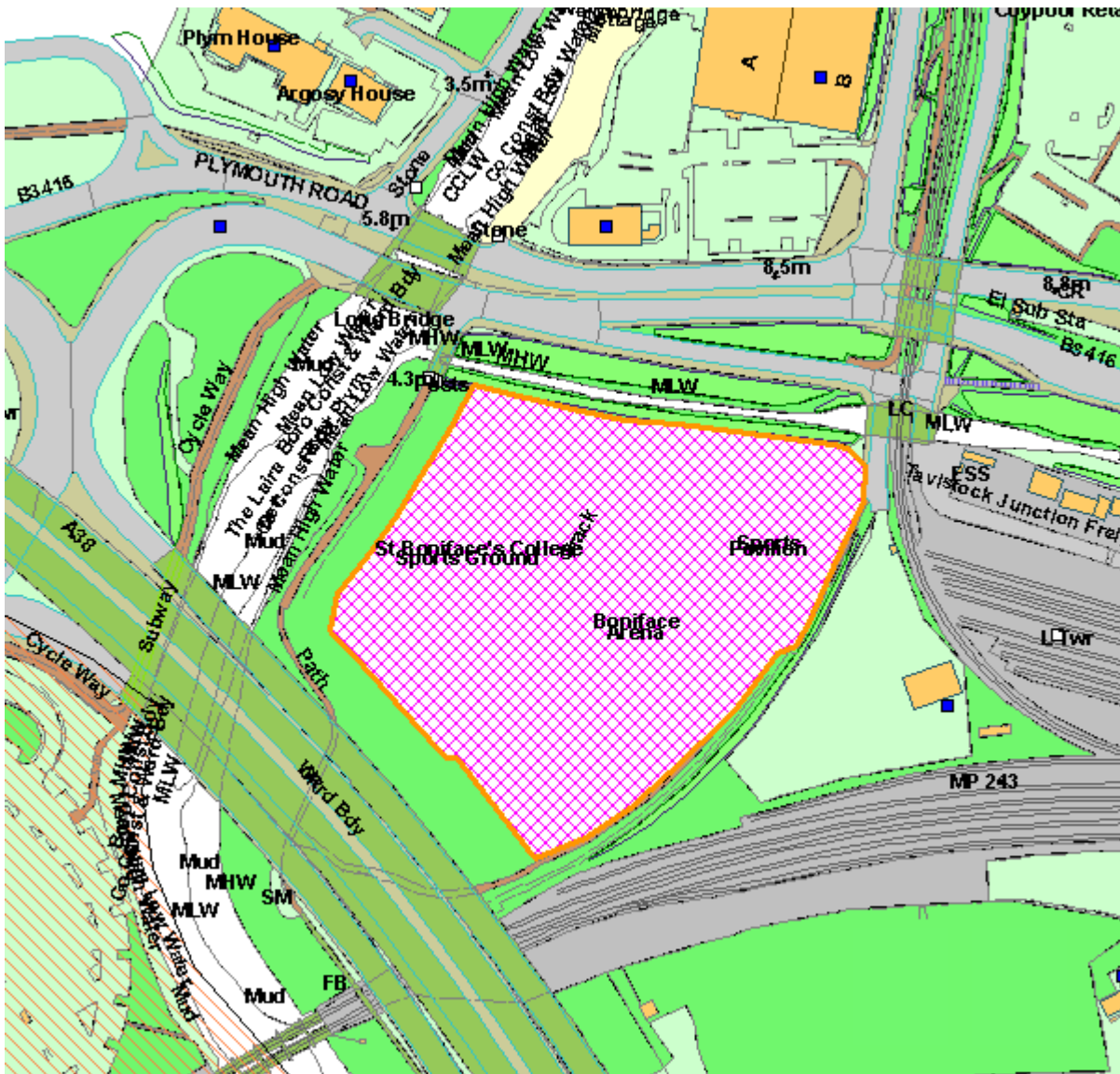


PLANNING APPLICATION OFFICERS REPORT



Application Number	17/00648/S73	Item	04
Date Valid	14.03.2017	Ward	PLYMPTON ERLE

Site Address	Plymouth Speedway St Bonifaces College Sports Ground Coypool Road Marsh Mills Plymouth		
Proposal	Vary conditions 4 and 9 from application 13/01196/FUL to allow extended speedway and training operating hours and to allow up to 21 races per meeting (instead of the 20 currently allowed) (except for Championship events and British finals when 24 races are already permitted)		
Applicant	Mr M Phillips		
Application Type	Removal or variation of a condition		
Target Date	13.06.2017	Committee Date	01.06.2017
Extended Target Date	N/A		
Decision Category	Major - More than 5 Public Comments		
Case Officer	Mr Jon Fox		
Recommendation	Refuse		



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 12 years been used as a speedway circuit and accommodates associated infrastructure such as spectator stands, officials' building and covered motorcycle enclosures.

2. Proposal Description

Vary conditions 4 and 9 from application 13/01196/FUL to allow extended speedway and training operating hours and to allow up to 21 races per meeting (instead of the 20 currently allowed) (except for Championship events and British finals when 24 races are already permitted).

These proposals would involve racing ending at 22.00 hours, instead of 21.45 hours, and beginning at 19.00 hours, instead of 19.15 hours. Engine warm-up would be 15 minutes earlier, i.e. at 18.30.

The proposals also seek to allow Saturday training from 1100 - 1600 (currently 1300 - 1600) on alternate Saturdays from the second Saturday in January to second Saturday in December (currently March to October).

3. Pre-application enquiry

None.

4. Relevant planning history

13/01196/FUL - 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). This application was granted conditionally.

07/00547/FUL - 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. This application was approved.

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

5. Consultation responses

Local Highway Authority

Have no objections. 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 extant use had been carefully considered as part of the previous planning applications. That considered the traffic impact generated by the speedway use would fall well within the capacity of the local road network.

This latest application is supported by an updated traffic statement. The additional relatively minor extension of the use would be unlikely to give rise to any significant material impacts in terms of the highway network and its function.

Environment Agency

Have no objections. 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.

Public Protection Service (PPS)

Raise objections. The submitted Noise Impact Assessment "Neighbourhood Noise Survey - Plymouth Speedway, S B Consulting, Rev 1: Reissued on 07/03/2017" concludes the impact of the Speedway is likely to be minimal and insignificant, the conclusion appears to be based on monitoring data obtained in 2013. However, it is noted that more recent monitoring has been undertaken (24th February 2017) although there appears to be no discussion relating to the latest monitoring results - which PPS would prefer to have included.

PPS have reviewed their system and have found details of a total of 27 noise complaints have been logged, some of which are mail merged i.e. more than one complainant per case. To PPS, this suggests that a high number of residents in the locality have previously been disturbed by the Speedway and by extending the hours and altering the training season to become an all year round process will only exacerbate this.

PPS consider that the application as it stands is not acceptable and therefore recommends it is not granted permission in its current form because the noise created from the Speedway has the potential to diminish the general amenity of the locality and affect the use and enjoyment to noise sensitive receptors within their homes and gardens.

6. Representations

13 letters were received; there were seven objections and six letters of support:-

Objections

1. Noise - high pitched noise of bikes overrides everything else, including other traffic.
2. Loud tannoy system
3. Further increase in training hours should not be considered; training throughout the year is unacceptable.
4. Pollution from the bikes will increase.
5. Revving of engines before races.

Support

- a. Develop young and up and coming riders, to progress, and also bring on local talent. Let's put this sport on the map for Plymouth.
- b. We need a motor sport in Plymouth and this is the way forward.
- c. The noise is minimal compared to traffic and bike noise on A38.
- d. A favourable outcome would secure the future of speedway not only in Plymouth but the southwest.
- e. The key to the survival of speedway is young riders and the National League gives these young English riders the opportunity to do this. The alteration to the planning consent will allow youngsters in the south of England chance to experience racing and be able to practice on some Saturday afternoons. At present this is only done in the North but it is a long way to travel and a financial commitment to their families and this restricts the opportunity.
- f. Speedway is a family sport, spectacular and exciting.
- g. Speedway puts Plymouth on the map and does assist with tourism and the financial status of the surrounding area; each week supporters come from all around the UK visiting the speedway but also making a little holiday from it and thus using the local amenities.
- h. This will enable young local speedway riders to participate in a meaningful Junior League, (The Southern Development League.)
- i. There are very few facilities for teenagers in Plympton.

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 Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex I of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- o For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- o For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been subject to a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered consistent with the policies of the Framework, as well as based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision if there are no substantive unresolved objections. However, the precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG).

8. Analysis

This application has been considered in the context of the development plan, the draft Plymouth Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

8.1 Noise and residential amenity

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

8.2 The one proposed extra race, on meeting nights, would not in officers' view be harmful to residential amenity. However, the reality is that, at present, only 15 races typically take place per meeting. The intention is to accommodate six races within the 'Development League', which would increase the number of races typically to 21. The proposals add 15 minutes to the end of the speedway event, i.e. from 21.45 hours to 22.00 hours. This is arguably the part of the proposals that has the most impact, on race nights. 22.00 hours is considered to be an unreasonable time for noisy activity to cease. It is understood that the alternative, of adding thirty minutes to the start of the meeting, i.e. start at 18.45 hours and finish at 21.45 hours, would not allow time for visiting attendees to travel to the site.

8.3 The increased rider training, on alternate Saturdays only from within the Speedway season, to throughout the year is also a significant issue. At present local residents are afforded 'time off' from the Speedway. Notwithstanding the level of noise generated by the training events, it is considered unreasonable to expect residents to have to tolerate noise from the speedway arena throughout the year (bar the Christmas and New Year period), even if this is only on alternate Saturdays.

Other Impacts

The proposals do not raise any other negative issues. However, there have been a number of support letters, which point to the increased times and days of use as important for the development of Speedway in Plymouth and the South West. Officers consider these comments to carry weight also.

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

None.

11. Planning Obligations

Planning obligations not required in this case

12. Equalities and Diversities

The proposals do not raise equalities and diversity issues.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and at this time are not able to support the proposals. It is recognised that the Speedway is an important sporting facility for the city and the wider region. However, in its present form the proposals are considered to be harmful to residential amenity and therefore contrary to policies CS22 of the Core Strategy of Plymouth's Local Development Framework and policies DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan. It is therefore recommended that permission be refused.

14. Recommendation

In respect of the application dated **14.03.2017**
it is recommended to **Refuse**

15. Conditions / Reasons

I REFUSAL: NOISE HARMFUL TO RESIDENTIAL AMENITY

The noise and disturbance associated with the use of the Speedway particularly in the evening and for increased rider training would cause an unacceptable level of harm to the living conditions of the residents within the vicinity of the application site contrary to policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007, policies DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

Informatives

I INFORMATIVE: REFUSAL (WITH ATTEMPTED NEGOTIATION)

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 with the Applicant and has looked for solutions to enable the grant of planning permission. However the proposal remains

contrary to the planning policies set out in the reasons for refusal and was not therefore considered to be sustainable development.