

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE: 21 SEPTEMBER 2004

**04/0659/LA: FORMATION OF MULTI USE GAMES AREA WITH SYNTHETIC
TURF FINISH AND ASSOCIATED FENCING AND LIGHTING,
DRONGAN PRIMARY SCHOOL, MILMANNOCH AVENUE, DRONGAN**

**APPLICATION BY DIRECTOR OF EDUCATION AND SOCIAL SERVICES,
EAST AYRSHIRE COUNCIL**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Permission is sought, under the Notice of Intention to Develop procedures, for the formation of a multi-purpose sports pitch on the site. The proposed pitch will incorporate a synthetic playing surface, with the pitch extending to 37 metres in length and 18.5 metres in width. The pitch will be set within an area enclosed by a 3 metres high fence with gated access. The pitch will also have illumination through the installation of four pole-mounted floodlights set at 10 metres high.

1.2 The proposed sports pitch will be used by the primary school through the day in term time, but the proposed facility will also be available for public and community use outwith school hours and at weekends.

2. RECOMMENDATION

2.1 It is recommended that a Notice of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984. The proposal is considered to be acceptable subject to further details being agreed with the Head of Planning, Development and Building Standards as indicated on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these

can either be addressed through the imposition of appropriate conditions in the approval or are not of sufficient weight to justify refusal of the application

3.2 It is considered that the proposed facility, lying adjacent to the Drongan Primary School and near other playing fields is compatible with and complimentary to established uses in the area.

James Lavery
Executive Director of Development and Property Services

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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**APPLICATION BY DIRECTOR OF EDUCATION AND SOCIAL SERVICES,
EAST AYRSHIRE COUNCIL**

Report by Executive Director of Development and Property 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 under the scheme of delegation as it is subject to objection with consequent notification to the Scottish Ministers if approved.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies off the west side of Milmarnoch Avenue in Drongan within the grounds of Drongan Primary School. The site lies to the rear of Drongan Community Centre and to the north of the primary school itself. The site is bounded to the north by the Taiglum Burn and the extensive open and recreational space that lies adjacent to it. Further to the east lie residential properties on Milmarnoch Avenue.

2.2 The site extends to approximately 2200 m², is relatively level and comprises part of the grassed playgrounds of the primary school. A small car parking area and access road lie immediately south of the application site giving access to Milmarnoch Avenue through the school grounds.

2.3 **Proposed Development:** Permission is sought, under the Notice of Intention to Develop procedures, for the formation of a multi-purpose sports pitch on the site. The proposed pitch will incorporate a synthetic playing surface, with the pitch extending to 37 metres in length and 18.5 metres in width. The pitch will be set within an area enclosed by a 3 metres high fence with gated access. The pitch will also have illumination through the installation of four pole-mounted floodlights set at 10 metres high.

2.4 The proposed sports pitch will be used by the primary school through the day in term time, but the proposed facility will also be available for public and community use outwith school hours and at weekends.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Water and Power Systems have no adverse comments to make on the proposed development.

Noted.

3.2 East Ayrshire Roads and Transportation Division has no objections to the proposed development.

Noted.

3.3 The Scottish Environmental Protection Agency has no objections in principle to the proposals provided the drainage arrangements are to SEPA's satisfaction. In this respect all drainage from the development should be disposed of via a Sustainable Urban Drainage system. This should be designed and constructed in accordance with the principles of the SUDS Design Manual for Scotland and Northern Ireland published by CIRIA in March 2000. All waste materials generated by this development that require to be removed from the site such as construction, demolition wastes and surplus excavated material, must be removed by licensed waste carriers. Waste must be removed to a site that has either an appropriate waste management licence or is registered with SEPA as exempt from licensing.

Appropriate conditions or notes can be attached to any consent granted for the proposed development to meet the requirements of SEPA.

3.4 Drongan Community Council has not responded to the consultation letter.

Noted.

4. REPRESENTATIONS

4.1 One letter of representations has been received with respect to the proposed development and the main points of objection are summarised as follows:

4.2 Milmannoch Avenue, as well as being one of the main thoroughfares in the village, also houses two play areas, a bowling green, a community centre, a football pavilion and the school. Whilst most of these facilities provide car parking facilities, in reality on-street parking is used more often than not and it proves extremely difficult to gain vehicular access to my home.

The proposed facility in terms of its layout does not provide for any dedicated parking provision. However, in the main the facility will be used by pupils of Drongan Primary School and in this regard, existing parking provision within the school is considered to be appropriate to serve the proposed development. There is also car parking provision available through adjacent land uses particularly in relation to Drongan Community Centre, which is also in the ownership of the Council.

The use of the proposed facility, by virtue of its scale, is unlikely to generate any significant increase in traffic movements on Milmannoch Avenue and the Roads and Transportation Division has not highlighted any particular concerns regarding parking provision.

4.3 My home is situated directly across from the community centre, football pavilion and one of the play areas and the noise level at peak times can be intolerable. The development of an additional games area would only serve to exacerbate both the noise levels and traffic issues.

The proposed pitch is to be sited behind the existing community centre providing in part a visual and acoustic barrier to the proposed development. It is not considered that the proposed development would have any significant additional impact on the objector's property either in terms of noise nuisance or traffic impact.

4.4 A more sensible site would be at the other side of the school where the grounds back onto the playing fields at Mill O'Shield road. This would keep the noise level to a minimum for all of the residential areas in the vicinity of the school, leaving only the traffic issues to be resolved

The site lies within an area of existing community and recreational facilities and in this regard the location of the pitch is considered to be both appropriate and desirable in relation to linking to these uses and using existing infrastructure and parking provision. The alternative site proposed by the objector would lead to the facility being more visually intrusive and would restrict the ability to link into existing facilities. In such an open site, it is also more likely that noise impact would be greater in comparison to the current proposed location.

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 (2003).

Ayrshire Joint Structure Plan

5.2 There are no specific Structure Plan policies relating to the proposed development.

East Ayrshire Local Plan

5.3 Policy TLR6 presumes in favour of the recreational and sporting use of land subject to a set of three criteria being met, as follows: -

- (i) the proposed use is not visually or environmentally intrusive and is of a nature and scale compatible with adjoining activities;

The proposed development site is adjacent to the Drongan Primary School and near other playing fields. The proposed multi-use games area is considered to be compatible and complimentary to established uses in the area.

- (ii) there is no adverse impact on natural or heritage resources; and

The proposal does not conflict with this criterion.

- (iii) the proposal complies fully with all other relevant Local Plan Policies and meets all pertinent development promotion criteria relating to infrastructure, services, access, siting, design, landscaping, car parking etc.

It is considered that the proposed development is consistent with the provisions of the Local Plan and relevant development criteria.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses and the representation received.

Consultations Responses

6.2 There are no consultation responses that would suggest that the development should not proceed. Issues raised can be addressed through the imposition of appropriate conditions in any approval granted.

Representations

6.3 It is considered that the points of objection are not of sufficient weight to justify refusal of the application.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application. However, the application will require to be referred to the Scottish Ministers in terms of the Development by Planning Authorities (Scotland) Regulations 1981-1984 as there is an objection to the proposed development.

8. CONCLUSIONS

8.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these can either be addressed through the imposition of appropriate conditions in the approval or are not of sufficient weight to justify refusal of the application

8.2 It is considered that the proposed facility, lying adjacent to the Drongan Primary School and near other playing fields is compatible with and complimentary to established uses in the area.

9. RECOMMENDATION

9.1 It is recommended that a Notice of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984. The proposal is considered to be acceptable subject to further details being agreed with the Head of Planning, Development and Building Standards as indicated on the attached sheet.

James Lavery
Executive Director of Development and Property Services

07 September 2004
HM/HM
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letter of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).

Anyone wishing to inspect the above background papers should contact Hugh Melvin on 01563 555481.

Implementation Officer: Dave Morris

Application No: 04/0659/LA

Location	Drongan Primary School, Milmannoch Avenue, Drongan
Nature of Proposal:	Formation of multi use games area with synthetic turf finish and associated fencing and lighting
Name and Address of Applicant:	Director of Education and Social Services East Ayrshire Council London Road Centre KILMARNOCK
Name and Address of Agent	Mr. I. Barker, Principal Architect Technical Services, Council Offices, Lugar CUMNOCK

DPO's Ref:
PPO's Ref: Hugh Melvin

The above LOCAL AUTHORITY application should be granted subject to the following conditions:

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1. Notwithstanding the plans hereby approved, the boundary fencing to be erected on site shall be finished in a colour to be agreed in writing with the Planning Authority prior to the commencement of development on site.

REASON – In the interests of visual amenity.

2. Drainage from the proposed development shall be disposed of by means of a Sustainable Urban Drainage system, the details of which shall be submitted to and approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

REASON – To ensure proper drainage of the site.

Notes to Applicant

1. The developer should make early contact with the Scottish Environment Protection Agency to confirm the request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. SEPA requires this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.

2. 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.

3. All waste materials generated by this development that require to be removed from the site such as construction, demolition wastes and surplus excavated material, must be removed by licensed waste carriers. Waste must be removed to a site that has either an appropriate waste management licence or is registered with SEPA as exempt from licensing.