



APPLICATION FOR PLANNING PERMISSION 12/00776/DPP FOR FORMATION OF SKATEPARK AT KING GEORGE'S FIELD, MAYBURN AVENUE, LOANHEAD

Report by Head of Planning and Development

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for formation of a skatepark within the grounds of a public park in Loanhead. There has been two letters of representation and no consultees have objected. The relevant development plan policies are RP20, RP29 and CONF4 of the Midlothian Local Plan. The recommendation is to grant planning permission subject to conditions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1** King George's Field is a large public park in the centre of Loanhead. The park contains a leisure centre, a building used by the Army Cadet Force and as a sports pavilion, 2 outdoor all weather 5-a-side football pitches, a children's play park and a grass football pitch. The majority of the neighbouring properties are residential; there is a commercial premises along part of the eastern boundary and Loanhead Library and local shopping facilities are situated to the north west.
- 2.2** The specific location within the park proposed for the skatepark is a grassed area to the east of the leisure centre building. To the north of the site is the all weather pitches and to the south is the grass football pitch. To the east of the site is the Cadet building with residential properties beyond. A large part of the site is occupied by a grassed bund, formed from excavation spoil when the leisure centre was erected in the 1990's. The bund is approximately 70 metres long and 6 to 7 metres wide with a maximum height of approximately 1.5 metres.

3 PROPOSAL

- 3.1** The proposal is for the formation of a skatepark. The skatepark will have a V-shaped form in plan, measuring 50.8m and 46.9m along the length of the two arms of the V and 44.2m across the width of the V.
- 3.2** The skatepark will be formed from concrete and will have a variety of slopes and level changes. The highest point of the structure will be 2.8m above ground level; around most of the external edges the

structure will be 1.5m above the existing ground level with the central areas being less than 1m above ground level. At its lowest points the structure will be slightly below the existing ground level. The external edges of the structure will be partly enclosed by bunding, although some sections will be bare concrete. A ball catcher fence will be erected between the skatepark and the grass football pitch. No floodlights are proposed.

4 BACKGROUND

- 4.2 Application 12/00636/DPP for the formation of a skatepark in the north eastern corner of King George's Fields was submitted on 27th September 2012. This proposal was for a skatepark of the same design on a site to the north of the all weather pitches. This site would have been closer to residential properties than the current proposal and raised issues regarding loss of amenity to neighbouring properties from noise and overlooking. In addition the site would have resulted in the loss of a number of trees and would have been very prominent when approaching the park from the north. Four letters of objection were received from residential neighbours. Following discussions with the case officer the application was withdrawn and the current amended application was submitted in its place.
- 4.3 The applicant is Loanhead Community Development Association (LCDA). The park is owned by Midlothian Council. Regulation 3 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 requires applications which relate to land in the ownership of the Planning Authority to be considered by the Planning Committee.

5 CONSULTATIONS

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

6 REPRESENTATIONS

- 6.1 Two representations have been received in connection with this application. Both of the representations neither object nor support the application.
- 6.2 One representation is from the owner of a property on Fountain Place which shares a boundary with the park. The representor raises concerns regarding the potential noise generated by users of the skatepark and asks why other parks within Loanhead have not been chosen as the site.

- 6.3 The second representation is on behalf of Loanhead Leisure Centre and raises concerns regarding the possibility of the skatepark encouraging anti-social behaviour. The representation asks whether CCTV will be installed at the site.
- 6.4 Neighbour notification was sent to properties along all boundaries of King George's Field. In total 80 properties were sent neighbour notification.

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 **RP29: Playing fields and sports facilities** does not permit development on existing playing fields and sports facilities unless it can be demonstrated that the development will not result in a material loss of amenity to the surrounding area. This policy also seeks an enhancement of existing provision.
- 7.4 Midlothian Local Plan Policy **CONF4: Leisure and community facilities** which seeks to promote leisure facilities where they are appropriate to the local area in terms of their scale and impact on amenity and that they are easily accessible. Preference is given to derelict or vacant land within settlement boundaries.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The representation and consultation response received are material considerations.
- 8.2 The local plan policies seek to protect areas of open space where they are considered important to the amenity of the local area. There is also a presumption against development where it would have an adverse impact on informal recreation.
- 8.3 The development will result in the loss of a relatively small parcel of informal open space. While there will be a loss of informal open space there is ample space elsewhere in the park as a place for both organised sport and informal leisure and recreation.

- 8.4 The skatepark will also provide an additional recreational facility in the park. Therefore, rather than the development resulting in the loss of amenity it will provide further benefit to the area's recreational needs. The use will complement existing uses within the park and this was a factor in LCDA's selection of King George's Field rather than Memorial Park.
- 8.5 The application site is centrally located within Loanhead and therefore easily accessible for residents of the area. The skatepark is intended as a local facility and it is not anticipated that it will generate significant usage from outwith the Loanhead area. Although it is likely that the majority of people using the facility will be younger people who will travel to the site by foot, bike or board there is a car park at the leisure centre and local buses run within close proximity of the park. The ease of access was a key factor in the choice of King George's Field for the skatepark location rather than Burghlee Park.
- 8.6 The site for the previous application was an area at the northern edge of the park which contains a grassed bund and various trees; the combination of the bund and trees creates a pleasant landscaped feature at the northern boundary and a skatepark would have significantly disrupted this feature. The alternative site that is the subject of this application is centrally located within the park.
- 8.7 The concrete structure of the skatepark will be visible from outwith the park but in all views it will be seen in close proximity to the existing leisure centre building and all weather pitches and as such will not appear unduly prominent. The extent of the bund will have to be altered to accommodate the skatepark, but some additional bunding will be formed around sections of the structure. Skateparks are an increasingly common feature within public parks and the proposed structure will not appear out of character with the other structures and uses within the park.
- 8.8 No details of the ballcatcher fencing have been provided; however such fencing is typically in the region of 4 metres high. Such fencing will not appear out of character in the context of the existing fencing surrounding the all weather pitches. Details of the fencing can be secured via condition.
- 8.9 It is acknowledged that the skatepark may generate some additional noise, however this will be in the context of existing outdoor uses within the park such as the playpark and both the grass and all weather football pitches. To the north, west and south the closest residential properties will be in excess of 90 metres away. To the east of the site the closest residential properties will be 40 to 45 metres away. These properties have always backed on to the park and playing fields and the residents will be accustomed to the activities which are carried out in the area. The existing all weather pitches are closer to these properties than the skatepark. Given the existing noise generating uses

within the park the use of the skatepark will not represent a significant loss of amenity to any neighbouring properties.

- 8.10 With regard to the representation submitted on behalf of Loanhead Leisure Centre; the possibility of anti-social behaviour is not a material planning consideration. The control of any anti-social behaviour would be a matter for the Police and the Council's Community Safety Team. It would not be reasonable to condition the provision of CCTV as part of this planning application. The possibility of CCTV being installed would be a matter to be discussed between LCDA and the Council's Sport and Leisure Services section.
- 8.11 The proposed skatepark represents a further addition to the existing leisure provision and will not result in a significant impact on the amenity of neighbouring residents.

9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

The proposed development is compatible to the neighbouring land uses and does not conflict with the aims and objectives of the adopted Midlothian Local Plan policies RP20, RP29 and CONF4.

Subject to the following conditions:

1. 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).*

2. Development shall not begin until the following details have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i. existing and finished ground levels and finished levels for the skate-park in relation to a fixed datum;
 - ii. full detailed drawings, including sections and elevations; and
 - iii. details of the ball-catcher fencing including scaled site plan and elevation drawings.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *These details were not submitted along with the application and are required to ensure that there is no adverse impact on the character or amenity of the area in terms of complying with policy RP20 of the Midlothian Local Plan.*

Ian Johnson
Head of Planning and Development

Date: 7 January 2013

Application No:	12/00776/DPP (Available online)
Applicant:	Loanhead Community Development
Association	
Agent:	No agent
Validation Date:	24 November 2012
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