

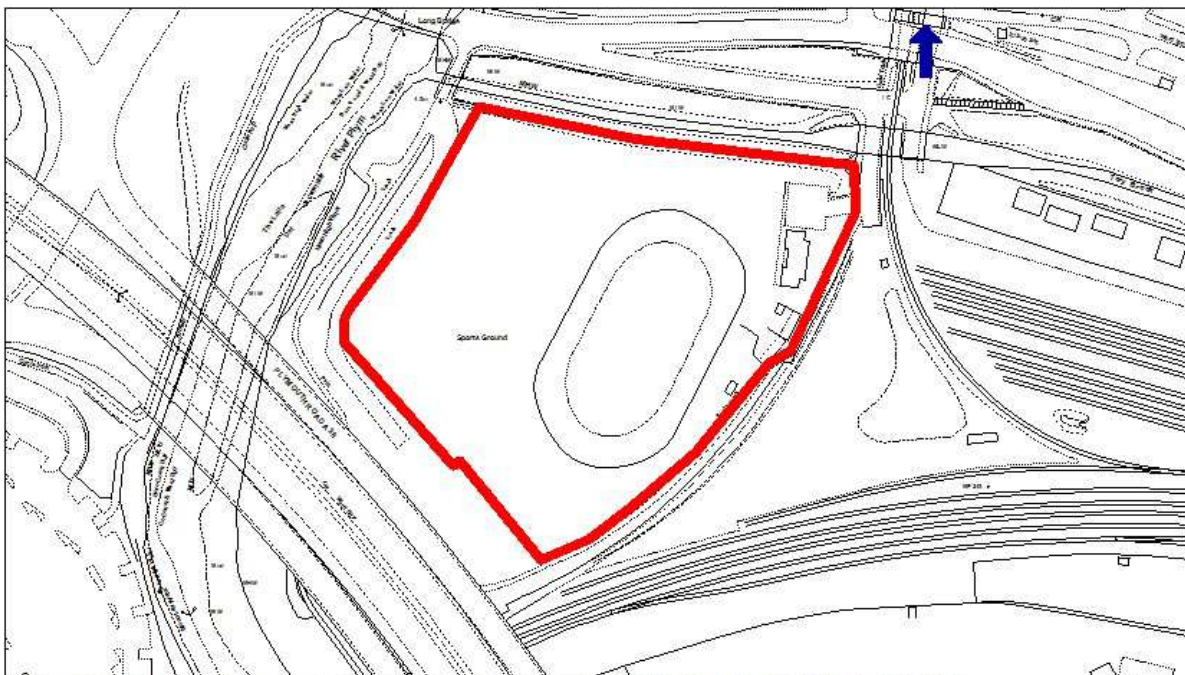
PLANNING APPLICATION REPORT



Application Number	14/00932/FUL	Item	05
Date Valid	30/05/2014	Ward	Plympton Erle

Site Address	SPEEDWAY, COYPOOL ROAD PLYMOUTH		
Proposal	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 condition 4 of Approval 13/001196 to allow speedway meetings, of up to 30 races each, between the hours of 1330 – 1730 hours, to take place on 9th August 2014 and 13th September 2014.		
Applicant	Peninsula Developments		
Application Type	Full Application		
Target Date	29/08/2014	Committee Date	Planning Committee: 17 July 2014
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Jon Fox		
Recommendation	Grant Conditionally		

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1. Description of site

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.

2. 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 condition 4 of Approval 13/001196 to allow speedway meetings, of up to 30 races each, between the hours of 1330 – 1730 hours, to take place on 9th August 2014 and 13th September 2014.

(The description of development originally referred to amendments to condition 9, and the use of the site for rider training and a limited number of occasions for racing on a Saturday.)

3. Pre-application enquiry

None.

4. Relevant planning history

13/01196 - 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). Permission has been granted for this proposal.

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.

5. Consultation responses

Local Highway Authority (HA)

The HA is unable to support the proposal and would object in principal to extending the afternoon uses and holding of race meetings on a Saturday afternoon (or in fact any afternoon). Primarily because the traffic movements and parking demand from the Speedway would be in direct conflict with the Park & Ride use.

The original consent was subject of a Section 106 Agreement, and an arrangement was agreed with the City Council to allow the Speedway to use the Park & Ride car park outside of its normal operating hours. But the proposed variation of the times of use to include afternoons would conflict and interfere with the Park & Ride service and bus users parking needs, and the council's sustainable transport initiatives. Therefore the afternoon use of the car park wouldn't be agreed by the council.

The HA state that it would seem that the traffic impact and parking demand associated with afternoon uses and race meeting has apparently not been properly considered in the application. And this is considered particularly important not only in terms of the increase in vehicle traffic on the network, but also in that it is understood that the Speedway application property is only able to provide in the order of 12 parking spaces within the site and is otherwise apparently wholly reliant on the use of the Park & Ride car park to support the Speedway use. It is understood also that that apparently some overspill car parking associated with the Speedway already occurs at race times on the surrounding local streets, which the proposed extended afternoon uses could further exacerbate.

Although the HA has supported previous proposals and applications associated with the Speedway use, on this occasion they are unable to support this latest proposal to extend the afternoon uses, and would object in principal for reasons of associated vehicle traffic impact and parking conflict that would interfere with the Park & Ride bus service and the council's sustainable transport initiatives, and be likely to give rise to issues of highway safety on the local road network.

Public Protection Service (PPS)

PPS are concerned at the evolution of the use of the speedway site and the number of complaints they have had to deal with over time. Whilst a noise nuisance has not been determined from the speedway use PPS state that this does not necessarily mean the activities at the Speedway do not have a considerable impact on local amenity.

PPS state that on the face of it, two additional races lasting an extra hour each does not seem to present any major problems, however taking into account the gradual change/creep of the permissions being granted, the question arises as to how to consider the overall impact of noise from the continued amendments to the site? PSS conclude that they have no grounds at this time to object to this current application but feel that the Speedway does have a real potential to diminish the general amenity of the locality, relating to the noise emanating from it.

Environment Agency (EA)

As per their response to application 13/001196/FUL the EA consider 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.

6. Representations

10 letters were received. Barring one letter of support, the representations either raise objections, or comment on, the noise disruption from the site, fumes and the noise from the tannoy system.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex I to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

8. Analysis

1. 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.

Is the development acceptable in principle?

2. The principle of the use of the site for speedway meetings is acceptable, as this use of the land has been ongoing for many years.

Is the design acceptable?

3. The proposals relate to changes in the nature and timings of speedway activities and therefore design is not a consideration in this case.

Does the proposal make sufficient provision for sustainability in terms of both the NPPF and the Council's own policies?

4. The main issues in this case are whether the proposals are harmful to neighbours' amenities and/or the function of the Coypool Park and Ride site, which speedway spectators use routinely on the approved evening speedway events. Associated with this latter issue is the potential for overspill parking in neighbouring streets.
5. The letters of representation to date were submitted prior to the change to the description. This might account for the views in one letter, which refer to the noise generated on 21 Saturdays.
6. The proposal now is for two, one-off, events that essentially involve racing over a longer period (four hours instead of three), 30 races instead of the usual 20, and racing to take place earlier in the day, i.e. 13.30 to 17.30 hours instead of during the evening.
7. In amenity terms the impact is not considered to be significant, albeit there is some additional disruption by virtue of the fact that racing would occur earlier in the day, which is not the routine neighbours are used to. The additional hour of racing and additional 10 races would add to the disruption, but is not considered, on the basis of two, one-off events, to be demonstrably harmful to residential amenity.
8. The two proposed events would take place during work and shop opening hours and, although not a working week day, would mean that speedway spectators would be using the park and ride site at the same time as shoppers and workers. Concerns have been expressed that, even if the park and ride site can accommodate all the spectators, other shoppers etc. would be unable to park there, and that any diminution in the normal functioning of the park and ride site would be detrimental to its marketability and future progression.
9. There is little doubt that the earlier race times would impact on the normal functioning of the park and ride. However, the applicant states that the number of spectators would be less than normally attracted to Plymouth Devils meetings (the senior team) owing to the fact that the proposed meetings would be for the Plymouth Demons team (the 'youth team'). The applicant has stated that the attendance levels for the Devon demons is only a third of the normal Devils meetings, and that they would not expect more than 70 – 80 supporters vehicles.
10. In response to concerns from Transport about the impact on the park and ride site, the applicant has stated that: 143 spectators attended a similar meeting on Saturday 14th June, which was for 30 races and ran from 1330 to 1700 hours. The agent also states that there were many more youngsters at that event and that they expect a larger percentage to use public transport given the meeting will be held when more buses are running. The agent opines that, extrapolating from previous studies this equates to an extra 25 cars in the park and ride site, 40 in the B & Q car park with some accommodated on site.
11. The Council's own data shows that on Saturday 14th June the occupancy of the park and ride site peaked at 64%. This compares with an occupancy rate of 86% on Armed Forces Day, on 28 June. In addition it should be noted that the proposed meetings are for the youth team only and would likely attract far fewer spectators than a senior (Plymouth Devils) event. Therefore, while it is understandable that any use of the park and ride site, during the day, for speedway parking would be a concern, on balance, and taking account of the fact that the proposals are for two meetings only, it is considered that the impact on the park and ride site is not demonstrably harmful. However, it would be appropriate to monitor attendance at

the first of the two proposed meetings in order to decide whether the second meeting should be held in terms of the number of spectators attending and the impact on the park and ride site. This could be controlled by condition.

Does the proposal make sufficient provision for climate change in terms of both the NPPF and the Council's own policies?

12. The proposals are not considered to have a negative impact on the environment in terms of increasing flood risk. In this respect:

- the site's flood evacuation plan should still be in place, and
- there will be no increase in the footprint of built development.

9. Human Rights

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.

10. Local Finance Considerations

The proposals do not raise and local finance considerations. The Community Infrastructure Levy (CIL) is not relevant to this application.

11. Planning Obligations

Planning obligations are not relevant in this case.

12. Equalities and Diversities

The proposals do not raise any equality or diversity issues.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically would not be harmful to residential amenity or the use of the park and ride site at Coypool. The proposals are therefore considered to be in accordance with policies CS21, CS22, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework and it is recommended that planning permission be granted.

13. Recommendation

In respect of the application dated **30/05/2014** and the submitted drawings site location plan Amended description, it is recommended to: **Grant Conditionally**

14. 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.

Other Conditions

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) Permission is hereby granted for the one-off race meetings the subject of this amendment application. Otherwise the use of the speedway site shall strictly accord 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 in the first instance 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.

COMMUNITY FORUM

(12) The applicant shall submit details of a community forum to be approved in writing by the local planning authority prior to the commencement of the 2014 speedway season. The details shall include: the terms of reference; its composition including representatives for the local residents, ward member/s, Speedway operator and other stakeholders; and the frequency, timing, and venue, of forum meetings. The forum shall continue to be operated in the agreed format at all times while the site continues to be used for the approved speedway activities, unless there are subsequently any variations to the agreed forum details that have been agreed in writing by the Local Planning Authority.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of nearby properties to comply with policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and paragraph 17 of the National Planning Policy Framework 2012.

USE BY YOUTH TEAM ONLY

(13) The two speedway meetings permitted on 9th August 2014 and 16th September 2014 shall be for speedway races for the Plymouth Speedway youth team (the 'Demons') only and not for the senior team (the 'Devils').

Reason:

In order to avoid attendance at the permitted events generating levels of vehicular traffic that would prejudice the function of the Coypool Park and Ride site, highway safety and the free flow of traffic on the highway, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework and paragraph 32 of the National Planning Policy Framework 2012.

MONITORING OF MEETING ON 9TH AUGUST

(14) The Speedway operator shall monitor the number of spectators attending the approved meeting on 9th August including the number attending by car and where cars are parked. The methodology for monitoring attendance shall be agreed in writing by the Local Planning Authority prior to the meeting date and the results submitted to the Authority by 23rd August 2014. In the event that in the Local Planning Authority's opinion such data indicates that use of the park and ride site by

speedway spectators and team vehicles would be harmful to the use and function of the park and ride site the event on 16th September shall not take place.

Reason:

In order to avoid attendance at the permitted events generating levels of vehicular traffic that would prejudice the function of the Coypool Park and Ride site, highway safety and the free flow of traffic on the highway, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework and paragraph 32 of the National Planning Policy Framework 2012.

Informatives

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: CONDITIONAL 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.

INFORMATIVE - FUTURE PROPOSALS

(3) The applicant is advised that this grant of planning permission for two one-off speedway meetings does not imply that further proposals for similar meetings outside the normal days and times of meetings would be considered acceptable.