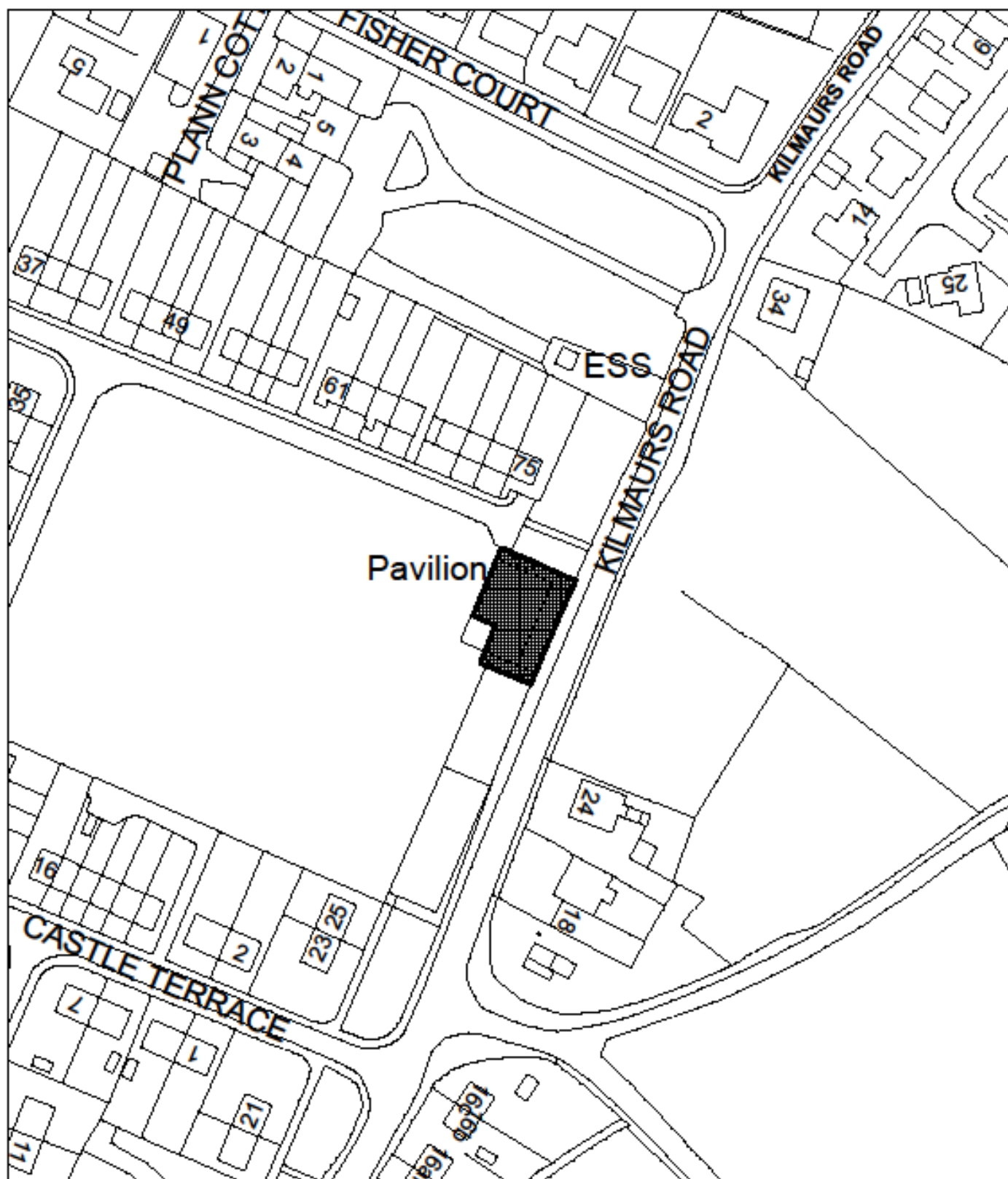
1. Construction works associated with the development shall be carried out in accordance with SEPA's guidelines on avoidance of pollution, and reference should be made to the relevant Pollution Prevention Guidance (PPG) from SEPA. Any waste materials imported to the site should be stored and used only in accordance with the waste management licence or exemption under the Waste Management Licensing Regulations 1994 as amended. Any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations.



2. The applicant shall make early contact with Scottish Water on 0845 601 8855. The applicant should ensure that prior to development commencing on site, they have secured agreement from Scottish Water regarding the suitability of all proposed drainage connections and the suitability of the existing infrastructure to accommodate such connection.

3. The developer shall make early contact with Scottish Environment Protection Agency and Scottish Water to confirm their request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.

4. The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.

5. The applicant shall make early contact with Scottish Water Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, regarding sewer and water connections.
6. The applicant shall make contact with East Ayrshire Council's Roads and Transportation Service at Greenholm Street, Kilmarnock or on 01563 573568 with regard to any traffic management, road construction to works administered by that Service.
7. The applicant is advised to contact Scottish Power to establish if the proposal is likely to affect any apparatus.
8. If any suspected contamination is discovered, the Council shall be informed accordingly along with any required remedial measures formulated to address the risk of exposure to key receptors.
9. The Council's Roads and Transportation Service have advised that no water shall discharge from the car park onto the public footway and carriageway. The applicant is advised to make early contact with the Council's Roads and Transportation Service at Greenholm Street, Kilmarnock or on 01563 576310.



<p>Title/Location Hemphill View, Knockentiber</p> <p>Application No. 10/1016/PP</p>	<p>East Ayrshire Council Department of Neighbourhood Services Planning & Economic Development Service. 6 Croft Street Kilmarnock KA1 1JB Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk</p> <p>Com Date: 1/4/2011</p>
<p>Key</p> <p> Application Site</p>	<p style="text-align: right;"></p>

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