

Perth and Kinross Council
Development Management Committee – 20 February 2013
Report of Handling by Development Quality Manager

Erection of sports hall, associated changing facilities, offices and classroom accommodation at Perth High School, Oakbank Road, Perth

Ref. No: 12/02177/FLL

Ward No: 10 - Perth City South

Summary

This report recommends approval of the application for the erection of sports hall, associated changing facilities, offices and classroom accommodation at Perth High School as the development is considered to comply with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The proposal is to erect a sports hall with associated storage, offices, changing facilities, staff base and plant at Perth High School. The site lies to the south-west of the main school block nestled in the space between the lower school buildings to the north, the sports pitches to the west and Oakbank Road to the south-west. Although the main access to the building is shown to be to the north-east, secondary access is shown to the west, directly towards the sports pitches.
- 2 The main sports hall is to be some 36m long by some 20m wide and 9m high. Lower buildings wrap around the main hall to the north-west, north and north-east. The lower buildings have asymmetrical roofs at varying planes which distract from the massing of the main hall and provide a more human scale to the building. A variety of finishes are shown which will further visually break up the overall massing of the buildings.
- 3 The agent has highlighted that this application has been submitted following a Leisure Needs Analysis undertaken by Perth and Kinross Council working in partnership with Perth and Kinross Leisure and Sports Scotland. This analysis shows that investment in the existing sport facilities at the school are required to meet Sport Scotland guidelines. The provision of the sports hall and associated facilities would go some way to improving the sporting facilities at the school, resulting in better provision of educational and extra curricula sporting activities.
- 4 The location of this facility could also have additional benefits to the wider community as it is ideally located to cater for recreational needs of residents in the north west of Perth. The intention is for this facility to become part of a proposed Community Sports Hub (CSH) which would be governed by the Council's Sport and Active Recreation Services strategic direction which would allow the facilities to be let. The proposed letting policy would give the school use of the facilities between the hours of 9.00am and 3.30pm, 3.30pm to 5.45pm for school activities as a first priority and between the hours of 6.00pm and 10.00pm the facilities would be available for let by community users.

NATIONAL POLICY AND GUIDANCE

- 5 The Scottish Government expresses its planning policies through the National Planning Framework 1 & 2, the Scottish Planning Policy (SPP) and Planning Advice Notes (PAN).

The Scottish Planning Policy 2010

- 6 The SPP is a statement of Scottish Government policy on land use planning and contains:
- the Scottish Government's view of the purpose of planning,
 - the core principles for the operation of the system and the objectives for key parts of the system,
 - statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
 - concise subject planning policies, including the implications for development planning and development management, and
 - the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are:

- Paragraphs 149 -158: Open Space and Physical Activity

The following Scottish Government Planning Advice Note (PAN) is also of interest:

- PAN 01/2011 Planning and Noise

DEVELOPMENT PLAN

- 7 The Development Plan for the area consists of the Tayplan Strategic Development Plan 2012 and the Adopted Perth Area Local Plan 1997.

Tayplan Strategic Development Plan 2012-2032 June 2012

- 8 There are no specific policies of strategic importance, relevant to this proposal contained in the TayPlan.

Perth Area Local Plan 1997

- 9 Under the Local Plan the site lies within the settlement boundary of Perth in an area identified for residential and compatible uses. The principal relevant policies are in summary: -

Policy 41: General Residential and Background Policies:

- 10 Proposals Map B identifies areas of residential and compatible uses where existing residential amenity will be retained and where possible improved.

Where sites in other uses become available for development, housing will generally be the most obvious alternative use. Some scope may exist for infill development, but only where this will not significantly affect the density, character or amenity of the area concerned. Small areas of private and public open space will be retained where they are of recreational or amenity value to their surroundings. Change of use to hotel, boarding and guest house use will be permitted normally only on the main radial routes in the city.

Proposed Local Development Plan 2012

- 11 Members will be aware that on the 30 January 2012 the Proposed Local Development Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan (LDP). The LDP has recently undergone a period of public consultation. The Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. It is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. The Plan may be regarded as a material consideration in the determination of this application, reflecting a more up to date view of the Council.

Under the LDP the principal relevant policies are:

Policy PMA1: Placemaking

- 12 This policy requires that all development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation. The design and siting of development should respect the character and amenity of the place and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works where appropriate to the local context and the scale and nature of the development.

Policy RD1: Residential Areas

- 13 This policy seeks to protect and improve existing residential amenity. Proposals will be encouraged where they are compatible with the amenity and character of an area and where they improve the character and environment of the area or village.

OTHER POLICIES

- 14 None.

SITE HISTORY

- 15 04/02156/NID Proposed colonnade infill to form new school social area, approved 06.01.2005

- 16 11/00674/FLL Installation of a new multi-use sports pitch with flood lighting and athletics sprint track, approved 26.09.2011

CONSULTATIONS

- 17 **Environmental Health:** No objections have been raised, subject to conditions relating to noise levels and hours of operation.

REPRESENTATIONS

- 18 One letter of representation has been received at the time of finalising this report. The following issues which are relevant to the works associated with the application are raised:

- Better located elsewhere in the grounds
- Times of use associated with the facility
- Noise and disturbance to residential properties
- Lack of noise assessment relative to plant
- Loss of trees
- Out of scale and overbearing
- Proposed materials are not in keeping with the residential area or the school
- Proposal will exacerbate existing issues of parking, noise and littering
- Lack of road safety assessment

These issues are addressed in the Appraisal section of this report.

Any additional representations which are received within the statutory period shall be reported to Committee verbally.

ADDITIONAL STATEMENTS

19	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	None
	Report on Impact or Potential Impact	None submitted

APPRAISAL

- 20 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy.

- 21 The key determining issues are firstly whether the proposal is consistent with the relevant provisions of the Development Plan and secondly whether there are any factors that would justify a potential departure from the Development Plan.
- 22 The proposed sports hall development immediately to the south west of the Perth High School grounds sits comfortably with the established land use of the wider site and keeps the area of developed land to the central area of the wider site. The proposed development will meet the educational needs of the school while the proposed letting policy has the potential to be an important community asset. It is worth highlighting that Scottish Government's SPP confirms in paragraph 158 that for many sports and recreation developments locations within or close to residential areas will be the most appropriate.

Design and Layout

- 23 To a great extent the end use of the building, as a sports hall, has determined the scale and massing of the building. The associated facilities, which include offices, staff base, storage and four changing rooms, have been accommodated in a lower range of buildings arranged around the north-west and north-east of the main hall. This serves to visually break down the massing of the main element whilst adding visual interest by way of articulated roof planes and a complimentary palette of external finishes.
- 24 I consider that both the scale and design of the proposed building will balance with the massing of the main school block. The main entrance to the facilities is located towards the school with the secondary access being located towards the pitches. Internally it will be possible to limit access to certain areas, for example preventing access to the sports hall and classroom when only changing rooms are required to serve the pitches.

Residential Amenity

- 25 Notwithstanding the positive support provided by the Local Plan and the Scottish Planning Policy document there is a need to ensure that a suitable level of residential amenity is maintained in the neighbouring dwellings. Planning control has a duty to future occupiers not to create situations of potential conflict between neighbouring uses. This is entwined into Policy 41 of the Local Plan which seeks the retention and where possible the improvement of residential amenity.
- 26 From an inspection of the site, its surroundings and taking into account the content of the letter of representation received, I am of the opinion that the proposed development is sited in the most appropriate location within the wider site. I accept that it will have some impact on the established amenity of the dwellinghouse directly across the road but I do not consider this to be significant especially due to the separation from the site by the public road, the retention of some trees and the reinforcement of the boundary hedge, all of which will serve to soften the building's impact.

- 27 Environmental Health has addressed the concerns with regards to the potential for noise disturbance for nearby residents from the proposed plant/pump equipment which are to be located in the North West corner of the application site given the nearest residential property is within some 35m and are satisfied that this noise level can be adequately controlled by condition on any consent.
- 28 Given the long-established use of the wider site, there has been a history of extra curricular activities on the site. With the Council seeking to provide more community facilities in line with the results of the Leisure Needs Analysis, the development will not only benefit the school children of the area but also the wider community with increased availability for leisure activities available on their doorstep.
- 29 Given the existing nature of the area and the fact that the proposed operating hours are to be within normal school hours with occasional evening use for school related activities noise, nuisance for neighbouring residents is not anticipated. A janitor is to be on site at all times. It is further noted that there are no windows located within the games hall building and all other windows connected with the application are located on the north elevation furthest away from residential properties. In order to ensure there is no significant disturbance from patrons leaving the facilities in the evening it is proposed to limit the operating hours to between 08.00 hours and 22.00 hours daily and this would be done through a condition on any consent.

Road Safety

- 30 A concern has been expressed regarding the increase of levels of traffic that may be generated by the proposed development and the impact this would have on safety and the free flow of traffic. The Council's Transportation Planner has been consulted on the application and has no objection in traffic generation terms.

PLANNING AUTHORITY WITH AN INTEREST IN THE LAND

- 31 The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 advises on the procedure for notification of planning applications to the Scottish Ministers for developments in which planning authorities have an interest in. The Direction states that notification to the Ministers is only required where the proposal involves a significant departure from the authority's own Development Plan. As the recommendation of approval is not a significant departure from the Development Plan, a notification to the Ministers is not required.

LEGAL AGREEMENTS

- 32 None required

DIRECTION BY SCOTTISH MINISTERS

- 33 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, Regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 34 Section 25 of the Act requires that determination of the proposal should be made in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In this respect, it is considered to be in accordance with the Approved Strategic Development Plan and the Adopted Local Plan. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. The application is therefore recommended for approval subject to conditions.

RECOMMENDATION

A Approve subject to the following conditions:

- 1 The proposed development must be carried out in accordance with the approved plans herewith unless provided for by conditions imposed on the planning consent.
- 2 Unless otherwise agreed, samples of all external finishing materials shall be forwarded for the approval of the Council as Planning Authority prior to the commencement of work on site.
- 3 The hours of operation of the facility shall be 08.00 hours to 22.00 hours Monday to Sunday.
- 4 All plant or equipment, including any ventilation system, associated with operation of the proposed building shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring noise-sensitive premises, with all windows slightly open, when measured and/ or calculated and plotted on a Noise Rating curve chart.

Reasons

- 1 To ensure the development is carried out in accordance with the plans approved.
- 2 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 3 In order to safeguard the residential amenity of the area.
- 4 In order to safeguard the residential amenity of the area.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

C PROCEDURAL NOTES

None

D INFORMATIVES

- 1 Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 2 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.

Background Papers: One
Contact Officer: Christine Brien – Ext 475359
Date: 4 February 2013

Nick Brian
Development Quality Manager

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Council Text Phone Number 01738 442573

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12/02177/FLL

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↑ Scale
1:2500

