

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE: 21 NOVEMBER 2000

**00/0656/FL: PROPOSED ERECTION OF BANQUETING AND CONFERENCE
CENTRE WITH BEDROOM SUPPORT
AT RUGBY PARK, RUGBY ROAD, KILMARNOCK
BY KILMARNOCK FOOTBALL CLUB**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The application comprises the following components:

The Banqueting/Conference Centre with Bedroom Support –The facility will incorporate reception, restaurant, pre-drinks area, banqueting hall, kitchen facilities and 25 bedrooms on the ground floor. The upper floor will comprise restaurant, museum, two syndicate rooms, offices and 25 bedrooms. The proposed development will be directly related to the operation of the existing football and stadium facilities at Rugby Park. The banqueting and restaurant facilities will be used to provide hospitality during match days and will enhance the existing facilities of Kilmarnock Football Club. The facilities will also be used by visiting teams, spectators and visitors and the general public both during and outwith match days. The new conference centre will provide accommodation for small to medium sized conferences. Office accommodation for Club officials will be provided within the proposed building which will house the Club's official museum.

The building essentially comprises a 'U' shape with the bedrooms facing directly into an internal courtyard. The building will be constructed of facing brick and a curtain walling glazing system with a roof comprising metal standing seam. The front of the building (facing easterly) will face into the stadium and will essentially be two storey in height in parts except to the rear towards the south elevation where it will be single storey. The east and south elevations will prominently feature the glazing system to punctuate the building. The west elevation to the rear at Rowanhill Place will predominantly comprise brickwork with stairwells being finished in opaque glass. The north end elevation facing onto Rugby Crescent will comprise bedroom accommodation over both floors. The building will comprise a footprint of 2699 square metres and a height of between 4.88 metres and 9.35 metres. The roof will be gently curved punctuated by other curved sections of roof.

Car Parking – The proposal includes the rationalisation of car parking facilities within Rugby Park. This would result in 380 spaces which represents an increase of 68 in terms of the existing provision. These will be laid out around the proposed building to

the south of the building, to the West of the West Stand, and along the site boundary with Rugby Crescent. Lighting is also proposed.

Upgrading of Access – The existing primary access into Rugby Park is from Dundonald Road at Dundonald Place. It is proposed to establish a formal junction onto Dundonald Road by extending the pavement reducing the width of Dundonald Road to 6.5 metres at the junction with Dundonald Place. The extended pavement will incorporate bollards and chevrons on the approach to the junction will warn drivers.

Landscaping – The proposed development will comprise landscaping to the car park and surrounding the building. Landscaping will predominantly feature at the north west corner of the site and western boundaries facing onto Rowanhill Place. The landscaping will extend the length of the building to screen the building from neighbouring properties. The landscaping is to comprise a mix of species along the site boundary which will grow to a maximum 6 metres in height.

1.2 This present application supersedes a previous application for the erection of a leisure development with conference facilities (98/0388/FL) approved on 01 June 1999, however the planning consent has never been issued as the Section 75 agreement was not concluded. The building footprint is smaller than the previous proposal and with the deletion of the major leisure elements the mass of the building is significantly less.

1.3 In terms of the loss of the existing training pitch at Rugby Park as a result of the proposed development, a replacement training pitch has already been provided by the Club at Kirkstyle, Kilmarnock. This fulfils the requirement for a replacement pitch to be provided as was discussed and agreed at the time of the earlier application. Additional training pitches, both grass and artificial surface, will be provided in due course at the proposed Training Academy at Muirmill. The contractors' proposed hours of operation comprise working outwith the hours of 10.00pm and 6.00am Monday to Friday, 10.00pm and 9.00am on Friday nights/Saturday mornings and 10.00pm and 09.00am Saturday nights/Sunday mornings.

2. RECOMMENDATION

2.1 It is recommended that planning permission be granted subject to the conditions on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 The proposal complies with the policies of the Finalised East Ayrshire Local Plan and the Finalised Kilmarnock and Loudoun District Plan. It is considered that the proposed development will be in keeping in terms of scale, design and appearance in the physical terms to the existing stadium and will provide a positive economic

contribution to the economy of East Ayrshire. The scheme has been well designed and sited so as to not result in an unacceptable loss of amenity the adjoining residential properties. The site can be accessed and will have sufficient parking to be acceptable to the Council's Roads Division. The proposed landscaping scheme will also provide positive boundary treatment and a pleasant outlook from neighbouring properties.

3.2 The new conference centre with associated hospitality and catering facilities will be a significant economic generator for Kilmarnock and East Ayrshire and will also help to fill an identified and recognised gap in the availability of Conference facilities in the Kilmarnock area. With regard to the noise generated from the proposed facilities the applicant's agent has confined that appropriate management practices will be put in place such as appropriate stewarding and CCTV facilities will be provided to supervise patrons leaving the banqueting and conference facilities to minimise the impact on adjoining residential properties. During match days the applicant will ensure specific on site parking provision is allocated for the proposed restaurant and hospitality facilities. The development will have some impact on the neighbouring properties in terms of noise and disturbance, however it is considered that provided due cognisance is paid by the applicant to the possible problems which might arise and due precautions to mitigate such eventualities are implemented the proposed development will not have a detrimental impact on the neighbouring residential properties.

Stephen Chorley
Director of Development 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.

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE: 21 NOVEMBER 2000

00/0656/FL: PROPOSED ERECTION OF BANQUETING AND CONFERENCE CENTRE WITH BEDROOM SUPPORT AT RUGBY PARK, RUGBY ROAD, KILMARNOCK BY KILMARNOCK FOOTBALL CLUB

Report by Director of Development Services

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination, an application for planning permission by the Development Services Committee under the scheme of delegation as it represents a tourism/leisure development at a value in excess of £1M.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises the entire Rugby Park complex including the access onto Dundonald Road. The site lies to the south west of Kilmarnock town centre, extending to some 4.78 hectares. The proposed development is to take place along the western site boundary with the building to be constructed on the grassed pitch presently used as a training facility. The application site is bound by residential properties on Rugby Crescent, Dundonald Road, Rugby Road and Rowanhill Place.

2.2 **Application Details:** The application comprises the following components:

The Banqueting/Conference Centre with Bedroom Support –The facility will incorporate reception, restaurant, pre-drinks area, banqueting hall, kitchen facilities and 25 bedrooms on the ground floor. The upper floor will comprise restaurant, museum, two syndicate rooms, offices and 25 bedrooms. The proposed development will be directly related to the operation of the existing football and stadium facilities at Rugby Park. The banqueting and restaurant facilities will be used to provide hospitality during match days and will enhance the existing facilities of Kilmarnock Football Club. The facilities will also be used by visiting teams, spectators and visitors and the general public both during and outwith match days. The new conference centre will provide accommodation for small to medium sized conferences. Office accommodation for Club officials will be provided within the proposed building which will house the Club's official museum.

The building essentially comprises a 'U' shape with the bedrooms facing directly into an internal courtyard. The building will be constructed of facing brick and a curtain walling glazing system with a roof comprising metal standing seam. The front of the building

(facing easterly) will face into the stadium and will essentially be two storey in height in parts except to the rear towards the south elevation where it will be single storey. The east and south elevations will prominently feature the glazing system to punctuate the building. The west elevation to the rear at Rowanhill Place will predominantly comprise brickwork with stairwells being finished in opaque glass. The north end elevation facing onto Rugby Crescent will comprise bedroom accommodation over both floors. The building will comprise a footprint of 2699 square metres and a height of between 4.88 metres and 9.35 metres. The roof will be gently curved punctuated by other curved sections of roof.

Car Parking – The proposal includes the rationalisation of car parking facilities within Rugby Park. This would result in 380 spaces which represents an increase of 68 in terms of the existing provision. These will be laid out around the proposed building to the south of the building, to the West of the West Stand, and along the site boundary with Rugby Crescent. Lighting is also proposed.

Upgrading of Access – The existing primary access into Rugby Park is from Dundonald Road at Dundonald Place. It is proposed to establish a formal junction onto Dundonald Road by extending the pavement reducing the width of Dundonald Road to 6.5 metres at the junction with Dundonald Place. The extended pavement will incorporate bollards and chevrons on the approach to the junction will warn drivers.

Landscaping – The proposed development will comprise landscaping to the car park and surrounding the building. Landscaping will predominantly feature at the north west corner of the site and western boundaries facing onto Rowanhill Place. The landscaping will extend the length of the building to screen the building from neighbouring properties. The landscaping is to comprise a mix of species along the site boundary which will grow to a maximum 6 metres in height.

2.3 This present application supersedes a previous application for the erection of a leisure development with conference facilities (98/0388/FL) approved on 01 June 1999, however the planning consent has never been issued as the Section 75 agreement was not concluded. The building footprint is smaller than the previous proposal and with the deletion of the major leisure elements the mass of the building is significantly less.

2.4 In terms of the loss of the existing training pitch at Rugby Park as a result of the proposed development, a replacement training pitch has already been provided by the Club at Kirkstyle, Kilmarnock. This fulfils the requirement for a replacement pitch to be provided as was discussed and agreed at the time of the earlier application. Additional training pitches, both grass and artificial surface, will be provided in due course at the proposed Training Academy at Muirmill. The contractors' proposed hours of operation comprise working outwith the hours of 10.00pm and 6.00am Monday to Friday, 10.00pm and 9.00am on Friday nights/Saturday mornings and 10.00pm and 09.00am Saturday nights/Sunday mornings.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Economic Development Division offers its support and advises that the proposed development will obviously be of benefit to Kilmarnock Football Club in terms of potential additional revenue. It will also enhance the stature of the club in local, national and international “football circles”. The Park Suite is already popular and well used for meetings and conference type events and the enhancement of these facilities will be a significant addition to East Ayrshire. There are events which have to be placed at venues in other parts of Ayrshire because there is a lack of facilities in this area which would have been the preferred choice for ease of access. It is considered that the proposed development offers a significant opportunity for the enhancement of Kilmarnock and East Ayrshire with consequent positive benefits for the local economy.

It is recognised that the proposed development will provide modern conference and banqueting facilities where there is an identified and recognised gap in Kilmarnock.

3.2 The Coal Authority and Strathclyde Fire Brigade have no adverse comments to make regarding the proposed development.

Noted.

3.3 Sports Scotland have no objections as they understand that a training pitch now exists at Kirkstyle and a Training Academy is also proposed at Muirmill.

Noted. Sports Scotland’s earlier response to the planning application No 98/0388/FL for the leisure development advised that a legal agreement be put in place to ensure the replacement training facilities. This consent was never released as the Agreement was never concluded. The training pitch does now exist at Kirkstyle and this fulfils the requirements of Sports Scotland.

3.4 Grange Howard Community Council offered no objections but advised of serious concern relative to the road works at Dundonald Road and requested some reassurances that this would not cause further traffic difficulties at an already awkward corner. The imposition of the following conditions was requested:

- (a) Hours of working be restricted to 8.00am – 6.00pm weekdays and 9.00am – 6.00pm Saturdays and Sundays in the interests of residential amenity, to be strictly adhered to during construction; and,
- (b) Any adjacent public roads which may be the subject to the use of site traffic and other associated vehicles be kept clear of mud and vehicular obstructions.

The works at Dundonald Road have been proposed to meet the requirements of the Roads Division. The plans have also been amended to reduce the extent of ‘build-out’ onto Dundonald Road and are now to the

satisfaction of the Roads Division. The conditions suggested by the Community Council are in line with those imposed by this Council regarding other developments. It is recommended that these conditions be attached to the planning consent if granted.

3.5 West of Scotland Water have advised that there is a public sewerage system to which a connection may be made. The developer should satisfy himself, by site investigation if necessary, that relative levels are such as will allow the development to be connected at a reasonable gradient. Their permission should be sought to connect to the public sewerage system and to discuss whether diversions or protection of the existing public sewer is required prior to starting work on site.

Due to the excessive amount of surface water run-off from the site, it may be necessary to provide attenuation within the curtilage. Sustainable Urban Drainage Systems should be employed on the surface water drainage system.

Noted and if Members choose to grant consent, it is recommended that an advisory note be incorporated suggesting early contact with West of Scotland Water Authority. A condition could be attached if planning consent is granted requiring details to prevent excessive surface water run-off from the site.

3.6 Kilmarnock Forum on Disability advise that:

- (a) The premises should have level access to enable all members of the community access to the premises.
- (b) The disabled toilet should comply with BS 5810:1979.
- (c) In view of there being no hotel in East Ayrshire suitable to the needs of disabled people, consideration should be given to the adaption of bedrooms to suit the needs of potential clients. Sufficient room to manoeuvre round the room should be allowed with the en-suite toilet adapted to BS 5810:1979 standard. Fire alarms should meet the needs of deaf or hard of hearing clients.
- (d) They note that there is a provision of 8 disabled parking bays and they ask that Kilmarnock Football Club adopt a policy of strictly enforcing the correct use of these bays.

Items (a) & (d) can be addressed by attaching conditions to any planning consent if approved. However the issue of enforcing the use of identified car parking spaces for disabled persons is a matter for the applicant. Items (b) and (c) are outwith the control of this application and require to be addressed in the Building Warrant application.

3.7 Strathclyde Police have made the following observations:-

- (a) Car Park – The usage of this area will change quite dramatically with the additional facility. The increased number of cars within the car parking area after dark is a potential source of crime. There is no indication on the drawings as to the extent of lighting to be introduced into this area. It is strongly recommended that the lighting levels are of a sufficiently high level as to deter any would be criminal. It would also have the effect of reducing the fear of crime for persons using the area legitimately.

A condition could be attached if planning consent is granted requiring approval of further details of the lighting proposed.

- (b) Parking Areas – The parking “bays” on the “service road” are also vulnerable to attack. There is no natural surveillance available to cars parking in this area. There would appear to be sufficient parking spaces within the main car park and these additional ones would appear to be surplus to requirement. It is recommended that consideration be given to having these ones removed.

The service road along with the service area itself will be covered by CCTV. In addition, it seems unwise to consider removal of parking spaces in light of the Roads Division’s views.

- (c) Service Road – This road is obviously intended for the delivery of goods. As such, it is important that the integrity of this area is maintained. Consideration should be given for the introduction of some form of access control to be placed at either end of the road. This would prevent the road from being used as a “rat run” especially on match days.

As is currently the case on match days, the car park will be marshalled, so the service road will be controlled without the need to have a permanent physical barrier.

- (d) Perimeter Security – The perimeter of the premises has a large number of glazed panels. The ability of these panels to withstand physical attack is unknown. It is recommended that these should be of similar strength to laminated glass. All ground floor windows should be fitted with safety glass.

There are a number of fire doors to the rear of the premises. The location of these doors is such that they are away from the reception area with no natural surveillance available to them. These doors are a potential risk and if not necessary as fire exits should be removed.

Glazing will be to a high specification to suit building control requirements in any case. A condition could be attached to the planning consent if granted requiring details of all external materials to be submitted for approval by the Planning Authority. All the doors shown are required, and as such there is not the option of omitting any.

- (e) Landscaping – The detail provided for the landscaping suggests that the trees are going to grow to a considerable size. Dense foliage could cause problems in relation to visibility and lines of sight. Trees provide natural cover for anyone intent on committing acts of a criminal nature. It is recommended that the trees specified should not inhibit visibility and their numbers should not be intrusive.

There is a slight reduction in the extent of landscaping as a result of the revised parking layout. In addition, the majority of landscaping proposed is either low level shrub planting or trees, neither of which will pose a risk in terms of providing hiding places for potential assailants.

- (f) CCTV/Alarm System – it is important that the alarm system and CCTV system actively enhances the security of the development. Areas identified earlier as having no natural surveillance can be covered to some extent by these systems. If this is to be the case however the cameras and alarm have to be monitored to ensure there is a reaction to any activation or criminal attack.

There will be a CCTV system which will be monitored by reception staff who will be present 24 hours a day.

3.8 East Ayrshire Council Environmental Health and Waste Management have advised that the design, construction and subsequent operation of the building should not result in the creation of any noise nuisance to nearby householders. In respect of the construction phase, any potentially noisy site engineering and other relevant activities should be restricted to normal daytime working hours in order to avoid any early morning or evening noise nuisance.

Noise will also be created during the operation of the premises, particularly in respect of the banqueting and entertainment area on the southern flank of the complex. Whilst some aspects of the use of the facilities, such general disturbance noise from patrons entering or leaving the premises, will be outwith the scope of this Service, Environmental Health will have an ongoing interest in ensuring that any noise emanating from the banqueting area is not excessive and results in consequent justifiable complaint from nearby householders in Rowanhill Place, etc.

In normal circumstances some disturbance can be experienced by affected parties where noise levels exceed the background levels of 5 decibels, and complaints can be expected when this figure rises to 10 decibels. Accordingly, it is considered pertinent to insist on any noise levels from the use of the complex not exceeding background levels by 10dB(A) or more, measured at the site boundary.

If this objective could be achieved and indeed bettered by the developer, it should ensure a reasonable degree of control over the operation.

A predicted noise level of 33dB(A) at the nearest affected property (as per the Architect's letter of 14 September 2000) should, meet the above criteria. It is noted that

this letter also makes reference to the positioning of the air handling units, inlets and outlets which will address some of the comments made about design precautions to minimise noise problems arising. Similarly, subsequent correspondence dated 15 September 2000 from Dawn Construction to Armour Construction Consultants is noted, concerning control of noise contains a specific reference to restriction of noisy activities within specified hours, although a 6am start is somewhat earlier than Environmental Health would wish in this connection. 8.00am would be more appropriate.

The believe that the development will still create some local impact in the area, however provided due cognisance is paid by the applicant to possible problems which might arise and precautions taken to mitigate against such eventualities the enterprise is capable of satisfactory operation within their limits.

Noted. If Members choose to grant planning permission, conditions could be attached regarding hours of working during the construction period; a restriction of noise levels in respect of operation of the facility; and, the construction of suitable refuse storage facilities.

3.9 East Ayrshire Council Outdoor Services have advised that the landscape proposals both in terms of planting and maintenance appear to be acceptable.

Noted.

3.10 The Roads Division have no objections to the amended plans which provide for 380 car parking spaces and the alterations to the Dundonald Road access.

Noted.

4. REPRESENTATIONS

Two letters of representation have been received to the proposed development.

4.1 At the open meeting held at Rugby Park, residents objected to tall trees being planted along the site boundary with Rowanhill Place. A surveyor at the meeting advised that this would be dealt with, but the plans state that trees growing to a height of 6 metres will be planted. This will overshadow rear gardens at Rugby Road only a few yards from the living room window of one property in particular. It was accepted at the meeting that dwarf conifers would be much more suitable.

Noted. There has been one objection received to the landscaping plan. The trees to be planted have been chosen to provide an element of screening to soften the outlook from neighbouring properties of the rear of the banqueting and conference centre. The scheme has been discussed in detail to achieve a balance between providing a visually acceptable screen and not overshadowing the gardens and houses to an unacceptable degree. East Ayrshire Council Outdoor Services have advised that the trees will

take many years to reach maturity. Even then it is not considered that they will significantly overshadow the properties' rear gardens.

4.2 The applicant's supporting statement advises that it is not proposed to construct a wooden fence on top of the existing wall. It is not stated what would constitute the boundary but if only a low wall is proposed this would encourage children and adults to cross the wall on their way to or from the Moorfield or Holmes Road Estates.

The applicant's agent has confirmed that the existing 2 metre wall on the Rugby Road and Rowanhill Place boundaries will remain. There is no proposal to reduce the height of these walls.

4.3 The applicant's supporting statement advises that there will be no windows overlooking neighbouring houses. The plans however show some of the bedroom windows would certainly overlook the houses at Rugby Road/Rugby Crescent.

Noted. However the bedroom windows are still more than 12 metres away from the 2 metre high boundary wall and fence. In addition, they only look obliquely onto the gable end of the nearest house. They will also be separated by the new boundary planting.

4.4 There would be much disturbance close to neighbouring houses up to late hours of night with guests and traffic entering and leaving the bedroom area of the proposed hotel which would be used by the general public.

Noted. Members are referred to the comments of Environmental Health in paragraph 3.10 above. This issue is critical in the determination of this application which requires to be assessed in the context of degree of disturbance that already exists. Some of the design features of the boundary would assist in alleviating the impact of noise upon nearby dwellings, ie the main entrance being located on the east elevation facing into the stadium. The applicants have also explained their use of stewards and a CCTV system to assist in continuing patrons. It is however inevitable that there will be some noise and disturbance occurring through customers leaving the premises and this would occur into late hours. However it is considered provided precautions are taken to mitigate against such eventualities, the proposed development should not have a detrimental impact on the adjacent residential properties.

4.5 The neighbour notification does not describe the project as a hotel, which it is. Are the Planning Committee satisfied that there is a requirement for hotel in the Kilmarnock area?

Although the application description does not include reference to hotel, the proposed uses stated in the application description and within the plans are all uses found in a hotel.

4.6 The proposal involves reducing the width of Dundonald Road by almost a third. This is no minor alteration and if necessitated by the conference centre, should be turned down. Since the days of horse-drawn removals, George Tannahill & Sons has used Dundonald Place as a garage and furniture store. Large vehicles use this junction without requiring any alteration to the main road. In addition, there is no way the conference centre could involve the parking of more cars than a Rangers football match when at no time has there been any need for an alteration to Dundonald Road. This will almost certainly be the cause of accidents. The alternative is to give access from Rugby Road although such a proposal would probably not appeal to the Football Club.

Noted however the alterations to the junction onto Dundonald Road have been requested by the Roads Division in the interests of public road safety. The intention is to prevent accidents rather than cause them. The build-out onto Dundonald Road is to ensure that cars can exit safely from Rugby Park.

5. DEVELOPMENT PLAN STATUS

5.1 The proposal can be assessed against the Finalised East Ayrshire Local Plan. This is the document against which the Council has resolved to base its day to day decisions against. Policy TLR2 is of specific relevance which states that the Council will improve and enhance the provision of leisure, recreational and sporting facilities in the area settlements.

The proposal can be considered to comply with this Policy as it will provide high quality hotel facilities in the Kilmarnock area.

5.2 Policy TLR8 is also relevant in the consideration of this application. This Policy states that there will be a presumption in favour of tourist related development providing the remaining criteria is met. Encouragement will be given to the use of existing buildings in preference to the construction of new build facilities wherever possible:-

- (i) The proposed use and any associated structures is not visually or environmentally intrusive, is of a nature and scale compatible with surrounding land uses and is not detrimental to the character and amenity of the area within which it is proposed;
- (ii) There is no adverse impact on the natural environment and in particular on recognised natural or built heritage resources requiring conservation and;
- (iii) The proposal can be fully justified in terms of infrastructure, provision of services, access and car parking.

The proposal is considered to comply with all the above criteria. The building is of sympathetic modern design and will be satisfactorily positioned within the site. It is of a scale that will not adversely affect the character and amenity of the area. The proposal is located within a built-up area and will not adversely impact on the Conservation Area or any Listed Buildings. It is located within the existing stadium complex, can be accessed from the public road and has car parking level to meet the Roads Division's requirements. In terms of the provision of services, West of Scotland Water Authority have not made any objections. The development is therefore said to comply with the policies of the Finalised East Ayrshire Local Plan.

5.3 In terms of the Adopted Kilmarnock Local Plan the proposed development does not conflict with the policies contained therein.

5.4 The Finalised Kilmarnock and Loudoun District Plan quotes Policy EN11 which relates to design in urban areas and specifies criteria for new development. Such developments should be compatible with the character of an area, meet parking standards and prevent overlooking and maintain acceptable privacy and daylighting.

It is considered that the proposed development meets these criteria.

6. OTHER PLANNING CONSIDERATIONS

6.1 NPPG11 "Sport, Physical Recreation and Open Space" is also of relevance to this application. It states that Government policy is essentially to contrive the use of sports grounds for outdoor recreation (unless a proven surplus exists). It is acceptable to release for development, sports fields provided they are replaced in locations with similar benefits and roles as the original facilities.

The site at Rugby Park includes the existing training pitch and would result in its loss however the applicant has provided a replacement pitch at Kirkstyle.

6.2 Planning Application 98/0388/FL for the proposed erection of a leisure development with conference facilities/associated cafes/offices, kitchens, car parking and link bridge to corner infill block with viewing boxes and bar facilities at Rugby Park was submitted by the Football Club on 11 June 1998. The Development Services Committee resolved to grant planning permission subject to Conditions at its meeting of 01 June 1999. This approval was also subject to a Section 75 Agreement being concluded to ensure the provision of an alternative training pitch and the establishment of a Community Liaison Committee.

To date, the prepared agreement has never been signed by the applicants and the planning permission consequently never released. The proposed development at this time was for a larger building of more substantial height

and overall scale. 380 car parking spaces were also proposed as part of the development. The present proposal does not involve a leisure/sport facilities and the physical impact of the revised building will be significantly less than the previous proposal. Notwithstanding the above, a Community Liaison Committee has been established.

6.3 The applicant's agent have submitted a supporting statement. A Specialist noise consultant has been involved in the detailed design of proposed building. The predicted noise level at the location of the nearest affected property (taking into account the construction of the building) will be in the region of 33dB. The noise consultant advises that this predicted level will not have any detrimental impact on existing residential amenity in terms of noise. The air handling units are positioned such that intakes and out-takes will face away from the houses and the service engineers are to be given a noise rating to work in the design of the end point sound pressure levels. Furthermore, a management system is to be put in place to control any noise that may result from patrons leaving the premises either by car or on foot after 23:00 hours.

Refer to consultation response from the Council's Environmental Health and Waste Management Division in 3.10 of the report.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in determining the application.

8. CONCLUSIONS

8.1 The proposal complies with the policies of the Finalised East Ayrshire Local Plan and the Finalised Kilmarnock and Loudoun District Plan. It is considered that the proposed development will be in keeping in terms of scale, design and appearance in the physical terms to the existing stadium and will provide a positive economic contribution to the economy of East Ayrshire. The scheme has been well designed and sited so as to not result in an unacceptable loss of amenity the adjoining residential properties. The site can be accessed and will have sufficient parking to be acceptable to the Council's Roads Division. The proposed landscaping scheme will also provide positive boundary treatment and a pleasant outlook from neighbouring properties.

8.2 The new conference centre with associated hospitality and catering facilities will be a significant economic generator for Kilmarnock and East Ayrshire and will also help to fill an identified and recognised gap in the availability of Conference facilities in the Kilmarnock area. With regard to the noise generated from the proposed facilities the applicant's agent has confined that appropriate management practices will be put in place such as appropriate stewarding and CCTV facilities will be provided to supervise patrons leaving the banqueting and conference facilities to minimise the impact on adjoining residential properties. During match days the applicant will ensure specific on site parking provision is allocated for the proposed restaurant and hospitality facilities. The development will have some impact on the neighbouring properties in terms of noise and disturbance, however it is considered that provided due cognisance is paid by

the applicant to the possible problems which might arise and due precautions to mitigate such eventualities are implemented the proposed development will not have a detrimental impact on the neighbouring residential properties.

9. RECOMMENDATION

9.1 It is recommended that planning permission be granted subject to the conditions on the attached sheet.

Stephen Chorley
Director of Development Services

14 November 2000
FMF/MMM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Supporting documentation from the applicant's agent.
3. Consultation Replies.
4. Letters of Objection.
5. Finalised East Ayrshire Local Plan.
6. Finalised Kilmarnock and Loudoun District Plan.
7. Adopted Kilmarnock Local Plan.
8. NPPG11.
9. Planning Application No 98/0388/FL.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

Implementation Officer: Alan Neish c/o Andersson, Sandra

00656FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0656/FL

Site of Proposal: Kilmarnock Football Club
Rugby Park
Rugby Road
KILMARNOCK

Natural of Proposal: Proposed Erection of Banqueting and Conference
Centre with Bedroom Support

Name & Address of Applicant: Kilmarnock Football Club
Rugby Park
Rugby Road
KILMARNOCK KA1 2DP

Name & Address of Agent: Percy Johnson-Marshall & Partners
Duddingston House
Milton Road West
EDINBURGH EH15 1RB

DPOs Reference: FMF/MMM

The above FULL application should be granted subject to the following conditions.

1. The proposed development shall be carried out in accordance with the application form received on 19 September 2000 and the supporting statement and plans received on 19 September 2000 as amended by the site plan and landscaping layout both received 07 November 2000.

REASON To ensure that development is carried out in accordance with the approved details.

2. The landscaping relating to this development as part of Condition 1 above shall be laid out within the first available planting season prior to the use of the building hereby approved and shall be maintained thereafter in accordance with maintenance scheme hereby approved by the Planning Authority.

REASON To ensure that landscaping scheme is laid out in a proper manner in the interests of visual amenity.

3. Notwithstanding the submitted plans, details of the design and construction of all fences and walls to comprise boundary treatment on the site shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON In the interests of visual amenity and road safety.

4. Notwithstanding the submitted plans, the external materials are not hereby approved. Details/samples of all external material shall be submitted to and approved by the Planning Authority prior to the commencement of any development on site.

REASON In the interests of visual amenity.

5. Notwithstanding the provisions of the Town and County Planning (General Permitted Development)(Scotland) Order 1992, no electricity transforming or switching equipment shall be erected on any part of site without the prior express permission of the Planning Authority.

REASON To safeguard the residential amenity of the area.

6. All site and servicing and workers vehicles shall be accommodated within the development site at all times during the period of construction unless otherwise agreed in writing in advance with the Planning Authority.

REASON In the interest of residential amenity.

7. Construction works shall not be undertaken on site unless within the hours of 08:00 hours to 18:00 hours Monday to Friday, and 09:00 hours to 16:00 hours Saturday and 09:00 hours to 13:00 hours on Sunday.

REASON In order to protect the residential amenity of neighbouring properties.

8. During construction works, site access to the development hereby approved, shall only be taken from Dundonald Road unless otherwise agreed in advance with the Planning Authority.

REASON In order to protect the amenity of neighbouring properties.

9. All public roads adjacent to the site which are subject to use by site traffic and other associated vehicles shall be kept clear of mud or other deposited materials at all times by means of mechanical brushing as appropriate.

REASON In the interests of road safety.

10. A scheme showing the provision to be made for the disposal of refuse shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON To ensure that there is satisfactory provision for the disposal of refuse from the proposed development.

11. The noise produced by the use of the proposed development hereby approved, shall not exceed the existing background noise level at any given time measured at the site boundary by more than 10dB(A). Noise levels will be assessed in accordance with BS4142:1997 and include any relevant correction factors as specified in the British Standard. The developer shall provide this Council with existing background noise levels for record purposes prior to the proposed development being brought into use. The method of taking such noise readings shall be agreed in advance with Protective Services (Environmental Health) and the Planning and Building Control Division.

REASON In the interests of the amenity of neighbouring properties.

12. The works hereby approved on Hodgkins Smiths drawing A3764/111RevA shall be undertaken in accordance with the approved details prior to the proposed development being brought into use.

REASON In the interests of public safety.

13. The 380 car parking spaces indicated on the submitted plans shall be implemented prior to the use of the building.

REASON To ensure the implementation of the car parking spaces in the interests of road safety and residential amenity.

14. Prior to the commencement of development on site, the applicant shall submit details of measures to prevent the displacement of surface water run off to adjacent residential properties. Such measures shall be agreed in writing by the Planning Authority and implemented prior to the use of building.

REASON To prevent the displacement of surface water to adjacent residential properties in the interests of public safety.

15. Notwithstanding the submitted plans, all entrances/exits to the building shall have a level access and all external doors shall have an opening mechanism to enable all members of the community ease of access of the premises.

REASON To allow ease of access to all members of the community.

16. The eight car parking spaces identified for disabled persons shall be clearly marked for this use at all times.

REASON To provide car parking for disabled persons.

17. All stairwell windows on the south elevation of the development hereby approved, shall be in obscure glass to the satisfaction of the Planning Authority prior to the development being brought into use.

REASON In the interests of residential amenity.

18. Prior to the commencement of any development on site, a lighting scheme shall be submitted for the approval of the Planning Authority. The approved scheme shall be implemented to the satisfaction of the Planning Authority, prior to the development being brought into use.

REASON In the interests of public safety.

19. Notwithstanding the approved plans and the terms of Condition 3 above, the existing wall along the western site boundary with Rowanhill Place shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority.

REASON In the interests of residential amenity.

Notes:

1. The developer is advised to make early contact with West of Scotland Water at their office at 35 Glenburn Road, Prestwick, prior to commencing work on site.
2. Kilmarnock Forum on Disability have requested that Kilmarnock Football Club adopt a policy of strictly enforcing the correct use of these bays.
3. The Roads Division have advised that a Roads Construction Consent is required. A Road Opening Permit is also required for all work on public roads and footways.
4. Prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes.

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**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA