



APPLICATION FOR PLANNING PERMISSION 12/00774/DPP ERECTION OF 6 FLOODLIGHTING COLUMNS AT KINGS PARK, ESKBANK ROAD, DALKEITH

Report by Head of Planning and Development

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** The application is for the erection of 6 floodlighting columns around the existing football pitch at Kings Park, Dalkeith. There have been no letters of representation and no consultee objections. The relevant development plan policies are RP20, RP22 and RP30 of the Midlothian Local Plan. The recommendation is to grant planning permission subject to a condition restricting the hours of operation.

2 LOCATION AND SITE DESCRIPTION

- 2.1** The application site is within Kings Park and comprises a grassed football pitch area which is enclosed by fencing. There is mature landscaping planted along the outside of the fencing. The pitch is in use by Dalkeith Thistle Football Club.
- 2.2** The surrounding areas to the north-west and south-west of the site comprise open park and playing fields. Kings Park Primary School is located to the north of the site and there is one residential property to the east of the site.

3 PROPOSAL

- 3.1** It is proposed to erect 6 floodlights around the football pitch. These are to be 15 metres high and have twin lamps. The columns are to be located at each corner of the rectangular pitch and at the midpoint on either side of its length. No details of the materials of the floodlight columns have been submitted.

4 BACKGROUND

- 4.1** Relevant to the application is the previous approval of floodlights on the neighbouring rugby pitch (09/00348/DPP and 10/00414/DPP). The approved proposal at the rugby pitch comprised eight 10m high floodlight columns, each with three lighting units at the top.

- 4.2 The applicant and land owner is Midlothian Council. Regulation 3 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 requires applications which are submitted by the Planning Authority and in their ownership to be considered by the Planning Committee.

5 CONSULTATIONS

- 5.1 The Council's **Environmental Health Manager** has not objected to the application.

6 REPRESENTATIONS

- 6.1 No representations have been received in connection with this application.

7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and the Lothians Structure Plan 2015, approved in June 2004, and the Midlothian Local Plan, adopted in December 2008. The following policies are relevant to the proposal:
- 7.2 Midlothian Local Plan Policy **RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area.
- 7.3 Midlothian Local Plan Policy **RP22: Conservation Areas** indicates that development will not be permitted which would have any adverse effect on the character or appearance of the conservation area.
- 7.4 Midlothian Local Plan Policy **RP30: Open space in towns and villages** which does not permit development on important areas of open space within built-up areas. Development is not permitted where it would result in the loss of a visually important open space; or an attractive landscaped area; or area important for informal recreation.

8 PLANNING ISSUES

- 8.1 The primary planning consideration in this instance is whether the proposed development complies with the development plan or, if not, whether there are any other material considerations which would otherwise justify granting permission.
- 8.2 The application is for the erection of floodlighting columns at an existing football pitch. There are already three lighting columns within the application site and a further eight lighting columns on the neighbouring rugby pitch. In addition there are three further lighting columns on a training area to the north-west of the football pitch. The proposal

involves the replacement of the three existing 6m high lighting columns, within the site, with six 15m high lighting columns. Therefore it is important to assess what, if any, additional impact there will be as a result of erecting more columns that are 9m higher than the originals

- 8.3 The design of the columns is of a form which is widely used for lighting sports pitches and leisure facilities elsewhere in Midlothian, and is acceptable in this recreational area. Given the presence of other similar structures in the park, the high trees nearby and the location of the columns in the corner of the park away from Eskbank Road they would have no significant adverse impact on the character and appearance of the Conservation Area.
- 8.4 At a height of 15m some of the columns may be visible, depending on where they are viewed from, however the slender nature of the columns and the lighting units will ensure that they would not be visually obtrusive.
- 8.5 In considering floodlighting proposals it is not only the appearance of the structures that may impact on the area, it is also the light which is emitted from the floodlights and the scope that the lights give for use of areas which would previously been unusable due to low light levels. These impacts can have a detrimental impact on neighbouring residential properties and other noise and light sensitive properties.
- 8.6 The closest residential property to the application site is at 45 Abbey Road, which is approximately 35m from the closest proposed lighting column. Despite the close proximity of the house to the lighting they are separated by a tree belt. In addition, the applicant has submitted a 'light spread' plan. The height of the proposed floodlights allows the lights to be directed down, towards the ground, rather than projecting more horizontally, which would cause the light to spread over a greater distance. This 'light spread' plan shows that the light from the floodlights should not have a detrimental impact on the amenity of nearby residents.
- 8.7 The application site is located in a large public park which is grassed and predominantly flat. Although the columns may be visible from the long views within the public park, they will be viewed as part of the existing football pitch at the site.
- 8.8 Although no complaints have been received in relation to the use of the neighbouring rugby pitch when the floodlights are in use, it would be prudent to attach a condition to restrict the hours the lights can be illuminated. This is consistent with floodlighting provision at other Midlothian sports facilities.
- 8.9 The erection of the six columns in this area would have a limited impact on the character and amenity of the area as compared to the existing situation and would enhance the potential use of the sports pitch.

9 RECOMMENDATION

9.1 That planning permission be granted for the following reason:

The proposed development is located within the built up area and does not conflict with Midlothian Local Plan policies RP20, RP22 and RP30. The presumption in favour of development is not outweighed by any other material considerations.

Subject to the following conditions:

1. Prior to the erection of the floodlighting columns details of the material of the columns shall be submitted to and approved in writing by the planning authority.

Reason: *These details were not submitted with the application and are required in order to ensure that the proposed columns do not have an adverse impact on the character and appearance of the area.*

2. Unless otherwise approved in writing by the planning authority, the floodlights hereby approved shall not be used between the hours of 10pm and 7am.

Reason: *To limit any impact on the amenity of the surrounding area.*

3. The development hereby permitted shall be begun within three years from the date of this permission. Prior to the development commencing the planning authority shall be notified in writing of the expected commencement of work date and once development on site has been completed the planning authority shall be notified of the completion of works date in writing.

Reason: *To accord with Section 58 and 27A of the Town and Country Planning (Scotland) Act 1997 (as amended by Planning etc (Scotland) Act 2006).*

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Date: 7 January 2013

Application No:	12/00774/DPP (Available online)
Applicant:	Midlothian Council
Agent:	Midlothian Council Corporate Resources
Validation Date:	22nd November 2012
Contact Person:	Duncan Robertson
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Background Papers:	