

Report

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Report to:	Planning Committee
Date of Meeting:	21 June 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0241
Planning Proposal:	Construction of Full Sized Synthetic Sports Pitch, Changing Facilities, Floodlighting and Associated Parking and Roadway (Notice of Intention to Develop)

1 Summary Application Information

- Application Type : Notice of Intention to Develop (NID)
- Applicant : South Lanarkshire Council (Community Resources)
- Location : Lanark Racecourse
Hyndford Road
Lanark

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Notice of Intention to Develop – (Subject to Conditions – Based on Conditions Listed Overleaf)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) The Notice of Intention to Develop will require to be referred to the Scottish Executive as objections have been received to it.

3 Other Information

- ◆ Applicant's Agent: Professional Sportsturf Design Ltd
- ◆ Council Area/Ward: 02 Lanark South
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
- Proposal LR8: 'Lanark Moor and Racecourse'

- ◆ Representation(s):
 - ▶ 10 Objection Letters

- ◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

S.E.P.A. (West Region)

The Royal Burgh of Lanark Community Council

Planning Application Report

1 Application Site

- 1.1 The application site extends to 1.2 hectares and is located within the grounds of Lanark Racecourse on the eastern edge of Lanark. Access is taken off Hyndford Road via the Country Park car park, adjacent to the Scottish Equi Centre. It encompasses two blaes hockey pitches and existing changing rooms.
- 1.2 The site is bounded to the north by the race track, to the west by vacant ground and to the south and east by football and rugby pitches and open amenity space all of which fall within the curtilage of Lanark Racecourse.

2 Proposal(s)

- 2.1 The application relates to a Notice of Intention to Develop by the Council.
- 2.2 The proposal involves the installation of a full-size (103m long by 66m wide) synthetic football/hockey pitch, with associated changing rooms, fencing and floodlighting. The changing room block measures 9.8m in width, 23m in length and 3.5m in height. The structure is to be flat-roofed and finished in metal panels with a roughcast finish.
- 2.3 The pitch will be enclosed by a spectator rail and a mesh boundary fence, 3m in height along the sides and 5m in height behind the goal mouth. A number of 13m high cowled lighting columns will be positioned at intervals around the pitch. The existing access and parking for the Racecourse will be utilised. A new section of road will be constructed, linking through from the car park, (this represents a slight deviation of the existing track to the rugby pavilion), to the proposed new changing rooms where 3 disabled parking spaces and a vehicular turning area will be sited.

3 Background

3.1 Local Plan Status

In the Lower Clydesdale Local Plan, the site is covered by Proposal LR8: 'Lanark Moor and Racecourse' which indicates that the Racecourse is an appropriate venue for the development of outdoor leisure facilities.

3.2 Relevant Government Advice/Policy

- 3.2.1 NPPG11: 'Sport, Physical Recreation and Open Space' recommends that Councils meet demand for recreational provision and ensure leisure facilities are safe and readily accessible.
- 3.2.2 NPPG17: 'Transport and Planning' aims to facilitate a reduction in car use and supports more use of walking, cycling and public transport. Leisure facilities should be easily accessible to people on foot.

3.3 Planning Background

- 3.1 A planning application (CL/04/0303) for the formation of two football pitches and erection of a spectator stand was withdrawn in August 2004. Subsequently, another planning application (CL/05/0085) was submitted which only included the full-sized synthetic pitch and omitted the full-size grass pitch and stadium, however, this application was also withdrawn.

4 Consultations

- 4.1 **Roads & Transportation Services** – No adverse comments, subject to the maintenance of existing visibility at the junction onto Hyndford Road.

Response: Noted. This matter can be covered by condition.

- 4.2 **Environmental Services** – Noise emissions and working hours should comply with standards. A desk study should be undertaken to assess the potential for contaminants being present. If contaminants are likely, then a full intrusive survey will be necessary.

Response: Appropriate conditions are proposed to cover these issues.

- 4.3 **SEPA** – is awaiting details regarding a public sewer connection and has been assured by the applicant that no development will proceed until they are satisfied with the foul drainage proposals. Surface water should be treated in accordance with the principles of Sustainable Urban Drainage. It is possible that previous infilling of land at certain locations may have resulted in land contamination although no details have been received relating to the site history or its condition.

Response: Appropriate conditions can be applied to cover these issues.

- 4.4 **Royal Burgh of Lanark Community Council** - object because the most recent planning application is outwith the guidelines and plan formerly agreed with the Community Council.

Response: I am satisfied that this proposal will not impact on the integrity of the Racecourse which was the Community Council's concern in earlier discussions with the Council.

- 4.5 The following consultation responses were received in respect of application CL/05/0085, now withdrawn, and remain relevant to the assessment of this application.

- (a) **Sportscotland** – Due to the isolated location of the pitch, consideration should be given to the issue of security.

Response: There are already existing sport pitches and changing rooms at the Racecourse, therefore the principle of leisure facilities at the site has already been established. Sportscotland have already provided feedback as design advisers to the New Opportunities Fund who have approved the project scheme as fit for its purpose.

- (b) **Lanark & District Civic Trust** – No objection.

Response: Noted.

- (c) **Scottish Water** – There are no known sewers to which a connection may be made from the proposed development. Drainage will require to be treated by septic or other suitable treatment system.

Response: Noted.

- (d) **West of Scotland Archaeology Service** – No known issues.

Response: Noted.

5 Representation(s)

- 5.1 Following a 'Notice of Intention to Develop' advert and neighbour notification, ten letters of objection were submitted. The main points of these letters are summarised below, together with my comments thereon:

- (a) **The proposals have potentially serious implications for the operation of the Equi Centre and the health and welfare of horses at the complex.**

Response: A report (commissioned by the Applicant) by Kit Campbell Associates concludes that there will be no adverse impact upon the Equi Centre. Although this has been disputed by consultants on behalf of the Equi Centre, further comments provided by Kit Campbell Associates have been received and I am satisfied that the potential impact is acceptable. This issue is assessed in further detail in the Assessment and Conclusions section.

- (b) **The car parking area is a designated picnic area, plus the dirt access track would require major upgrading to cope with the increased usage.**

Response: There is a picnic area and an existing 180 space car park. The access and car park already serve an existing recreational area, therefore I am satisfied that the existing road infrastructure is adequate.

- (c) **Original objections to the withdrawn application will not be considered in relation to the new application even though the only difference is minor change to the access road. As the previous application was withdrawn at the same time as the new application was submitted, people who objected may have mistakenly thought the press advert for the current application related to the withdrawn application and, as a consequence, did not object.**

Response: The Scottish Equi Centre's lawyer has been advised that the issues raised during the previous applications are relevant to the assessment of the current application and reference is made to the withdrawn applications in this Committee Report. Issues raised in the previous letters of objection are addressed in this Report.

- (d) **Noise and sudden cheering from the crowds watching football matches will unsettle horses in the fields grazing and while people are riding.**

Response: The sports pitch will be available for hire to members of the public either for five-a-side football or full-sized games of football or hockey, however it is highly unlikely that there will be crowds watching games especially as no stand or formal spectator facilities are proposed.

- (e) **The greater number of people using the Racecourse will only increase the amount of litter.**

Response: The problem of litter affects all public areas, however, this would not on its own be a justifiable reason for refusing the application especially as the proposal relates to the upgrading and restoration of an existing recreational area and does not involve the introduction of a new use.

- (f) **The synthetic pitch should be relocated further eastward. This would allow the Equi Centre to rationalize grazing areas and locate them adjacent to the Equi Complex.**

Response: There is no justification for relocating the pitch as any new site would be located some distance from the car park and would result in the creation of a new car park and access exacerbating construction costs and displacement of other users. The blaes pitches are unsuitable for grazing horses and would bring horses in closer proximity to sports pitches and could result in issues of horse sensitivities already highlighted by the objector.

- (g) **The changing rooms should be repaired and the Racecourse left as originally intended.**

Response: The current state and surface of the blaes pitches inhibits their original use, hence the reason for proposing upgrading works.

- (h) **Parking and access proposed will hinder the Scottish Equi Centre to the point of closure.**

Response: The proposed facility will use an existing access and car park which continues to have the potential to accommodate large numbers of vehicles. A new stretch of road will link through to the changing room, however this stretch will only be used by leisure staff, buses dropping off players and disabled people accessing the three disabled parking bays and therefore the volume of traffic along this stretch of road will be low. Also, the number of horses being moved from their grazing areas to the complex from observation occurs only intermittently and therefore conflict with traffic is unlikely, and the situation is certainly not comparable to horses being ridden along a public road. The assessment carried out to date concludes that there will be no adverse impact on the Equi Centre. Mitigation measures can be incorporated involving horse crossing points, signage and traffic calming. The evening use will be significantly less than the existing and potential optimum day-time use. I am of the opinion that a Transport Impact Assessment is not necessary for the above reason. In addition the Roads & Transportation Service have not offered any objections, as part of their consultation response.

- (i) **Glare from floodlights will affect Equi Centre residents and road users. The assessment carried out on behalf of the applicant fails to assess the extent and glare and spillage of light upwards.**

Response: External floodlighting is not uncommon associated with or adjacent to outdoor riding arenas. Calculations confirm that light spillage from the floodlights will be around 30m out from the perimeter of the pitch, a good distance back from the Equi Complex and public road. Roads & Transportation have not objected to this proposal. A condition is proposed that prior to the completion of the development, the applicant shall demonstrate that there will be no unreasonable levels of glare and upward spillage of light.

- (j) **The facility will be built on a large area of natural grass and trees.**

Response: This is incorrect. The facility will be built on existing blaes sports pitches.

- (k) **SLC seem to be only interested in supporting football at the expense of other sports.**

Response: The existing blaes pitches were laid out for hockey and football and it is intended that the upgraded pitch will continue to be available for these sports as well as other users such as rugby for training purposes.

- (l) **The additional report (prepared for the Council, as applicant, by Todd Booth, Veterinary Surgeon) refers to an equestrian centre next to a floodlit golf driving range which is not comparable to an all-weather football pitch.**

Response: It was the Kit Campbell Associate's report which made reference to the golf driving range, not Todd Booth, and this is relative to floodlighting, not noise and therefore the circumstances are comparable.

- (m) **The reference in the Kit Campbell Associates' report to police and racehorses being able to cope with extreme situations is not valid because a high percentage of police horses are discarded during training and race horses by reputation are dysfunctional due to the stress they are subjected to.**

Response: The Kit Campbell Associates' advice is provided by a professional and is accepted in this instance.

- (n) **Horses being ridden or led past the facility could be frightened by cheering or the noise of a ball being pounded off the boards. Frightened horses could throw their riders.**

Response: I understand that under the terms of the lease, the Equi Centre does not have rights to ride horses on the Racecourse, only to lead them from their grazing area. The blaes pitch is an existing facility which could be used at any time for a game of football and, if its present use continued, there would still be potential for noise. By enclosing the park, the likelihood of balls leaving the pitch would be minimised. A condition is proposed (and has been agreed with Community Resources) to ensure boards are not placed around the perimeter, thereby reducing the potential of noise from balls.

- (o) **The proposal is contrary to Policy LR5: 'Countryside Based Activities' because it is incompatible with the Scottish Equi Centre and will generate excessive noise to the detriment of horses.**

Response: An assessment (detailed in the Conclusions) has been carried out which concludes that there will be no adverse effect upon the Equi Centre. It should be noted that Equi Centre took over occupation of their site when there was already an existing recreational area and car park which continues to have the potential to cater for large numbers of people. Also, the Equi Centre leases an area of grazing which surrounds an existing schools changing room. Games of rugby involving 30 players, referee, coaches, substitutes and spectators have been played in close proximity to the Equi Centre with all the associated noise and traffic without any apparent problems. Their concerns about their horses would appear to contradict their own decision to locate their business at this particular location.

- (p) **The proposal is contrary to Policies TRA1: 'Transport and Planning' and TRA3: 'Public Transport' of the Lower Clydesdale Local Plan, NPPG 11: 'Sport, Physical Recreation and Open Space' and NPPG 17: 'Planning and Transport' because the facility will not be easily accessible in terms of public transport, walking and cycling. Also, as it is a major development, a Transport Impact Assessment and Green Transport Plan will be necessary.**

Response: The Racecourse already has established recreational sport pitches and therefore there is no change to the existing patterns of travel. The Racecourse is situated on Hyndford Road which is an existing bus route and there are footpath links from the adjacent Lanark Loch recreational area and Lanark Town Centre. The estimated walking time from Lanark Town Centre is 20 minutes. Lanark serves a large rural hinterland, the residents of which will all require to travel, should they wish to use leisure facilities, irrespective of the location of such facilities within Lanark. The proposed sports pitches cannot be described as a major development and Road & Transportation Service and Sportscotland have not objected to the proposal. Therefore, I am of the opinion

that Government guidance and Local Plan policies concerning leisure facilities and transport will not be contravened. It should be noted that the suggestion by the Scottish Equi Centre to relocate the site further eastward would reduce accessibility.

- (q) **The Artificial Turf Pitch proposal is included in Schedule 2 of the EIA Regulations as an Urban Development project. The proposed development meets the thresholds in column 2 of the EIA Regulations in that it exceeds 0.5 hectares in area and will have a significant effect upon the environment.**

Response: I do not consider that the above development constitutes a major development, nor will it result in a development of a materially different nature from that taking place on the site at present. Consequently, I am of the opinion that an EIA is not necessary.

- (r) **The proposal is contrary to Policy DC2: 'Designing Out Crime' and PAN 46: 'Planning for Crime Prevention' in that lighting is not proposed for the car park and the Police have not been consulted. Any additional lighting would cause considerable disturbance to the Scottish Equi Centre.**

Response: The existing car parking is currently available for public use and not part of any scheduled development works. The Equestrian Centre has made regular and continuous use of the car park without the issue of security being raised. It should be noted that regular use of the car park will in itself act as a deterrent to crime.

- (s) **In the noise report, prepared on behalf of the applicant by RMP, it is recommended that buildings associated with the pitches be located between the pitches and the Equi Complex or grazing area. This recommendation cannot be implemented.**

Response: That recommendation can be implemented. The proposed changing room will be located between the artificial pitch and the Equi Centre.

- (t) **Conditions cannot be attached to a Notice of Intention to Develop permission. Therefore, recommendations by the applicant's consultants that car parking spaces nearest to the Equi Centre dormitories be reserved for the patrons of the Equi Centre and that hard kick boards be omitted from around the pitch perimeter cannot be implemented and there is no commitment to implement the recommendation from the Council.**

Response: It is acknowledged that conditions are not normally attached to NIDs, however, there are a number of 'restrictions' which the applicant Resource have agreed will be imposed/actioned as part of the development. These are listed as 'conditions' at the end of the report and there is a commitment on behalf of the Council to adhere to these.

(u) **The blaes pitches have been abandoned.**

Response: The blaes pitches have not been used for a number of years because a lack of demand for blaes surfaced pitches. Blaes is now considered as an unsuitable all-weather surface. However, the hockey posts remain, the pitch is relatively even and have not reverted to scrub and, consequently, informal games could still be played and there is no evidence that this has not occurred. It has never been the intention of the Council to abandon the pitches nor have they been used for an alternative use. It should also be noted that Sportscotland will generally object to the loss of any sports pitch even if it has not been used for some considerable time unless alternative provision can be provided elsewhere in close proximity. The loss of sport on the site would contravene NPPG 11: 'Sport, Physical Recreation and Open Space'. This policy together with Sportscotland's position infers that all sports pitches require special consideration and shall not be considered to have been abandoned even if they have not formally been used for a number of years.

(v) **The proposal will contravene the Human Rights Act 1998.**

Response: I am satisfied that all issues raised by this act have been properly considered.

(w) **The level of traffic movements generated by the proposal is such that it is likely to represent an actionable interference with the Equi Centre's rights of access.**

Response: There are existing vehicle access rights and no such conflict exists. There are many heavily attended events at the Racecourse that occasion large numbers of vehicles to the site (much more than would be attracted to the pitch at any one time), many of which were arranged by the Equi Centre.

(x) **The proposal will result in an increase in insurance costs incurred by the Equi Centre.**

Response: This is not a material planning consideration.

(y) **The Applicant has not consulted with various equestrian organisations, as originally requested by Planning.**

Response: Prior to Kit Campbell undertaking his report, the equestrian organisations had already objected to the ATP and therefore they could not be relied upon for independent and objective advice.

These letters have been copied and are available for inspection in the usual manner.

- 5.2 It should be noted that the previous application (CL/05/0085) attracted 70 letters of objection. These were largely the same objections as were raised at the time of the original application (CL/04/0303), despite the omission of the proposed stadium. Many of these representations referred to the stadium and associated crowds. To address these concerns, the Council had commissioned a report by Kit Campbell Associates to consider that proposal. That report concluded that there would be no adverse impact. The Equi Centre subsequently instructed their own consultant to assess the report findings. This assessment rejected the conclusion of Kit Campbell Associates' report of no adverse impact. This matter is covered in more detail later in the report. In addition issues were raised about the potential anti-social behaviour of the players, loitering and vandalism.

6 Assessment and Conclusions

- 6.1 The proposal will involve the replacement of poor quality blaes pitches with a full-sized football/hockey pitch. The current facilities no longer meet current standards and therefore this development will enhance provision which will benefit leisure users in the Lanark area. As the Racecourse already contains sports pitches and open space, the proposal complies with the current land use and the adopted local plan which aims to improve leisure provision. Government guidance recommends that demand for outdoor recreation is met.
- 6.2 None of the consultees, other than the Community Council, have objected subject to necessary conditions and standards being achieved and these have been agreed with Community Resources.
- 6.3 The main grounds of objection relate to the potential impact upon the Equi Centre. Although many of the objectors to the previous application referred to a stadium this has been deleted from the current proposal. Notwithstanding, Community Resources commissioned a report produced by Kit Campbell Associates to assess the impact of the proposals on the Equi Centre. That report was subsequently the subject of further reports by Hamilton & McGregor Acoustic Division (HMAD) on behalf of the Equi Centre. In addition a further report was prepared by Kelly Marks of Intelligent Horsemanship (KMIH) for the Equi Centre and thereafter both RMP and KCA submitted responses to the points made by HMAD and KMIH, who in turn commented on those further responses. The first report produced by KCA concluded that noise and lighting levels are unlikely to have any significant effect on horses in the Centre. However, it did recommend a dedicated horse crossing point on the roadway and erection of signs indicating that horses have right of way. The Scottish Equi centre appointed Hamilton & McGregor Acoustic Division to undertake an assessment of that report. HMAD concluded that a full noise assessment should be provided. HMAD also anticipated that noise from the car park would result in complaints. The further report from Kelly Marks of Intelligent Horsemanship (KMIH) was also forwarded on behalf of the Equi Centre which emphasised the unpredictable and neurotic behaviour of horses with regard to sustained and sudden noise especially if confined to a stable.
- 6.4 The objector's agent also infers that as the Council as Planning Authority requested that the Applicant obtain advice on noise impact, the Council has accepted that the Equi Centre is noise sensitive and therefore under the terms of PAN 56: Planning & Noise, consideration should be given to the need for a noise impact assessment. It is asserted by Shepherd and Wedderburn that this has not been done and they question the conclusions of Todd Booth, the veterinary expert whose advice was incorporated into the Kit Campbell's report, that no adverse effect on the behaviour and welfare of horses will result, on the grounds that Mr. Booth did not visit the Equi Complex or establish the full extent of their operations. The objector states that Kelly Marks of Horse Intelligence, who has an opposing view, is more qualified than Todd Booth to offer comment. As Kit Campbell makes reference to an outline consent for the artificial pitch, his qualifications to offer opinion on planning matters has been questioned.

- 6.5 The above views have been subject of further comments from Kit Campbell Associates and the contributors to his report. They assert (1) that the Hamilton & McGregor report does not fully comply with a BS4142 assessment and (2) the methodology employed (BS4142 : 1997 'Method for rating industrial noise affecting mixed residential and industrial areas') is intended for assessing industrial noise and is therefore inappropriate for assessing noise from an existing car park. Taking account of the acoustic shielding effect from the existing and proposed buildings, they state that the levels of noise predicted from the sports pitch and car park are expected to be within established guidelines. Nevertheless, to minimise any potential for complaint, they recommend that the car parking closest to the dormitory should be reserved for patrons of the equestrian centre and that the pitch should not incorporate hard kick-boards around the perimeter. These recommendations have been agreed to by Community Resources.
- 6.6 In response to the arguments against their original report Kit Campbell Associate's erroneously refer to a 250-space car park rather than 180 spaces as contained in the proposal. Nonetheless, I consider the conclusions on car parking matters to be relevant. In summary these are:
- ▶ Many existing artificial turf pitches (ATPs) are located in close proximity to dwellings which, in itself, appears to contradict the claims of excessive noise disturbance.
 - ▶ The existing car park and blaes pitch pre-date the development of the Equi Centre and attached dormitory which were established in full knowledge of the car park and blaes pitches existence, availability and possible booking for use.
 - ▶ Many hotels/hostels are built next to large car parks with significant late-night activity. Also, the hostel facility at the Equi Centre in itself generates night-time noise and disturbance.
 - ▶ There are no plans to alter the capacity of the existing car park.
 - ▶ Research by Sportscotland indicates that the peak period of operation for ATPs is up to around 2100 and not 2200.
 - ▶ In terms of legislation, higher levels of noise are acceptable during day/evening than at night, classified as hours between 2300-0700.
 - ▶ The ATP represents an upgrading of the current facility.
- 6.7 Kit Campbell Associates' response further states that Shepherd & Wedderburn have misinterpreted the estimated visits per year; 40,000 visits relates to the existing grass pitches and the proposed ATP. Of these visits, the Applicant expects 30,600 visits to the ATP of which 20,000 will be players under 16 years. The Applicant anticipates that the majority of younger players will use the facility during day/evening hours rather than after 2100 hours. Shepherd & Wedderburn have based their assessment on the maximum numbers of user but have not taken account of the times that the facility will only be used for 11-a-side games. If account is taken of those players arriving on foot, by bike, bus or full car loads, this results in much less than one car trip per player. The Council's decision to seek advice on noise did not infer agreement that the Equi Centre was a noise sensitive land user. The purpose was to establish whether the Equi Centre's claim of noise disturbance had any validity. The proposed floodlights will be designed and installed by a specialist company and therefore any adverse lighting impact is unlikely but in event can be satisfactorily controlled by means of condition. There is no current proposal to floodlight the car park. The maximum number of vehicles generated as a result of normal use of the proposed pitch will be significantly less than the current car park capacity.

6.8 Todd Booth, a qualified veterinary surgeon and Director of the Large Animal Hospital, Royal Dick School of Veterinary Studies, has made specific observations on the comments made about his contribution to the Kit Campbell Associate's report as well as on the Kelly Marks Intelligent Horsemanship report. To summarise:

- ▶ He is unaware of any evidence to substantiate claims that the use of the ATP and car park will affect the health and welfare of horses.
- ▶ Although he did not visit the Equi Complex, his assessment did take full account of the noise and light effects from the proposed ATP over the distance to the Equi Complex where the effects were unlikely to be amplified, and he states: *"I can find no epidemiologic, scientific or observational data to support the hypothesis that the expected light and noise emissions from the proposed ATP will significantly increase the risk of horses shying, bolting or behaving adversely in the Scottish Equi Centre"*.
- ▶ He states that he has no evidence that Kelly Marks (or Monty Roberts, on whose work she primarily bases her comments), is an expert of any kind as decided by any impartial, objective and internationally respected governing body.
- ▶ He states that her assertion that the horses at the Equi Centre are happy and dependable is unfounded as is her attribution of human characteristics to them.
- ▶ He states that her report is not based on any objective data whatsoever and is, therefore, not evidence based and of little or no value.

Summary of all experts qualifications and experience.

6.9 That response from Todd Booth was made available to the Equi Centre's Agent in order to ensure that all material considerations and related matters were fully addressed. Shepherd & Wedderburn then submitted further responses which are critical of both Todd Booth and Kit Campbell and then incorporated comments from Hamilton & McGregor reaffirming their own position and their criticism of RMP. Shepherd & Wedderburns further responses were, in turn, made available to RMP and Todd Booth (Kit Campbell) who responded as follows:

- ▶ RMP and Todd Booth both stand by their earlier reports.
- ▶ RMP reaffirmed that BS4142 is a method for determining industrial noise and state that Hamilton & McGregor is flawed, particularly with reference to the appropriate time period.
- ▶ RMP state that In terms of livestock considerations raised by Hamilton & McGregor, it is common for farm animals and horses to be held in fields adjoining noisy transport corridors and airports. In the case of rail lines and airports, noise levels rise to a crescendo before dying away. Animals in these fields do not react adversely and, if there was an animal welfare problem, animals would be restricted from such fields. Hamilton & McGregor's readings were taken from 21.11 hours to 21.41 hours and they state that noise measurement was dominated by noise from the A73 and dormitory noise which suggests that dormitories are not quiet at 21.00 hours 'lights out' referred to by Shepherd & Wedderburn.
- ▶ Todd Booth and Kit Campbell did visit the Racecourse and identified the various parts of the Equi Complex.

- 6.10 The Equi Centre has suggested the site of the proposed pitch be moved further eastward, taking separate access from Hyndford Road. There are a number of difficulties with this suggestion: it could result in the displacement of grass pitches and the loss of green open space; the development on the current application site can make use of the existing car park facility which has sufficient capacity; moving the pitch further east would make it less accessible to people on foot and would increase dependence on car journeys, contrary to advice contained in NPPG 17: 'Planning and Transport'; relocation would result in the need for a new access and car parking which, again, would displace an existing uses and therefore would be a permanent eyesore within the Racecourse grounds.
- 6.11 There is a history of recreational use, numerous sports pitches and a large car park at the Racecourse when the Equi Centre took over occupation of their present site. Both the Scottish Equi Centre and the sports pitches are on Lanark Common Good land. This land should rightly facilitate a variety of leisure uses for the benefit of the people of Lanark and there is no reason why a carefully planned mix of uses cannot co-exist without compromising the viability of each other. Community Resources have forwarded copies of 14 letters sent to them in support of the ATP. These letters include representations from football clubs, the Scottish Rugby Union, the Scottish Hockey Union, Education Resources, Scottish Disability Sport, Clydesdale Local Health Care Co-operative, Strathclyde Police and Universal Connections. Further mitigation measures are proposed involving reserving car parking spaces adjoining the Equi Centre dormitory for their clients, creating a dedicated horse crossing, installing warning signs, ensuring that no hard boards are placed around the pitch and restricting usage hours for the ATP facility.
- 6.12 In summary, I consider that the proposal complies with the local plan and will meet the demand for improved leisure facilities to meet the needs of the wider Lanark Community. I am also satisfied that the mitigation measures referred to above will safeguard the continued operation of neighbouring business while enabling the enhanced usage of a valuable recreational asset. Therefore, I consider the proposal to be acceptable.

Iain Urquhart
Executive Director (Enterprise Resources)

14 June 2005

Previous References

- ◆ None.

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Reports by Kit Campbell Associates

- ▶ Consultations

S.E.P.A. (West Region)

28/04/2005

Environmental Services

19/04/2005

The Royal Burgh of Lanark Community Council

► Representations

Representation from : Lindsay Robertson BHSAI, No Address given, DATED 25/05/2005

Representation from : Aileen Stuart, 16 Ambassador Way Renfrew PA4 0NS, DATED 25/05/2005

Representation from : Lawrie & Symington, The Old Sheep Ring, 19 Ladyacre Road, Lanark ML11 7LQ, DATED 26/05/2005

Representation from : Maureen Taylor, Scottish Equi Complex, Lanark Race Course, Lanark ML11 9TA, DATED 23/05/2005

Representation from : John L Young , 1 Friarsfield Road, Lanark ML11 9EN, DATED 10/05/2005

Representation from : Helen Davidson , 96 St Nicholas Road, Lanark ML11 7NH, DATED 06/05/2005

Representation from : June Grainger, Mid-Balfunning, Balfron Station, Balfron G63 0NF, DATED 04/05/2005

Representations from : Shepherd & Wedderburn, 155 St Vincent Street, Glasgow G2 5NR, DATED 26/05/2005 and 27/05/2005

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Ian Hamilton, Planning Officer, South Vennel, Lanark
Ext. 3186 (Tel :01555 673186)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

Notice of Intention to Develop (NID)

PAPER APART – APPLICATION NUMBER: CL/05/0241

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That no development shall commence on site until the applicant provides written confirmation from SEPA to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme and surface water disposal system.
- 4 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems.
- 5 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 6 That the proposed sports pitch shall only be available for hire between the hours of 9.00am and 21.30pm on Mondays to Fridays and between the hours of 9.00am and 17.00pm on Saturdays and Sundays.
- 7 That prior to the completion of the development, signage warning drivers of the presence of horses shall be erected along the access road.
- 8 That prior to the completion of the development a dedicated crossing area for horses shall be established to allow horses to cross the vehicular access road safely.
- 9 That details of traffic calming measures for the access road shall be submitted to and approved by the Council as Planning Authority and that the approved traffic calming measures shall be fully implemented prior to the completion of the development to the satisfaction of the aforesaid Authority.

- 10 That prior to the completion of the development the applicant shall demonstrate to the Council as Planning Authority that the flood lighting shall not result in unreasonable levels of glare and upward spillage of light.
- 11 That the existing sight lines from the access road along Hyndford Road in both directions shall be fully maintained and nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 12 That at no time shall the proposed sports pitch incorporate hard kick boards around its perimeter.
- 13 That the car parking spaces immediately adjoining the dormitories attached to the Scottish Equi Centre shall be reserved exclusively for patrons of the Scottish Equi Centre and that plans shall be submitted detailing the reserved car parking spaces for the approval of the Council as Planning Authority. That before the approved development is completed signs shall be installed in front of the aforesaid parking spaces advising that they are exclusively reserved for patrons of the Scottish Equi Centre.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 To ensure the system is served by an appropriate effluent and surface water disposal system.
- 4 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for off-site flooding.
- 5 To ensure the site is free of contamination and suitable for development.
- 6 To safeguard the amenity of the area.
- 7 In the interest of public safety.
- 8 In the interest of public safety.
- 9 In the interest of public safety.
- 10 In the interests of amenity.
- 11 In the interest of road safety.
- 12 To reduce the noise of balls impacting on the perimeter boundaries.
- 13 In order to reduce disturbance to residents of the dormitories attached to the Scottish Equi Centre.

For information only

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