

**EAST AYRSHIRE COUNCIL
DEVELOPMENT SERVICES COMMITTEE: 14 DECEMBER 2004**

**04/0992/LA: PROPOSED FORMATION OF MULTI USE GAMES AREA WITH
SYNTHETIC TURF FINISH AND ASSOCIATED FENCING AND LIGHTING
AT STEWARTON ACADEMY, STEWARTON
BY EAST AYRSHIRE COUNCIL**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This application concerns a Notice of Intention to Develop by the Council to form a multi-use games area with synthetic turf finish and associated enclosing fencing and lighting. The multi use games area measures 60 metres by 40 metres with a fixed metal fence enclosure 5 metres high. The games area will be lit when in use at night by ten floodlighting poles 10 metres high incorporated into the external fencing unit.

1.2 The proposed facility will be used by the secondary school through the day in term time but the facility will also be available for public and community use outwith school hours, during school holidays and at the weekend.

1.3 The facility will be managed and supervised by the Department of Education and Social Services and will close at 10:00pm every day. Existing changing facilities within the school will be made available for public and community use outwith school hours during school holidays and at weekends

1.4 This application is a revised submission which has the games area some 115 metres away from the housing at Cauldhame Rigg, Stewarton.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report the application is in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

3.2 As indicated in Section 6 of the report there are material considerations relevant to this application. The consultation responses received present no adverse comments regarding the proposed development. With regard to the concerns of the objector, and the proposal having been amended to further separate the existing housing from the games area, these are not considered to be of such significance as to merit refusal of the application.

3.3 As the proposal is to be located at a remote site within the school grounds and its use supervised by the Education Authority, it is considered that the proposal will not have a detrimental effect on the amenity of the area and therefore the proposal should be approved.

Alan Neish
Head of Planning, Development and Building Standards

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 Executive Director of Development Services

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application under the Notice of Intention to Develop procedures which is to be considered by the Development Services Committee in accordance with the scheme of delegation as it is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises the car park, changing facilities and a grassed area to the south of the rugby pitch at Stewarton Academy Cairnduff Place Stewarton.

2.2 **Proposed Development:** This application concerns a Notice of Intention to Develop by the Council to form a multi-use games area with synthetic turf finish and associated enclosing fencing and lighting. The multi use games area measures 60 metres by 40 metres with a fixed metal fence enclosure 5 metres high. The games area will be lit when in use at night by ten floodlighting poles 10 metres high incorporated into the external fencing unit.

2.3 The proposed facility will be used by the secondary school through the day in term time but the facility will also be available for public and community use outwith school hours, during school holidays and at the weekend.

2.4 The facility will be managed and supervised by the Department of Education and Social Services and will close at 10:00pm every day. Existing changing facilities within the school will be made available for public and community use outwith school hours during school holidays and at weekends

2.5 This application is a revised submission which has the games area some 115 metres away from the housing at Cauldhame Rigg, Stewarton.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objection to the proposal

Noted.

3.2 East Ayrshire Council's Environmental Health and Waste Management Division have no objection to the proposal

Noted.

4. REPRESENTATIONS

There is one letter of objection to the proposed development and the grounds of objection are as follows:-

4.1 Alternative locations for this proposal should have been identified.

This application is to consider the merits of the proposal at this location. An earlier submission positioning the games area more adjacent to Cauldhame Rigg has been withdrawn.

4.2 Accessibility of the site and parking will create problems in the local area.

The Council's Roads section have made no objection to the proposal.

4.3 Supervision, public order and safety.

The facility will be managed and supervised by the Department of Education and Social Services and will close at 10:00pm every day.

4.4 No changing or Toilet facilities appear to be provided.

Existing changing facilities within the school will be made available for public and community use outwith school hours during school holidays and at weekends.

4.5 The facility will generate significant noise.

It is considered that the facility is located appropriately to ensure that noise impact on adjacent properties is minimised.

4.6 Who is expected to use it.

The proposed facility will be used by the secondary school through the day in term time but the facility will also be available for public and community use outwith school hours, during school holidays and at the weekend.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (EALP).

5.2 Policy TRL 8 of the Adopted East Ayrshire Local Plan states that the Council will support proposals for the provision of addition recreational facilities within existing areas of maintained open and recreational space.

The proposed development accords with the above policy as it will provide leisure facilities for the community outwith school hours

5.3 Policy CS1 of the Adopted East Ayrshire Local Plan indicates that the Council will respond positively to changing needs and demands for community and educational facilities throughout East Ayrshire. Wherever possible, existing facilities will be retained and improved and support and encouragement will be given to all other community facility and public service organisations to maintain and improve the services they provide.

The proposed development accords with the above policy as it will provide community and educational facilities for the community outwith school hours

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations in the determination of this application are the consultation responses and the representations detailed in Sections 3 and 4 of the report, planning history of the site and the impact on the amenity of the proposal.

Consultation Responses and Representations Received

6.2 The consultation responses have been highlighted in Section 3 of this report. No issues have been raised which would warrant refusal of the application.

6.3 The concerns of the objector have been addressed in Section 4 of the report and it is considered that none of the issues raised warrant the refusal of this application.

Planning History

6.4 An application for notice of Intention to Develop, 04/0682/LA, which proposed to locate the all-weather pitch within 25 metres of the housing at Cauldhame Rigg was withdrawn following discussions with the Planning Authority.

Impact on Amenity

6.5 This proposal is for a sports facility to be utilised by the Education Department and the wider community. As the proposal is to be located at a remote site within the school grounds and its use supervised by the Education Authority it is considered that the proposal would not have a detrimental effect on the amenity of the area.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As is indicated at Section 5 of the report the application is in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

8.2 As indicated in Section 6 of the report there are material considerations relevant to this application. The consultation responses received present no adverse comments regarding the proposed development. With regard to the concerns of the objector, and the proposal having been amended to further separate the existing housing from the games area, these are not considered to be of such significance as to merit refusal of the application.

8.3 As the proposal is to be located at a remote site within the school grounds and its use supervised by the Education Authority, it is considered that the proposal will not have a detrimental effect on the amenity of the area and therefore the proposal should be approved.

9. RECOMMENDATION

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

Jim Lavery
Executive Director of Development and Property Services

30 November 2004
(CSI/MMM/imb)

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notes/Certificates.
3. Consultations.
4. Approved Ayrshire Joint Structure Plan.
5. Adopted East Ayrshire Local Plan.
6. Previous application EAC ref 04/0682/LA.

Anyone wishing to inspect the above papers please contact Craig Iles on 01563 576772.

Implementation Officer: Dave Morris

040992LA

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

04/0992/LA

Site of Proposal: Stewarton Academy
Cairnduff Place
STEWARTON

Nature of Proposal: Proposed Formation of Multi Use Games Area
with Synthetic Turf Finish and Associated
Fencing and Lighting

Name & Address of Applicant: EAC Director of Educational & Social Services
Council Headquarters
London Road
KILMARNOCK KA3 7BQ

Name & Address of Agent: Mr I Barker
Principal Architect
Technical Services
Council Offices
Lugar
CUMNOCK KA18 3JQ

DPOs Reference: CSI/MMM

The above LOCAL AUTHORITY application should be granted.

1. The use of the facility shall operate only between the hours of 09:00 hours and 22:00 hours.

REASON To prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interests of residential amenity.

2. Notwithstanding the approved plans details of the external lighting of the facility shall be submitted to and approved by the Planning Authority prior to the commencement of development. The lighting shall be designed to minimise any light pollution of the adjacent residential units to the satisfaction of the Planning Authority. Said approved lighting shall be operated and maintained thereafter to the satisfaction of the Planning Authority.

REASON To prevent undue light pollution of the adjacent residential units.

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VIEWING PLEASE CONTACT (01563) 576790.**