

**Application by City of Edinburgh Council
at
328 Gilmerton Road
EH17 7PS**

**Development Quality Sub-Committee
of the Planning Committee**

Proposal: Proposed sports hall
Applicant: City Of Edinburgh Council.
Reference No: 04/00111/CEC

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
3. Cycle racks shall be provided to the satisfaction of the Head of Planning & Strategy before the development is occupied.
4. The proposed sports hall shall be set forward (to the north-west) by a further 1.5m.
5. Sample/s of the proposed external finishing materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.

6. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
7. The soundproofing of the premises and the control of all amplified sound, including music, speech, electronic video games or other amusement machines, shall be such that no amplified sound is audible within nearby residential or commercial property.
8. The hours of operation shall be restricted to 9.00am to 9.30pm, Monday to Friday.
9. The hours of operation shall be restricted to 9.00am to 7.00pm, Saturday and Sunday.
10. Prior to the commencement of development on site, details of the proposed fence, and any lighting proposals, shall be submitted to and approved in writing by the Head of Planning and Strategy. The approved fence shall be erected prior to the occupation of the sports hall.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that the approved landscaping works are properly established on site.
3. In order to ensure that the level of off-street parking is adequate.
4. In order to safeguard visual amenity.
5. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
6. In order to safeguard the amenity of neighbouring residents and other occupiers.
7. In order to safeguard the amenity of neighbouring residents and other occupiers.
8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.

2 Main report

Site description

The application site comprises land within the curtilage of Liberton High School, which is situated on the south west side of Gilmerton Road. The land in question is on the south east side of the school access road and measures approximately 115m by 40m and was last used for temporary classroom units.

To the south west of the site are the existing school buildings; to the west playing fields and to the east houses on Greenend Grove and Greenend Gardens.

Site history

28 April 1999 : consent granted for the erection of a new sports hall, ancillary accommodation, cafeteria/social area and car park (as amended) following referral to the then Secretary of State, as a Notice of Intention to Develop.

Development

This application is for the renewal of the consent for the sports hall before the consent lapses on 28 April 2004. The hall measures 23.6m by 46.9m and has both one and a half and two storey elements, ranging from 3.9m to 10.9m in height. The car park is located on the northern end of the site. There is a landscaped belt of trees and shrubs between the rear of the hall and the gardens of the houses.

The hall will be primarily used by school pupils but will be open for public use from the close of school until 9.30pm Monday to Friday and from 9.00am to 7.00pm Saturdays and Sundays. These hours were agreed to by Environmental Services. The building is adjacent to the existing janitors house to improve security of the facility.

Consultations

Transport

No objection, subject to previous condition requiring cycle racks.

Representations

The application was advertised on 30 January 2004. One letter of objection has been received from a local resident. The material grounds of objection are :

1. The proximity of the building to residential properties;

2. Loss of privacy;
3. Loss of daylight and sunlight;
4. The detrimental impact from movement of traffic and people;
5. Noise from activities and machinery;
6. The late hours of operation and security concerns;
7. The landscape belt should be a minimum of 10m wide;
8. The increase in traffic generation; and
9. Details of lighting and fencing should be shown.

Policy

The application site lies within the Urban Area in the Draft South East Edinburgh Local Plan and in the Housing and Compatible Uses policy are in the adopted Plan.

DRAFT PLAN

Relevant Policies:

Policy H6 - states that development will not be permitted if it would result in an unacceptable reduction in amenity for residents in the locality.

Policy DQ6 - requires new development to make a positive contribution to the character and appearance of the environment.

ADOPTED PLAN

Relevant Policies:

Policy H5 presumes against the establishment or extension of a non-residential use likely to lead to an unacceptable loss of amenity through increased traffic, unsightliness or noise.

Policy T5 requires adequate car parking provision in all new development in conformity with Council adopted standards.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals comply with the development plan?
- if the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- if the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether

- a) This is an appropriate location for the facility;
- b) The proposals will be detrimental to residential amenity; and
- c) The proposals will be detrimental to road safety.

a) This site was selected as it ensures that all the playing fields are maintained; there were previously buildings on the site; the location close to the school entrance allows for public use and it has the lowest cost implications when taken against other sites that were considered.

The principle of the development of this site was approved on the basis of the above and the consent remains valid. There have been no changes in circumstances since that time. The principle of developing this site remains acceptable, subject to the protection of residential amenity. The materials and detailing of the hall are satisfactory, subject to the submission of samples.

b) The approved scheme complies with current policies on privacy, overshadowing and daylight. The plan as submitted shows 14-16m between the hall and residential boundaries (11.5m from the car park) with a planting belt ranging from 4m to 10m wide. At the time the Agent advised that the hall could be pulled a further 1.5m away from residential boundaries if the Committee considered that this was required. This was subsequently added as a condition of consent. The applicants have re-submitted the original plan but are happy to have that condition re-imposed.

Taking into account the above amendment, the closest part of the building would be 15.5m from a residential boundary. At this point the building would be one and a half storeys (approx 6.5m). The closest two storey section would be 21m from the houses in Greenend Grove. The original hours of operation and noise/soundproofing conditions which were agreed with Environmental Services are also to be re-imposed. These measures, together with the landscaping belt which will reduce the impact of noise and pollution from vehicles, are sufficient to protect the existing level of amenity of the adjacent residents.

A chainlink fence is to be erected between the hall and the planting. This should give an added level of security. However, it is not considered that the introduction of this building will compromise the existing levels of security between the school grounds and residents' properties.

The proposals will not be detrimental to residential amenity.

c) Transportation is satisfied both with the layout of the car park and that the school entrance can accommodate the additional traffic without detriment to road safety, particularly as most of the new traffic will be outside peak school hours. The provision of cycle racks is to remain a condition of approval.

The proposals will not be detrimental to road safety.

As there is one letter of objection the application is required to be referred to the First Minister as a NOTICE OF INTENTION TO DEVELOP.

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Wendy McCorriston on 0131 529 3594 (FAX 529 3706)

Ward affected 56 -Gilmerton

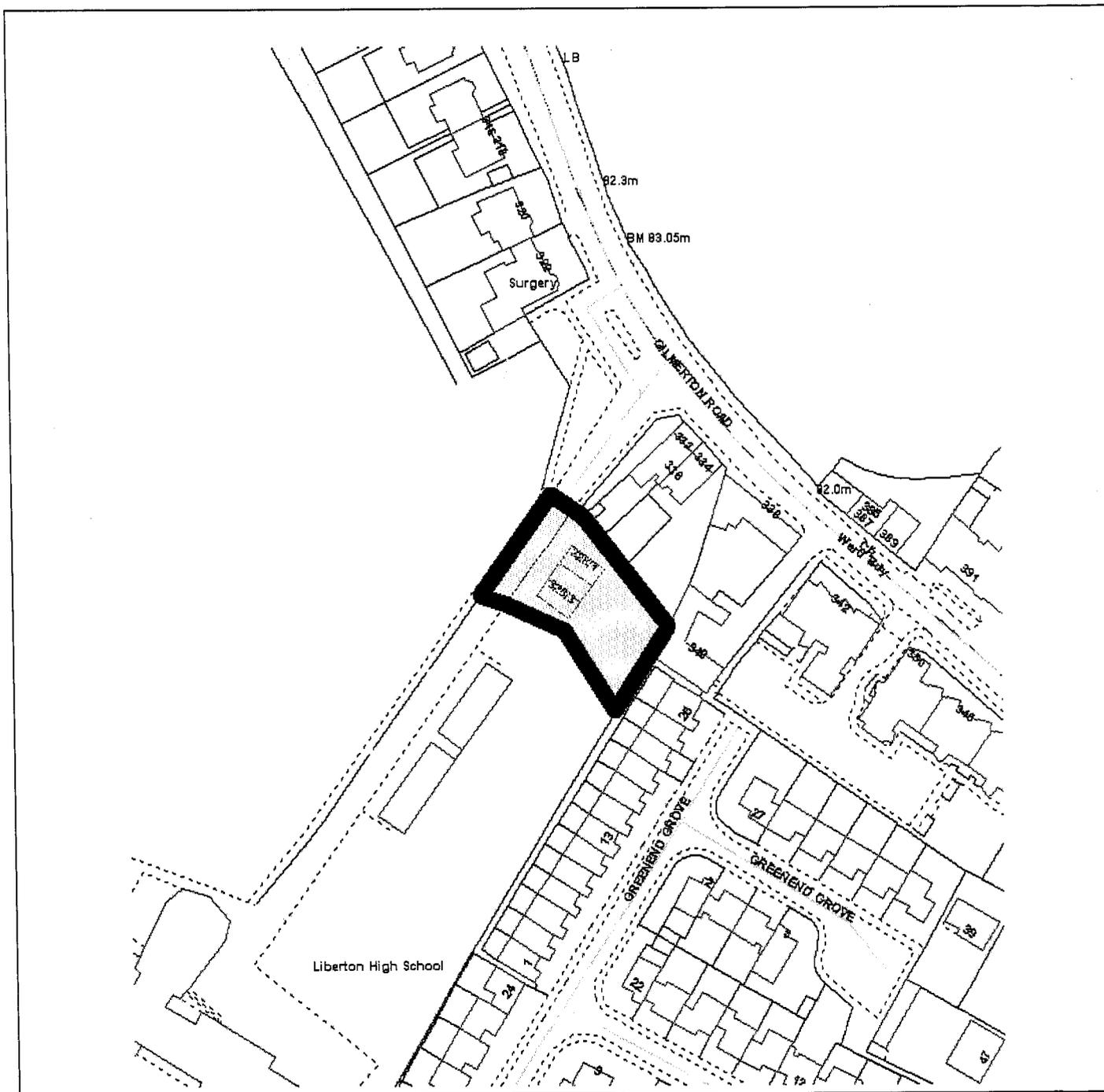
Local Plan South East

**Statutory Development
Plan Provision** Housing and Compatible Uses

File 5248

Date registered 15 January 2004

**Drawing numbers/
Scheme** 01
Scheme 1



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PLANNING APPLICATION

Address	328 Gilmerton Road, EH17 7PS		
Proposal	Proposed sports hall		
Application number:	04/00111/CEC	WARD	56- Gilmerton
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			