

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 29 JANUARY 2010

**09/0780/PP – ERECTION OF NEW SPORTS CHANGING PAVILION,
SECURITY FENCE AND CCTV COLUMNS
AT THE RECREATION GROUND, HEMPHILL VIEW, KNOCKENTIBER
BY EAST AYRSHIRE COUNCIL (NEIGHBOURHOOD SERVICES)**

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, approximately 23 metres in length and some 72 metres in width. The maximum height of the pitched roof building will be just under 5 metres.

1.2 Internal accommodation will consist of two changing rooms with associated shower and accommodation. There will also be 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 elevations, are similarly detailed.

1.4 The front elevation (southerly) has two steel doors to provide level access and the eastern gable elevation accommodates a steel roller door. The rear (northern) elevation will have two 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. 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 in such away as to reduce visual impact, being shielded by the existing play barn. The ancillary security fence and associated CCTV help maintain a level of security and do not adversely impact on the proposal. The objections raised through the representation process have been noted but do not warrant refusal of this application.

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.

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Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for planning permission which is to be considered by the 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 421sqm. The application site is bound by the existing play barn 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.

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, approximately 23 metres in length and some 72 metres in width. The maximum height of the pitched roof building will be just under 5 metres.

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

2.4 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 elevations, are similarly detailed.

2.5 The front elevation (southerly) has two steel doors to provide level access and the eastern gable elevation accommodates a steel roller door. The rear (northern) elevation will have two 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.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Leisure Services have advised that the new facility will be a valuable addition to the sports facilities in area and will provide modern accommodation with improved access for local sports teams. The new building will replace the limited and unsuitable changing accommodation currently available in the adjacent sports barn. The new building has been designed to meet all appropriate criteria and will be covered by CCTV. The building will have a secure fence surrounding it and it is not envisaged that it will result in any additional use of the adjacent sports pitch. All buildings will be managed and maintained by the Council's Leisure Services Division.

Noted.

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 queries concerning internal fixtures and fittings and car parking.

The points raised have all been forwarded to the applicant's agent who will address these matters through the building warrant process.

3.4 The Scottish Environmental 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 Amenities Divisions and Scottish Water 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 Division have requested a car parking plan and have also advised that surface water should not run off the car park area to the public carriageway.

A car parking layout plan can be required by condition should Members choose to grant consent and surface water discharge can be addressed by an advisory note.

- 3.8 East Ayrshire Council's Environmental Health Division advise that they have no objections subject to standard conditions concerning hours and noise from construction works, burning construction waste, drainage and flooding being designed not as to disturb nearby residents.

These matters can be dealt with by conditions or advisory note should Members decide to grant consent.

4. REPRESENTATIONS

- 4.1 Six individual parties have submitted objections covering the following issues:

4.2 The site for the new facility has been chosen without any consultation with the public or adjacent residents. Why is the existing play barn not being taken down and a facility which could encompass both facilities being provided, or at least a modernisation of the play barn to include changing facilities so there would be no need for this new building?

Neighbourhood Services have confirmed that the new facility will be a valuable addition to the sports facilities in the area and will provide modern accommodation for local sports teams, with on-going management of the facility undertaken by Leisure Services. The proposal accords with the Local Plan objectives for the development of new sports facilities on recreational open space and will be of benefit to the local community.

4.3 The Pavilion and the security fence are in the line of sight between the existing play barn and a number of properties in Hemphill View. The introduction of a building in this open space area could interrupt views for residents being able to monitor their children in the adjacent open space. In addition, the design of the proposed building will have a detrimental effect on the area.

There is no evidence to suggest that the introduction of a new Sports Pavilion would make the surrounding area less safe as it is overlooked by a number of properties in the area, and the CCTV will provide additional level of supervision. The appearance of the building is fairly standard; however its single storey design will ensure that the building is not overly dominant in relation to surrounding buildings.

4.4 There is no provision for refuse storage and as the Pavilion has a 'Social Area', some rubbish could be generated. Residents would not wish to

have a refuse collection facility in plain view. Furthermore, the Social area may generate a greater demand for parking which is not catered for the application, which will exacerbate existing parking problems.

Refuse will be dealt with in the standard manner as per other similar facilities by the Council's Environmental Health Division and if Members choose to grant consent, a condition can require approval of the area for refuse storage. With regard to the parking issues, the Road and Transportation Division have assessed the application and have no adverse comments, with the proviso that a car park layout shall be submitted for consideration. This can be the subject of a condition should Members decide to grant consent.

4.5 What assurance can be provided that the proposed CCTV cameras are not able to look into adjacent homes? The site is overlooked on three sides and the cameras are largely unnecessary. In addition, are there any controls for the construction of the building, for the lorries and noise generated etc?

So far as reasonably practical, the line of sight for CCTV is restricted to cover only the area within the applicant's control. With regard to CCTV, Legal Services general advice is as follows:

- ***The Council is bound by its Code of Practice in relation to the operation of its CCTV system and abides by the terms of the Data Protection Act 1998.***
- ***Neighbouring private properties will be be 'greyed out'. This measure means that no camera images can be obtained of neighbouring private properties.***

The purpose of the installation of CCTV cameras is to aid the reduction and detection of criminal activity; promote public and employee safety; and promote safety within the community.

In respect to the noise generated by construction traffic, suitable conditions can be attached to address such matters, should Members decide to grant consent. The Council's Environmental Health Division also have statutory powers to control noise levels if they become a nuisance.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of this application, the Development Plan complies with the Adopted East Ayrshire Local Plan (EALP2003).

East Ayrshire Local Plan

5.2 Policy TLR8 supports the provision of specific types of development on existing areas of maintained amenity or recreational open space specifically

with regard to the development of pavilions (such as proposed) or other ancillary facilities to serve any existing or proposed outdoor sport and recreational activities in the area.

The proposal is for a new sports changing pavilion which will provide improved facilities for the existing adjacent sports playing fields. The design of the building is considered to be appropriate and the application therefore comprises with Policy TLR8.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 Policy CS6 of the Alteration to the Local Plan supports certain types of development within areas of public recreational space 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.

Consultation Responses

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

Representations

6.3 The objections received have been noted and none of the points raised, warrant refusing the application. Many of the objectors concerns can be covered by planning conditions should Members choose to grant consent.

Impact on Visual Amenity

6.4 The impact of the proposed single storey development on the surrounding visual amenity is considered to be minimal noting it is an area of open space and noting also the existing play barn.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The Council has an ownership interest in the site, 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 in such away as to reduce visual impact, being shielded by the existing play barn. The ancillary security fence and associated CCTV help maintain a level of security and do not adversely impact on the proposal. The objections raised through the representation process have been noted but do not warrant refusal of this application.

9. RECOMMENDATION

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

CONTRARY DECISION NOTE

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Alan Neish
Head of Planning and Economic Development

18 January 2010
FMF/KW

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Adopted East Ayrshire Local Plan.
5. Modified East Ayrshire Local Plan Finalised Version with Modifications.

Anyone wishing to inspect the above papers please contact Fiona Finlay, Principal Planning Officer, on 01563 555483.

Implementation Officer: Dave Morris

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0780/PP

Location	Recreation Ground Hemphill View Knockentiber KA2 0DG
Nature of Proposal:	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 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 as such at all times.

Reason: In the interests of residential amenity.

3. Prior to any work commencing on site, plans confirming a car park layout shall be submitted to and approved by the Planning Authority. Prior to the sports changing pavilion hereby approved being brought into use, the car park shall be laid at as approved and maintained thereafter.

Reason: In the interest of road safety.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. The proposed floodlighting shall be positioned and directed to minimise disturbance to neighbouring properties.

Reason: In the interests of residential amenity.

10. Notwithstanding condition 9 above, prior to any work commencing on site, 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 be thereafter be installed as approved prior to the building being brought into use.

Reason: In the interests of residential amenity.

11. Prior to any work commencing on site, 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.

12. Prior to any work commencing onsite, 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.

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 Division at Greenholm Street, Kilmarnock or on 01563 573568 with regard to any traffic management, road construction to works administered by that Division. The applicant is also advised that the Council's Roads Division have stated that surface water should not run off the car park area to the public carriageway.

7. The applicant is advised to contact Scottish Power to advise 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.