

PLANNING APPLICATION REPORT

ITEM: 04

Application Number: 13/01196/FUL

Applicant: Peninsula Promotions Limited



Description of Application: Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation with revision of conditions 4a & 4c of Approval 07/00547 to allow an alternative to main race night of Friday of EITHER Thursday or Saturday or Bank Holiday Monday (with only one meeting in any weekend) and to allow revisions to meeting timing allowing engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday)

Type of Application: Full Application

Site Address: ST BONIFACE'S COLLEGE SPORTS GROUND COYPOOL ROAD MARSH MILLS PLYMOUTH

Ward: Plympton Erle

Valid Date of Application: 14/11/2013

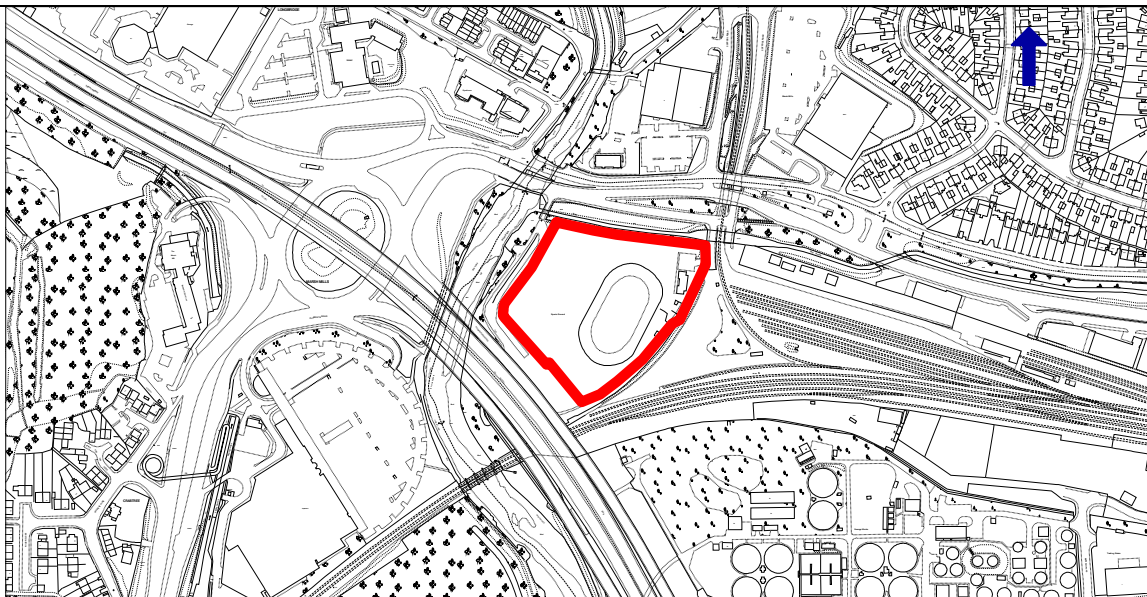
8/13 Week Date: 13/02/2014

Decision Category: Member Referral

Case Officer : Jon Fox

Recommendation: Grant Conditionally

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**This application has been referred to Planning Committee by Councillor
Patrick Nicholson**

Site Description

The site is approximately 1.2 hectares in area and comprises over one half of the former St. Boniface's sports ground, on its eastern side. The site is accessed via Coypool Road, on the northern side of the site, as it passes under, and runs up to, the main Plymouth Road. A rough footpath runs around the western, southern and eastern sides of the sports ground. The western boundary also abuts a site of local importance for nature conservation, which includes the River Plym as it joins the Laira. The main A38 trunk road runs beyond and above the site's southern boundary. The sports ground is thus situated on low lying ground and is within Flood Zone 3 of the Environment Agency's indicative floodplain map. The site has for approximately six years been used as a speedway circuit and accommodates associated infrastructure such as spectator stands, officials' building and covered motorcycle enclosures.

Proposal Description

Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation with revision of conditions 4a & 4c of Approval 07/00547 to allow an alternative to main race night of Friday of EITHER Thursday or Saturday or Bank Holiday Monday (with only one meeting in any weekend) and to allow revisions to meeting timing allowing engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday)

The submitted plans and documents include: 1:2500 scale location plan, JRR/PDS/064/02/05 (site plan and elevations), Birmingham Noise Test, Neighbourhood Noise Survey, Original Flood Risk Assessment, Submission Statement dated 07/10/13, Transport Statement and accompanying Original Design and Access Statement.

Condition 4 of planning decision notice 07/00547 states:

(4) The development shall be carried out strictly in accordance with the following details:

a) Speedway motorcycle racing will take place on Fridays only between 15 March and 31 October and at these times no other form of motorised sport or activity shall be carried on at the site. In the event that speedway motorcycle racing is cancelled and does not take place on Friday the speedway event may take place on the following day (Saturday) strictly in accordance with parts b) and c) of this condition and the other conditions of this decision notice.

b) There shall be no more than 20 races per meeting except for Championship events and British finals when 24 races is permitted.

c) Races shall take place between 19.30 and 21.30 hours only and engine warm-up shall take place only between 1900 hours and 1915 hours.

Reason:

To preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

Pre-Application Enquiry

None.

Relevant Planning History

07/00547 - Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation.

05/01452 - Develop part of site by provision of motorcycle speedway track and ancillary accommodation and facilities. Granted temporarily.

Consultation Responses

Local Highway Authority (HA)

The site has been in use since 2006, without giving rise to any significant transport impacts, and the traffic impact and parking element of the use had been previously carefully considered as part of the previous planning applications (05/01452/FUL & 07/00547/FUL). The traffic impact generated by the speedway use would fall well within the capacity of the local road network, and car parking is further facilitated at the Coypool Park & Ride site across the road from the application site.

It is understood that the racing season is from the 15th March to the 31st October. The proposed changes to the hours and days of use for the speedway operations (revision of Planning Conditions 4 of the extant permission) to provide more flexibility, are from the Transport perspective considered relatively minor and unlikely to give rise to any significant transport impacts.

Public Protection Service (PPS)

PPS has in the past had many complaints relating to noise coming from the Speedway and investigating these complaints has taken a lot of resources. It was for this reason that a noise impact assessment was required in order to assess any potential impact from the change of hours that is proposed. Having reviewed the noise impact assessment it would appear that there will be a negligible additional impact from these new operating times. This coupled with the infrequency of the event at these times should mean that noise impacts should not be of significance.

Environment Agency (EA)

The EA considers that the continued use of this land for speedway will be acceptable provided that the site's flood evacuation plan is maintained (and updated if necessary) and there will be no increase in the footprint of built development.

Representations

As of 20/12/13

48 letters of representation were received; these include 11 letters of objection and 34 letters of support. Three observations were also received.

Objections, including some observations

1. Noise from practice sessions on Saturdays or Sundays.
2. This type of recreation should be exercised on the outskirts of the city not in the suburbs, is there not another venue and definitely should not be enlarged.
3. Noise from bikes and tannoy.
4. Fumes from bikes.
5. Meetings have been held on Good Friday, which is wrong.
6. There have been fireworks at the site without any warning.
7. Despite the neighbourhood noise survey, the noise from the speedway is extremely loud and disruptive, especially in the summer months when we want to spend time outside.
8. Enabling race nights to take place on a night when the children have school is extremely inconsiderate and disrupts children's sleep.
9. Is only one meeting allowed over the days specified as there is no mention of Sunday and there is often noise of engines on Sunday afternoons?
10. Do these cut off times include the ancillary noise of tannoy and fireworks?
11. The noise from the A38 and Marsh Mills, and the Speedway has made life in Woodford unpleasant.
12. By giving the Speedway so many more options when to hold meetings, we have no confidence that they will keep to the proposals and hold only one meeting a week, when they have already held more than one meeting a week.
13. It is an inappropriate site as it suffers from flooding. Also, the state of the site has been at best untidy and very little money has been spent by the speedway organisation to improve the ambience of the site.
14. A second speedway team would mean residents having to put up with noise every weekend.
15. Disagree with submitted noise report. One of the tested days was a Memorial Trophy Evening where mostly young riders (teenagers) ride.
16. Racing takes place on a Saturday to accommodate fixtures and not owing to bad weather.
17. What motorbike silencers are being used?
18. A weekend is Saturday and Sunday so does this mean if they race Saturday they could still race or have use of one of the other days as well?
19. The proposed longer duration of speedway will exacerbate the noise problem and the consequent intrusion into the lives of those living in the vicinity.
20. Planning conditions are already being broken in respect of engine running.
21. Loud music is played between races.
22. A permanent metal-wood terracing has been installed.
23. Three hours is too long for 15 one-minute races.
24. Light pollution from floodlights without planning permission.

Support

1. This proposed change is welcomed.
2. This will allow some leeway with meetings.
3. It is important to promote all types of motorsport in the UK.
4. There needs to be time to see new younger riders practicing.
5. This would encourage more youngsters into the sport and finishing at 21.45 would give them more time to practice.
6. Everything must be done to keep this sport in Plymouth.

7. Whilst it does not increase the number of meetings allows variations to accommodate fixtures affected by weather and other factors.
8. There are times when proceedings get interrupted through injury/treatment to riders, heat recalls, rain showers, etc.- all things usually of an essential safety nature. Such delays have meant that because the curfew time is called, the match deciding heats have not had time to run.
9. Less experienced riders can practice in the spare minutes before curfew.
10. The noise from the Speedway including the tannoy is less than from the traffic on the A38.
11. The majority of speedway tracks in the UK have finishing times later than Plymouth.
12. As most meetings are concluded before 9.30pm and only rain affected meetings could be finished in the extra time and save matches from being abandoned and having to be rerun at a later date.
13. Visiting teams often have to travel long distances and should be allowed to complete their meetings.
14. The extension to the time would have no effect on the surrounding area.
15. Its location is out of the way. Night club and hotels have functions until after midnight with music 3 or 4 times louder than Speedway and they operate a lot closer to residential houses.
16. Plymouth have an excellent facility but limited with it time, all other tracks have a 10.00 finish time, this would be far better in an ideal world.
17. The Speedway contributes to the economy of Plymouth.
18. Television cameras will come to the Speedway and there needs to be enough time for races to be completed.
19. Alternative race nights are required to ensure the local talent of the younger riders is nurtured. All clubs in speedway have one.
20. Experience has shown that the anticipated nuisance and noise has been considerably less than was originally expected, especially with the new silencers which have considerably and further reduced noise levels.
21. This is the only sizeable spectator sport in the east of Plymouth. There is no sport stadium planned for Sherford.

I. Analysis

1.1 The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.

1.2 This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

2. Human Rights

2.1 Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

2.2 The application turns on policies CS22 (Pollution) and CS34 (Planning Application Considerations) of the Core Strategy of Plymouth's Local Development Framework 2007, the Development Guidelines Supplementary Planning Document (SPD) and the National Planning Policy Framework. The main issues are considered to be the impact of the proposed altered operations on the amenities of neighbours.

3. Noise and residential amenity

3.1 This application relates only to a proposed variation in the days and times at which speedway racing takes place. In this respect it is important to note that the principle of speedway racing has long been established.

3.2 The proposal seeks to introduce greater flexibility into the days of the week when speedway racing can take place. Currently racing can take place on Fridays only, but with an alternative race night of Saturday if necessary. The proposal is for Thursdays and Bank Holiday Mondays to be included as alternative options.

3.3 On balance, and taking account of the fact that letters of representation object on the grounds that Thursdays and Mondays are 'school nights', and that children's sleep would be disturbed, it is considered that the likely infrequent use of these weekdays (there is only one Bank Holiday Monday 'school night' in the speedway season allowed by the consent) would not be demonstrably harmful to the amenities of residents in the area. In this respect the Public Protection Service has not raised an objection and given the long established use of the Speedway site it is considered by officers that the proposed racing days are acceptable.

3.4 The applicants have stated that only one race meeting would take place each weekend. Bearing in mind that Mondays and Thursdays are not part of the weekend, it is important that any grant of permission includes a suitably worded condition to prevent too many race nights occurring.

3.5 This would include: no more than one speedway meeting per weekend; if a speedway meeting takes place on a Thursday there shall be no speedway meeting in the following six days inclusive; if a speedway meeting takes place on a Bank Holiday Monday there shall be no more than one speedway meeting in the following nine days inclusive.

3.6 With regard to rider training, which currently is allowed to take place every Saturday, the applicant's submission statement offers to restrict such training to alternate Saturdays only and to avoid rider training on Saturdays that are race nights. This measure is welcomed as a means of reducing the overall impact of the motorised sport use of the site. These amendments could be built in to an amended version of condition 9.

3.7 With regard to times of operation, part c) of existing condition 4 states that races shall take place between 19.30 and 21.30 hours only and engine warm-up shall take place only between 1900 hours and 1915 hours. The new proposal is to allow engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday). This means that engine warm up would take place 15 minutes earlier than it does now and that racing would last 2.5 hours instead of two hours (i.e. by adding 15 minutes at the beginning and 15 minutes at the end of current events).

3.8 On balance it is considered by officers that the proposed increase in the duration of events would not be demonstrably harmful to neighbours.

4. Other considerations

4.1 Reference has been made in the letters of representations to the often heard noise of engines on Sunday afternoons. Neither the existing permission nor the proposed amendments to it allow motorcycles to be used on the site on Sundays. This is an issue that would need to be dealt with separately should a complaint be received by the Council.

4.2 Other representations infer that the proposed cut off times should include the noise of the tannoy and fireworks. As far as the tannoy is concerned it is not considered necessary to tie the use of the tannoy down to specific times as its use might be necessary for health and safety announcements following the cessation of racing and is likely to be of short duration. The letting off of fireworks is considered to be outside of the remit of the Local Planning Authority to control.

4.3 A number of representations refer to the use of the site for practice riding/racing after the main event. As it stands part of condition 4 restricts the number of races to 20 (24 races on Championship occasions). However, informal practicing and racing is not covered by this condition. The apparent use of the site for these purposes, at the end of the meeting, unfortunately prolongs the noise impact on neighbours. Although the noise levels per se have not been considered demonstrably harmful officers consider this practice should be avoided, especially as there is an alternative training period allowed on Saturdays (condition 9 of approval 07/00547).

5. Transport Considerations

5.1 The existing access and parking arrangements are not affected by the proposed change to the times and days of operation.

Local Finance Considerations

None.

Community Infrastructure Levy (CIL)

The CIL is not relevant to this application.

Equalities and Diversities

The proposals do not raise any equality or diversity issues.

Conclusions

The proposed changes to condition 4 of permission 07/00547 are not considered by officers to result in demonstrable harm to residents and it is therefore recommended that permission be granted and condition 4 amended to minimise the impact on local residents.

Recommendation

In respect of the application dated **14/11/2013** and the submitted drawings ,it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

DETAILS OF SURFACING AND SPECTATOR AREAS

(2) The construction and surfacing of all spectator areas around the speedway track shall accord with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and to assess the potential impact on drainage of surface water and the flood storage capacity of the site, in accordance with policies CS21 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 103 of the National Planning Policy Framework and paragraphs 58 and 109 of the National Planning Policy Framework.

DETAILS OF DRAINAGE

(3) The site shall be drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason:

To minimise the potential for surface water run-off that might increase the risk of flooding, in accordance with policy CS21 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 10 to 104 of the National Planning Policy Framework.

TIME AND OPERATION OF SPEEDWAY MEETINGS

(4) The development shall be carried out strictly in accordance with the following details:

- a) Speedway motorcycle racing will take place only between 15 March and 31 October and at these times no other form of motorised sport or activity shall be carried on at the site.
- b) Speedway motorcycle racing shall take place on Fridays with an alternative of either Thursday or Saturday or Bank Holiday Monday.
- c) If a speedway meeting takes place on a Thursday there shall be no speedway meeting in the following six days inclusive.
- d) If a speedway meeting takes place on a Monday there shall be no more than one speedway meeting in the following nine days inclusive.
- e) There shall be no more than one speedway meeting per weekend.
- f) There shall be no more than 20 races per meeting except for Championship events and British finals when 24 races are permitted. There shall be no use of the site for motorcycle training or any other motorised activity on race days.
- g) Races shall take place between 19.15 (1800 on a bank Holiday) and 21.45 hours (2030 on a Bank Holiday) only and engine warm-up shall take place only between 1845 hours and 1915 hours (1730 to 1800 hours on a Bank Holiday).

Reason:

To preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

DETAILS OF TANOY SPEAKERS

(5) The number, times of operation, orientation and noise levels of the tannoy speakers used at the site shall accord with details that previously were submitted to and approved in writing by the Local Planning Authority. The operation of the tannoy speakers shall at all times accord with the approved details.

Reason:

To preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

DETAILS OF LIGHTING

(6) The use of the lighting columns on the site shall accord with the previously submitted and approved details of:

- a) Their number, height and orientation.
- b) Their power output and spread of illumination.
- c) Precise times of operation.

Reason:

To prevent the potential for light pollution and to preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraph 125 of the National Planning Policy Framework.

PROVISION OF TRAINING PITCH

(7) The training pitch within the perimeter of the speedway track constructed and laid out in accordance with details that were submitted to and approved in writing by the Local Planning Authority shall be retained in its approved condition.

Reason:

To provide sports facilities that are necessary in lieu of the playing field area taken up by the speedway track and associated works, in accordance with policy CS30 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraph 74 of the National Planning Policy Framework.

NO OTHER MOTORISED SPORT OR ACTIVITY

(8) When not in use for approved speedway events the site of the speedway track shall not be used for any other form of motorised sport or activity, except for rider training and use by fully silenced mini-motorbikes strictly in accordance with condition 9 of this decision notice.

Reason:

To protect the amenities of nearby residents and the general amenity of the area, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

DETAILS OF MINI-MOTOS OPERATION

(9) The use of the speedway site for rider training and mini-motorbikes is permitted between 1300 hours and 1600 hours on alternate Saturdays only between 15 March and 31 October in any calendar year and no such rider training or mini-motorbike use shall take place on the same day as a race night. The said permitted use shall at all times accord with details of the number of motorised vehicles in use at any one time that shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of nearby residents and the general amenity of the area, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

ENVIRONMENTAL MANAGEMENT PLAN

(10) The speedway operation shall be conducted in accordance with the environmental management plan that has been submitted to and approved in writing by the Local Planning Authority.

Reason:

in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 74, 109, 123 and 125 of the National Planning Policy Framework.

SITE EVACUATION

(11) Details of the means of evacuating the speedway site in the event of the site becoming flooded shall be submitted to and approved in writing by the Local Planning Authority before the first use of the speedway track.

Reason:

To ensure that spectators and officials are afforded safe and convenient escape from the site, in accordance with policy CS21 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 100 to 104 of the National Planning Policy Framework.

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.