

2.4 REFERENCE NO - 15/510605/FULL			
APPLICATION PROPOSAL Removal of condition 2 to allow permanent use of the stadium for speedway of planning permission SW/09/0314.			
ADDRESS Central Park Stadium Church Road Sittingbourne Kent ME10 3SB			
RECOMMENDATION: APPROVAL			
SUMMARY OF REASONS FOR RECOMMENDATION On balance, the use of the site for speedway racing does not cause such significant harm as to warrant refusal of planning permission.			
REASON FOR REFERRAL TO COMMITTEE As the Head of Planning considers the application raises difficult questions of policy interpretation and further difficult, major issues which warrant Member determination.			
WARD Murston	PARISH/TOWN COUNCIL N/A	APPLICANT Cearnspport Ltd AGENT Ms Mary Power	
DECISION DUE DATE 30/03/16	PUBLICITY EXPIRY DATE 12/02/16		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/08/0962	This application sought permanent planning permission for the use of the site for the holding of speedway racing. Members though resolved to grant temporary planning permission, to allow the use of the site on a trial basis only, for a period of a single season. The permission granted required the erection of an acoustic fence (Members may recall that the fence which has been constructed does not comply with the approved details), and also sets a limit on the number of races and the start and finish times for meetings, in accordance with the details and specific times submitted with the application. 17 races are permitted per meeting, meetings can take place once per week, and start and finish times are: on weekdays between 1700 & 2030 hours only, with warming up of bikes permitted from 1630, and from 1500 to 1800 hours on Bank Holiday Mondays, with warming up of bikes from 1430 hours.	GRANT	16/1/09
SW/09/0274	This application sought to amend the design of the acoustic fence approved under SW/08/0962. This application was approved. The fence as constructed does not comply with these approved	GRANT	11/09/09

	details either.		
SW/09/0275	This application sought to vary condition (2) of SW/08/0962, in order to allow a minimum of 7 seasons speedway use. The application made clear that a permanent planning permission was being sought and that 7 years would be the minimum the applicant considered would enable the use to be viable. The application was not originally accompanied by any viability information. Some information in this regard was submitted at a late stage during the consideration of the application. However – it was not considered sufficient to justify the grant of a 7 year temporary planning permission, nor the grant of a permanent planning permission.	REFUSED	17/08/09
SW/09/0313	This application sought to vary condition (7) of SW/08/0962, in order to allow the warming up of speedway bikes at 2pm rather than at 2:30pm as specified in the original permission.	REFUSED	28/08/09
SW/09/0314	The application sought to vary condition (5) of SW/08/0962, in order to allow meetings to be held once per week only on any weekday, rather than on either a Monday, Tuesday or a Wednesday. The applicant submitted appeals against the refusal of SW/09/0275 and the approval (including the disputed condition restricting use to one season only) of SW/09/0314. At the appeal, the applicant produced detailed viability information, which the Inspector considered in coming to his decision to allow both appeals and grant temporary planning permission for four years use of the stadium. A copy of the appeal decision is attached as Appendix A to this report. The use commenced in 2013, and may therefore continue, under the terms of the temporary planning permission granted on appeal, until the end of the 2016 season.	GRANT	13/10/09
SW/14/0088	Variation of condition (7) of SW/09/0314, to allow speedway racing between 15:00 & 22:00 hours on weekdays and bank holidays.	REFUSED	23/9/14

15/500862/FULL	Variation of condition 7 of SW/09/0314 to allow speedway racing between 1800 and 2130hrs on Fridays	APPROVED	12/5/15
----------------	---	----------	---------

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 Central Park Stadium lies within the built up area of Sittingbourne, on the fringes of the Eurolink industrial estate, and adjacent to the East Hall Farm industrial and residential development. Murston lies to the south of the site. An established sport venue, Central Park Stadium is used successfully for greyhound racing and, currently, for league speedway racing. A large parking area is located to the front of the building. Pit areas for the speedway bikes and riders etc are located to the north east of the site. A substantial acoustic fence has been erected along the southern boundary of the site, in order to try and prevent substantial noise and disturbance to the dwellings in the vicinity, the closest of which lies approximately 150 metres to the south.

2.0 PROPOSAL

2.01 This application seeks the deletion of condition 2 of the planning permission granted for speedway racing at Central Park Stadium on appeal, under reference SW/09/0314.

2.02 Condition 2 of SW/09/0314 requires the use for speedway racing to cease after four years (i.e. at the end of the current season). The deletion of this condition would make the planning for the use of speedway racing permanent,

2.03 The application as submitted also sought consent for a later finish time for racing on Fridays (in a similar manner to that approved under 15/500862/FULL). That element of the application has now been deleted.

2.04 The application is accompanied by a noise assessment, dated Jun 2013, attached at Appendix B, and a supporting statement, an extract from which is attached at Appendix C to this report.

2.05 The conclusion of the supporting statement reads as follows:

“The use of Central Park Stadium as a permanent speedway venue is an existing and appropriate use. The location is ideal for a popular sporting event that attracts many visitors to Sittingbourne. It appropriately adds to the other mix of uses permitted at the Stadium including football, greyhound racing and concerts. To maximise the economic use of the stadium for sporting uses, accords with the principles of the Council’s policies for economic and viable activity, in line with its objectives for boosting job creation and economic activity. Permanent speedway use of the Stadium will add to its economic viability particularly where greyhound racing is now declining as a spectator sport.

The evidence submitted with the application demonstrates that...a permanent speedway use would [not] give rise to demonstrable or substantial harm to nearby

residents. This application should be considered in light of the potential benefits to be derived from approving this application, given that the use already exists and is appropriately sited and that the existing planning conditions provide appropriate residential amenity protection. Noise complaints received by the Council represent significantly less than 10% of the local residents that live close to the Stadium.

Speedway racing is important to the community of Sittingbourne which is demonstrated by the significant levels of support.

The approval of this application would help to offset the downturn in revenue from greyhound racing and would help to secure the continued use of the Stadium. There would be significant benefits to the local economy and to the community within Sittingbourne, helping to promote speedway racing at this location and to encourage young people to participate in the sport.

Speedway race meetings will remain at the same length and would not generally exceed 2 hours. Given the short duration of the races, the noise impacts of the speedway, whilst being noticeable to adjacent residential properties, are predictable and will not reach harmful or disruptive levels due to existing mitigation measures. The existing planning conditions will remain in place to ensure only one speedway race takes place per week between Mondays and Fridays and only 17 races per event in accordance with the principles established to balance the economic needs of the Stadium for speedway use and protection of residential amenity

We therefore conclude that the speedway use is an appropriate use in this location, it is an existing use and should continue on a permanent basis in compliance with local and national planning policies.

For all of the reasons set out above, it is considered that the application proposals should be permitted given the conformity with national and local planning policies.”

- 2.06 Notwithstanding the content of the supporting statement, the agent has confirmed that the application does make the case that permanent permission is vital for the viability of the wider use of the stadium but no financial information has been provided in this respect, and the applicant and agent do not intend to provide any further information regarding this.

3.0 POLICY AND OTHER CONSIDERATIONS

3.01 The National Planning Policy Framework (NPPF)

Paragraph 109 – The Planning system should contribute to and enhance the natural and local environment by....preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;

Paragraph 120 - To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 121 - Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;

Paragraph 70 - To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and
- modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

National Planning Practice Guidance (NPPG)

The following are extracts from the NPPG on Noise:

“Can noise override other planning concerns?”

It can, but neither the Noise Policy Statement for England nor the National Planning Policy Framework (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.

Local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- *whether or not a significant adverse effect is occurring or likely to occur;*
- *whether or not an adverse effect is occurring or likely to occur; and*
- *whether or not a good standard of amenity can be achieved.*

At the lowest extreme, when noise is not noticeable, there is by definition no effect. As the noise exposure increases, it will cross the no observed effect level as it becomes noticeable. However, the noise has no adverse effect so long as the exposure is such that it does not cause any change in behaviour or attitude. The noise can slightly affect the acoustic character of an area but not to the extent there is a perceived change in quality of life. If the noise exposure is at this level no specific measures are required to manage the acoustic environment.

As the exposure increases further, it crosses the lowest observed adverse effect level boundary above which the noise starts to cause small changes in behaviour and attitude, for example, having to turn up the volume on the television or needing to speak more loudly to be heard. The noise therefore starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).

Increasing noise exposure will at some point cause the significant observed adverse effect level boundary to be crossed. Above this level the noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is above this level the planning process should be used to avoid this effect occurring, by use of appropriate mitigation such as by altering the design and layout. Such decisions must be made taking account of the economic and social benefit of the activity causing the noise, but it is undesirable for such exposure to be caused.

The following table summarises the noise exposure hierarchy, based on the likely average response

<i>Perception Examples of Outcome</i>		<i>Increasing Effect Level</i>	<i>Action</i>
<i>Not noticeable</i>	<i>No Effect</i>	<i>No Observed Effect</i>	<i>No specific measures required</i>
<i>Noticeable & not intrusive</i>	<i>Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but no such that there is a perceived change in the quality of life.</i>	<i>No Observed Adverse Effect</i> <i>Lowest Observed Adverse Effect Level</i>	<i>No specific measures required</i>
<i>Noticeable & intrusive</i>	<i>Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.</i>	<i>Observed Adverse Effect</i> <i>Significant Observed Adverse Effect Level</i>	<i>Mitigate and reduce to a minimum</i>
<i>Noticeable and disruptive</i>	<i>The noise causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.</i>	<i>Significant Observed Adverse Effect</i>	<i>Avoid</i>
<i>Noticeable and very disruptive</i>	<i>Extensive and regular changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory</i>	<i>Unacceptable Adverse Effect</i>	<i>Prevent</i>

The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation.

These factors include:

- *the source and absolute level of the noise together with the time of day it occurs. Some types and level of noise will cause a greater adverse effect at night than if they occurred during the day – this is because people tend to be more sensitive to noise at night as they are trying to sleep. The adverse effect can also be greater simply because there is less background noise at night;*
- *for non-continuous sources of noise, the number of noise events, and the frequency and pattern of occurrence of the noise;*
- *the spectral content of the noise (ie whether or not the noise contains particular high or low frequency content) and the general character of the noise (ie whether or not the noise contains particular tonal characteristics or other particular features). The local topology and topography should also be taken into account along with the existing and, where appropriate, the planned character of the area.*

How can the adverse effects of noise be mitigated?

This will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- *engineering: reducing the noise generated at source and/or containing the noise generated;*
- *layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;*
- *using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;*
- *mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.*

Are there further considerations relating to mitigating the impact of noise on residential developments?

Yes – the noise impact may be partially off-set if the residents of those dwellings have access to:

- *a relatively quiet facade (containing windows to habitable rooms) as part of their dwelling, and/or;*
- *a relatively quiet external amenity space for their sole use, (e.g. a garden or balcony). Although the existence of a garden or balcony is generally desirable, the intended benefits will be reduced with increasing noise exposure and could be such that significant adverse effects occur, and/or;*
- *a relatively quiet, protected, nearby external amenity space for sole use by a limited group of residents as part of the amenity of their dwellings, and/or;*
- *a relatively quiet, protected, external publically accessible amenity space (e.g. a public park or a local green space designated because of its tranquillity) that is nearby (e.g. within a 5 minutes walking distance).*

Saved Policies of the Swale Borough Local Plan 2008:

Policy E1 requires, amongst other things, for development proposals to cause no demonstrable harm to residential amenity.

Policy C1 seeks to support existing community facilities, (including sporting facilities) and states that:

“The Borough Council will grant planning permission for new or improved community services and facilities. Additionally, where proposals would meet an identified local need in an accessible location, it will permit development proposals that will help maximise the use of existing public and private community services and facilities, including those that would make them available for wider public use, in locations where shortfalls in local public provision could be met.”

Bearing Fruits 2031 – The Swale Borough Local Plan part 1

Policy DM14 requires, amongst other things, development to cause no significant harm to amenity and other sensitive uses or areas;

4.0 LOCAL REPRESENTATIONS

4.01 12 letters of objection have been received. These include response submitted by Councillor Hall, who advises that he has canvassed local residents, almost all of whom objected to the application. The objections are summarised as follows:

- Inadequate noise mitigation;
- Repeat applications;
- Significant noise and disturbance;
- If wind is from the north it is impossible to sit in garden during races;
- One writer normally goes out on a bank holiday Monday to avoid the noise;
- Further mitigation measures are required;
- Speedway should not be allowed in close proximity to a residential area;
- Infringes the human rights of nearby residents to enjoy peace and tranquillity;
- This will make sitting in our gardens in the summer even worse ;
- The noise fences constructed at the site make no difference if the wind is in the right direction -it sounds like we have the motor bikes in the garden with us;
- We also hear the Dog racing noises - but that is more acceptable - listening to more of the revving engines is not;
- It needs to be moved somewhere or relocated to a place where there's no houses nearby;
- One writer has lived in Oak Road for over 30 years and considers that noise has increased – there is greyhounds racing, go-karts all weekend over the summer months, and speedway;
- A noise report was done a few years ago, but the readings were taken in Hugh Price close that is surrounded with trees. This noise report should be carried out in Oak Road as this is in direct line of the stadium;
- This is a residential area with many children and the noise level is quite unacceptable especially in the summer when windows etc are open, these children cannot sleep with so much noise going on;
- As for sitting out in the garden on a lovely summer evening and all you can hear is the roaring of these bikes, it really is not fair;

- Most residents can no longer be bothered to report the noise of the speedway meetings to the Council, but still complain about it;
- Over fourteen households still regularly do report the excessive noise (and occasionally the smell);
- Sometimes, if the wind is blowing in the right direction, the noise is not so bad. Surely this shows the acoustic fence is not working to prevent the sound escaping;
- Please do not grant permanent use or we will be stuck with the noise every season;
- The trial period has proved that the acoustic barrier does not work. Particularly when the wind has been blowing towards our properties, and in some other atmospheric conditions, there have been a number of occasions when the noise has been very loud and intrusive;
- Local residents like ourselves should not be inconvenienced by the intrusive noise from the Speedway for the benefit of Cearnsport, Sky TV and people who live outside the Borough of Swale.

4.02 66 letters of support, together with petitions bearing a total of 93 signatures have been submitted. The key points are summarised as follows:

- Speedway is enjoyed by many families, and the small shift in race times will benefit families and the local economy;
- Only runs one evening per week for a couple of hours;
- With the anticipated modernisation of the town centre, there needs to be more diverse activities and entertainment encouraged and made available;
- The nearby go kart track can be much louder and runs 16-20 hours per week;
- If approved, the site could become one of the top venues in the country, hosting top national and international events. The only one in Kent – an opportunity to put Swale on the map;
- Spectators travel from all over the country to watch the racing;
- Although there is a noise problem, hopefully the benefits of people coming to the area and spending money will off set this issue;;
- Will put Sittingbourne on the map with visiting fans from Kent and all around the country;
- The proposal will not increase noise pollution;
- Noise for a short period of time, once per week, should be overlooked;
- For the sport to thrive there needs to be enough strong and active clubs in viable operation;
- Noise from speedway is less than the noise generated by football;
- Meetings are well attended;
- It is the only such facility in Kent;
- There is more noise from passing traffic;
- We have little or no other creditable sports within Sittingbourne;
- Speedway brings a lot of enjoyment to many the races are very short and thus the actual noise is for a small time;
- With an indefinite consent, the likelihood is that a higher standard of racing will be able to be presented at Central Park in the future and that can only benefit the area.

5.0 CONSULTATIONS

5.01 The Council's Environmental Health Manager raises significant concerns, and comments as follows:

During the 3 year period to date that speedway has been operating at Central Park Stadium the number of complaints about noise received by the Council's Environmental Protection Team has been relatively small given the size of the community south of the site that are potentially affected.

The timber board fence constructed to act as a noise barrier and safeguard the nearby community has provided from the outset what the applicant's noise consultant predicted it would in terms of noise attenuation. Unfortunately however, as officers have previously reported, an acoustic fence was never likely to provide a satisfactory level of attenuation and therefore harm to amenity was likely to occur at times. This was substantiated by officers during the 2013 and 2014 racing seasons when visits to homes in Oak Rd resulted in witnessing levels of noise that was audible and intrusive both in gardens and at times inside homes even with the windows closed.

It is however important to realise that the noise experienced by these households is not always at an intrusive level. The actual noise arriving at homes is to a large extent influenced by weather conditions and specifically temperature, humidity, wind speed and direction.

In effect with a north, north easterly or easterly light breeze i.e. blowing from the track towards Oak Rd and Hugh Price Close, the level of noise perceived by occupiers of homes in those roads could sound twice as loud as when the wind is in the opposite direction. The same will be the case in zero wind conditions. This would explain the reason why some occupiers find the levels acceptable on one occasion but not another.

Unquestionably noise from speedway bikes is audible and sometimes very intrusive depending on and dictated by the weather conditions prevailing at any one time. If permanent permission is granted...there are nearby households that during the racing season will undoubtedly suffer a loss in amenity as a result of the noise of speedway bikes.

- 5.02 Part of the purpose for the grant of a temporary permission only was for the Council to monitor the site. As set out in the Environmental Health Manager's comments above, monitoring has demonstrated that the noise from the use gives rise to harm to residential amenity. In addition to this monitoring, a log of complaints received by the Council's Environmental Protection Team has been kept since the use commenced. This log includes details of wind speed and direction when the race meetings took place. In summary, the following complaints were received relating to noise from the site:

Total complaints received from 2013-2015 (3 full seasons use, events taking place on Monday evenings, Bank Holiday Monday afternoons): **108 complaints from 18 separate households.**

2013 season – **50 complaints from 18 households**

2014 season – **36 complaints from 7 households**

2015 season – **22 complaints from 5 households**

5.03 This information was passed to the agent, who commented as follows:

“We have analysed the additional information provided by the Council’s Environmental Health department who have monitored and registered noise complaints regarding the stadium and speedway events. Wind direction is measured from where the wind originates, so winds affecting the properties between the closest house of Meeres Court Lane and the end of Hugh Price Close would be between 340° and 50°. The ‘adverse’ wind days (where wind is directed towards those properties) were days when the winds were really light, ranging between 1.5--3knots, which is Force 1 i.e. no real wind at all. From a lay perspective it seems unlikely that these levels of wind would have any significant impact on noise, regardless of the direction.

What is significant, however, is that on average 16% of the complaints received were when no races were taking place at the stadium. This raises questions about the validity of the complaints, particularly since between June and October 2015 there was no difference in the number of complaints on days with or without races.

Furthermore, the data shows that the number of households which have complained about the noise has decreased by over 70% in the past three years, demonstrating that the acoustic fence is effective and that the use has become accepted by the majority of residents. To deem the permanent use unacceptable on amenity grounds in this context would be highly unreasonable.

Therefore, as requested, we confirm that we are content for a recommendation to be made on the basis of the information, as submitted, that there are good planning policy and amenity reasons why the speedway use should be made permanent with the protection of the conditions imposed to address residential amenity....”

5.04 In response to this, the Environmental Health Manager commented as follows:

“Commenting on the subject of effect of wind speed and direction on the impact of noise; making any sort of definitive assumption from the wind conditions prevailing at the time of speedway events complained about has proved difficult. There appear to have been several occasions when complaints were received when the wind is recorded as blowing away from those properties concerned.

It is however true to say that on days when there is little wind at all, noise will have as much of an adverse impact as when a light breeze is directed towards those nearest affected properties.

Whilst I am unable to comment on the complaints apparently received following no races taking place, it would be helpful to know what those dates were as it does raise concerns over the validity of the complaints.

On the subject of the decreased number of noise complaints over the past three years, I think this is more likely to be a demonstration of acceptance and resignation to the situation by residents rather than any confirmation that the timber boarding around the southern part of the stadium is an effective noise barrier.”

6.0 BACKGROUND PAPERS AND PLANS

Application papers, plans, correspondence, and appeal papers and correspondence (where relevant) for SW/08/0962, SW/09/0274, SW/09/0313, SW/09/0314, SW/14/0088 and 15/500862/FULL

7.0 APPRAISAL

- 7.01 The use is acceptable in highway terms, and the only visual impacts are the limited impact relating to the permanent retention of the perimeter fence and the pit buildings. These are, in my view, unobjectionable.
- 7.02 The key issue for Members to consider here is whether the continued use of the site on a permanent basis is acceptable in terms of impact on residential amenity. If Members conclude that this is not acceptable, Members will then have to balance the benefits of the proposal against the harm caused and decide whether the benefits outweigh the harm.
- 7.03 The Environmental Health Manager is clear, as set out above, that the level of noise experienced by nearby residents can be “intrusive”. Representations from some local residents support this. This is of course disputed by the noise consultant for the applicant, and by their agent. It is important to note that Officers have been clear from the outset here that the acoustic fence (either as approved, or as constructed) would be insufficient to make a meaningful difference in terms of the noise levels experienced by local residents.
- 7.04 I have no doubt that the holding of speedway meetings at the site does have a detrimental impact on the residential amenities of the occupiers of nearby dwellings. This is mitigated to an extent given the controls in place and given the frequency and duration of such meetings. They can only take place once per week, last around two hours in duration, the races themselves (there are normally a maximum of 17 per meeting) are short in duration, and (leaving the issue of later finishing on Friday’s aside)
- 7.05 That said, the stop-start nature of the noise, and its tonal characteristics potentially increase the harm to residential amenity suffered by local residents.
- 7.06 Against this, Members will note that the numbers of complaints and the numbers of separate households submitting complaints has fallen year on year since the first season (2013). I am mindful though of placing too much weight on this as an indication of an acceptance of the speedway use by local residents. As the Environmental Health Manager points out, it could reflect a level of resignation amongst local residents. I do not consider it useful to speculate on the motivation of those submitting complaints (or indeed not submitting complaints), and the information is basic and not capable of sufficient interrogation to come to a firm, reliable conclusion. It is sufficient to say that the figures set out a reduction in complaints regarding noise. This must be of some weight in the decision making process, although to my mind it should be limited.
- 7.07 On the other hand, the data does set out, as referred to by the Environmental Health Manager that complaints are less during race meetings with a southerly wind. It is clear that weather conditions will have an impact on the level of disturbance local residents’ experience. If the wind is southerly, the noise is effectively blown away from the dwellings to the south and south east. If the temperature is low, residents are unlikely to have windows open or to look to make use of their gardens. Conversely, if the temperature is warm, residents are likely to want their windows open, and to make use of their gardens in the early evening. The speedway season runs from March to October, and this will be a problem during late Spring, throughout the Summer and in early Autumn – the majority of the season.

7.08 It is clear to me that, dependent on the weather conditions (in particular the wind strength and direction, but also the temperature) during a meeting, there will be an impact on residential amenity. The noise levels are, in my view, potentially “noticeable and intrusive”. The effects of this are set out in the table above, but for the sake of clarity, I repeat it below:

“Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.”

7.09 In my view, it is clear that the noise generated from the speedway falls into this category. rather than “noticeable and disruptive”. The advice of the NPPG is to “mitigate and reduce the noise to a minimum”. Arguably this has been done by the restrictions on hours of use, the number of meetings per week, and the fact that no practice can take place at the site.

7.10 In the supporting statement, the case is made that permanent permission for use for speedway is necessary to support the overall viability of the use of the stadium, in particular due to the downturn in greyhound racing popularity. I requested detailed information to substantiate the claim being made, but have been advised by the agent that none will be forthcoming. As such, I give this very little weight in the decision making process.

7.11 I am though mindful that having such a facility and provision for a reasonably popular spectator sport in the Borough is to be welcomed. The response to public consultation on the application could be said to be indicative of the wider support the use benefits from, although that said, many of the letters of support are identical copies and petitions in my view should be given limited weight.

7.12 It is clear that there are benefits to be derived from having a local speedway team, although these are difficult to quantify. The provision of jobs for example – the supporting statement sets out that race meetings rely heavily on volunteers. In terms of a trickle down positive impact on the town centre, or local shops and services, this may also be limited – the site is well removed from the town centre, and it seems likely to me that spectators would travel direct to and from the stadium rather than spending time in the town centre either before or after race meetings. Nonetheless, there will be some benefit locally from attracting visitors from outside the Borough, and the provision of such a facility and local spectator sport is to be welcomed.

7.13 To sum up, Members should have regard to the following:

- The proposed use generates noise which is intrusive;
- The use though only takes place once per week and for two hours each meeting, even then the noise events are interspersed with periods of relative quiet;
- This though can exacerbate the impacts of noise on local residents;
- The tonal characteristics of the noise can exacerbate its impact;
- The impact of noise from the site is dependent on the weather – temperature and wind direction;

- The number of noise complaints from local residents has dropped both in terms of the overall number and the number of households complaining, since the use commenced in 2013;
- The provision of a popular spectator sport within the Borough is a benefit;
- Other benefits are more difficult to quantify and should not be given substantial weight in the decision making process;

7.14 Members should be in no doubt that I consider this to be a very finely balanced decision. I am mindful that the noise levels can be intrusive and harmful to residential amenity. The race meetings take place once per week, that they are limited in duration and that their impact can be both positively and negatively affected by weather conditions. Whilst I give it limited weight, I am also mindful that the number of noise complaints over the years has reduced.

7.15 In my opinion, on balance, the harm caused to residential amenity is not sufficient to warrant the refusal of the application. I am very mindful of the impact of the speedway use on residential amenity, but I do consider that it is comparatively short lived, and takes place only once per week, that it is unlikely to be harmful on every occasion a meeting takes place (due to the weather) and that there is some benefit, even if it is not significant, to having such a facility in the Borough.

7.16 Given the above, I recommend on balance, that condition (2) of SW/09/0314 is deleted, making the planning permission permanent.

8.0 CONCLUSION

8.01 I conclude that, on balance, the deletion of condition (2) of SW/09/0314 is acceptable, and the planning permission should be made permanent. I therefore recommend that the application is approved.

9.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS to include

- (1) The means and details of sound amplification approved pursuant to condition (3) of SW/09/0314 shall continue to be used at the site.

Reason: In the interests of residential amenity

- (2) The acoustic fencing approved under application SW/09/0274 shall be constructed in full prior to the first use of the site for speedway, and shall be retained throughout the duration of this permission.

Reason: In the interests of residential amenity

- (3) Speedway motorcycle racing shall take place only once per week between Mondays and Fridays inclusive, between 1st March and 31st October plus four Bank Holiday Monday afternoon meetings, and written details of the dates and times of races shall be provided to the District Planning Authority at least two weeks prior to their taking place.

Reason: In the interests of residential amenity

- (4) No speedway practice shall take place on the site at any time.

Reason: In the interests of residential amenity

- (5) Racing shall take place between 1700 and 2030 hours only and there shall be no warming up of speedway bikes prior to 1630 or after 2030 hours.

Bank Holiday Monday races shall take place between 1500 and 1800 hours only and there shall be no warming up of speedway bikes prior to 1430 or after 1800 hours.

Reason: In the interests of residential amenity

- (6) There shall be no more than a total of 17 races (league and/or other) per meeting, excepting re-runs of individual races which may take place additionally where necessary in the interests of safety, but wholly within the time limits imposed by condition (5) above.

Reason: In the interests of residential amenity

- (7) No other form of motorised sport shall be undertaken on the site at any time.

Reason: In the interests of residential amenity

- (8) There shall be no use of air horns or claxons at any time during race meetings.

Reason: In the interests of residential amenity

- (9) There shall be no use of fireworks or pyrotechnic devices at any time during race meetings.

Reason: In the interests of residential amenity

- (10) Warming up of bikes shall take place only within the pit area as shown on the approved plans, and shall not take place anywhere else on the site.

Reason: In the interests of residential amenity

- (11) Any facilities for the storage of oils or fuels shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipe work, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: In order to prevent contamination/pollution of the land

- (12) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the speedway track shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: In order to prevent contamination/pollution of the land

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

APPENDIX I



Appeal Decisions

Inquiry held on 16 February 2010 and 27-29 April 2010

Site visits made on 16 February 2010 and 29 April 2010

by **L Rodgers** BEng CEng MICE MBA

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date:
25 May 2010

Appeal A Ref: APP/V2255/A/09/2114712

Central Park Stadium, Church Road, Eurolink, Sittingbourne, Kent ME10 3SB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Cearnsport Ltd against the decision of Swale Borough Council.
- The application Ref SW/09/0275, dated 3 April 2009, was refused by notice dated 17 August 2009.
- The application sought planning permission for a part change of use of the existing sports stadium to permit the holding of speedway meetings, including the installation of a clinker track surface, provision of a covered 'warm up' area and pits and erection of an acoustic fence around part of the perimeter without complying with a condition attached to planning permission Ref SW/08/0962, dated 16 January 2009.
- The condition in dispute is No 2 which states that: The use of the site for speedway shall cease on or before 31st October in the calendar year of races first taking place.
- The reason given for the condition is: In order to allow the District Planning Authority to reassess the impact of the use, having regard to the residential amenities of the occupiers of nearby dwellings, and in pursuance of Policies E1 and E2 of the Swale Borough Local Plan 2008.

Appeal B Ref: APP/V2255/A/09/2115416

Central Park Stadium, Church Road, Eurolink, Sittingbourne, Kent ME10 3SB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
- The appeal is made by Cearnsport Ltd against the decision of Swale Borough Council.
- The application dated 9 April 2009, was approved on 13 October 2009 and planning permission was granted subject to conditions.
- The development permitted is a variation of condition (5) of SW/08/0962 to allow speedway motorcycle racing to take place once per week between Mondays and Fridays, as opposed to between Mondays and Wednesdays.
- The condition in dispute is No 2 which states that: The use of the site for speedway shall cease on or before 31st October in the calendar year of races first taking place.
- The reason given for the condition is: In order to allow the District Planning Authority to reassess the impact of the use, having regard to the residential amenities of the occupiers of nearby dwellings, and in pursuance of Policies E1 and E2 of the Swale Borough Local Plan 2008.

SWALE BOROUGH COUNCIL

26 MAY 2010

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

Application for costs

1. At the Inquiry an application for costs was made in respect of both appeals by Cearnsport Ltd against Swale Borough Council. This application is the subject of a separate Decision letter.

Decisions

2. I allow Appeal A and grant planning permission for a part change of use of the existing sports stadium to permit the holding of speedway meetings including the installation of a clinker track surface, provision of a covered 'warm up' area and pits and erection of an acoustic fence around part of the perimeter at Central Park Stadium, Church Road, Eurolink, Sittingbourne, Kent ME10 3SB in accordance with the application Ref SW/09/0275, dated 3 April 2009, without compliance with condition numbers 2, 4 and 5 previously imposed on planning permission Ref SW/08/0962, dated 16 January 2009 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new conditions:
 - (2) The use of the site for speedway shall cease within four years of the date of the first race taking place. The local planning authority shall be notified of the date of the first race in accordance with the arrangements laid out in condition (5).
 - (4) The acoustic fencing approved under Ref SW/09/0274 shall be constructed in full prior to the first use of the site for speedway and shall thereafter be retained until use of the site for speedway has ceased.
 - (5) Speedway motorcycle racing shall take place only once per week between Mondays and Fridays inclusive between 1st March and 31st October plus four Bank Holiday Monday afternoon meetings and the dates and times of races shall be provided on the stadium website, published in the local press, made available at the application site and provided in writing to the local planning authority, all at least six weeks prior to their taking place.
3. I allow Appeal B, and vary the planning permission Ref SW/09/0314 for a part change of use of the existing sports stadium to permit the holding of speedway meetings including the installation of a clinker track surface, provision of a covered 'warm up' area and pits and erection of an acoustic fence around part of the perimeter at Central Park Stadium, Church Road, Eurolink, Sittingbourne, Kent ME10 3SB granted on 13 October 2009 by Swale Borough Council, deleting conditions 2 & 4 and substituting for them the following conditions:
 - (2) The use of the site for speedway shall cease within four years of the date of the first race taking place. The local planning authority shall be notified of the date of the first race in accordance with the arrangements laid out in condition (5).
 - (4) The acoustic fencing approved under Ref SW/09/0274 shall be constructed in full prior to the first use of the site for speedway and shall thereafter be retained until use of the site for speedway has ceased.

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

Main issue

4. Although there are two appeals, both are in respect of a common condition. I therefore consider there to be only one main issue; whether the condition in dispute is necessary in the interests of the living conditions of local residents and meets the other tests of Circular 11/95.

Reasons

The necessity of the condition

5. The Appellant accepted at the Inquiry that speedway is an inherently noisy sport. It was also accepted that the residential development near to the stadium is noise sensitive and that the noise climate at the nearest properties is likely to change as a result of the proposed use.
6. According to the Statement of Common Ground (SOCG) on noise, the nearest noise sensitive residential properties are those to the south of the stadium at Hugh Price Close and Oak Road and the currently uninhabited and dilapidated property at Mere Court to the east. With the acoustic barrier in place, the Appellant predicts a speedway noise level of some 57dB $L_{Aeq,1h}$ at Mere Court and around 52dB $L_{Aeq,1h}$ at Hugh Price Close with maximum noise levels no greater than 75dB $L_{Amax,10min}$. The Appellant suggests that, having reference to the British Speedway Promoters' Association (BSPA) adopted criterion, these noise levels are unlikely to give rise to justifiable complaints from local residents.
7. In predicting the likely noise levels above, the calculations not only assumed that the noise barrier would be in place but that the noise source would be in the centre of the stadium. Initially, the Council queried the validity of assuming that the noise source would be in the centre of the stadium, pointing out that as the bikes moved further away from the barrier, it would become less effective. However, following further work during the course of the Inquiry (Document 18), the Council accepted that the increased attenuation over distance would compensate for any reduction in the effectiveness of the barrier. The reverse would be true in that the barrier would be more effective when the bikes were at their closest. Consequently, it was agreed by the Council that there would be similar noise levels at Hugh Price Close and Oak Road irrespective of the bike's position on the track. Nevertheless, the Council remains concerned that the submitted evidence is insufficient to demonstrate that the predicted noise and disturbance would be at an acceptable level.
8. I shall turn first to the effect on the properties at Hugh Price Close and Oak Road which, based on the submitted evidence, would be similar. The ambient evening noise levels at Hugh Price Close were measured at around 42-45dB L_{A90} , not untypical for a suburban area. I found on my visits that the area was generally quiet. The predicted speedway noise level would be some 7-10 dB above the ambient noise levels and, if one were to apply a BS 4142: 1997 (Method for rating industrial noise affecting mixed residential and industrial areas) type methodology, would be likely to lead to some complaints. This would be particularly so if a 5 dB correction was to be applied to account for the intermittent nature of the noise.

SWALE BOROUGH COUNCIL
26 MAY 2013

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

9. However, the Appellant argues that experience elsewhere, reflected in the 2003 report commissioned by the BSPA, *'Preliminary Assessment of Environmental Noise from Speedway in the UK'*, suggests that an energy equivalent noise level of between 15 and 18 dB(A) above the background noise level would be an appropriate criteria for determining whether the noise from speedway would be acceptable. The Appellant also claims further support from the *Code of Practice on Environmental Noise Control at Concerts* (The Noise Council 1995). This, it is pointed out, includes guidance stating that the Music Noise Level should not exceed the background noise level by more than 15dB(A) over a 15 minute period. Whilst the Appellant acknowledges that it would be strictly incorrect to apply criteria for music noise to speedway noise, it is nevertheless suggested that an excess of greater than 10 dB(A) would be acceptable for a short-term, occasional, noisy event.
10. I find none of these arguments conclusive. The Council's view is that BS 4142 does not sit comfortably with the analysis of speedway noise and I agree that looking at an $L_{Aeq,1h}$ figure would not be representative of the characteristics of speedway where parcels of high activity are followed by relative lulls. A BS4142 type analysis may therefore underestimate the potential for annoyance and it is possible that justified complaints could arise at lower excess noise levels than envisaged by BS 4142. However, and conversely, BS 4142 is an accepted method of assessing the noise from fixed plant where any potential annoyance may extend over a much longer period than would be the case with speedway. I therefore consider it highly questionable as to whether BS 4142 can be directly applied to speedway and using a BS 4142 type of analysis has the potential to underestimate, or indeed overestimate, any harm.
11. Turning to the BSPA report, this has the advantage that it relates directly to speedway. However, it has never been turned into a code of practice and has therefore not undergone the scrutiny normally associated with that process. It remains a private report commissioned by the Promoters' Association and for these reasons can, in my view, attract no more than moderate weight. In any event, whilst the report shows that, at certain stadia, levels of speedway noise greater than 17 dB(A) over the background noise have not attracted complaints specific to bike noise, it also shows that at other stadia, lower levels of excess noise have resulted in a range of complaints. The conclusion of the report that an "energy equivalent noise level of between 15 and 18 dB(A) above the background noise level would be an appropriate criteria for determining whether the noise from speedway would be acceptable" seems, on this basis, open to question.
12. In respect of the guidelines in the *Code of Practice on Environmental Noise Control at Concerts*, these are concerned with far fewer events than would be likely here. Although there is some ambiguity about the number of speedway events likely to take place at Central Park Stadium in any one season, the Council's analysis of the potential number of race meetings shows that, within the framework prescribed by other conditions on the existing permissions, up to 39 meetings could be held during 2010. This far exceeds the 4-12 concert days per calendar year per venue referred to in the guidelines. However, compared to the noise from speedway, the noise associated with concerts is likely to be more sustained throughout the course of the event. It would in any

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

case have different characteristics which in my view would render direct comparisons inappropriate.

13. I have also been referred to other guidance on noise matters including Minerals Planning Guidance 11: The control of noise at surface mineral workings (MPG 11). This says that, other than in certain specified circumstances (which may result in lower, or higher, limits) the daytime nominal limit at noise-sensitive properties used as dwellings should normally be 55 dB L_{Aeq,1h} (free field) where 1 h means any of the one hour periods during the defined working day. However, whilst the noise levels at Hugh Price Close and Oak Road would come within the limit, the permitted hours of speedway operation would in part fall outside the normal definition of 'daytime' and again the noise characteristics in terms of duration and pitch are likely to be significantly different between a speedway and mineral workings.
14. Although my attention was also drawn to the World Health Organisation (WHO) guidelines, the Council and Appellant agreed that whilst the noise from speedway would not increase the existing 16 hour daytime noise level by more than 1 dB(A), neither party were content with the inclusion of intermittent noise within a WHO type assessment.
15. Notwithstanding the difficulties in applying existing guidance, the Appellant argues that, based on the L_{Aeq,1h} and L_{Amax,fast} analysis, the noise levels would be consistent with the existing levels in the area and would be less than in other places where speedway has been successfully introduced. However, in comparing the predicted and existing noise levels, the analysis does not specifically account for the nature of the noise, and particularly the fact that the higher levels of noise would be sustained over the duration of a race and would not simply be very short, discrete events.
16. For these reasons I consider that it is not possible to establish with any reasonable degree of certainty whether or not there would be material harm to the living conditions of local residents in Hugh Price Close and Oak Road. The fact that the BSPA report shows that complaints have arisen at a variety of noise levels suggests that much is dependent on the particular local circumstances. As was pointed out at the inquiry, it is, for instance, difficult to accurately model the effect of the range of reflective surfaces around the stadium.
17. In respect of the property at Mere Court, if one were to assume the background noise levels were similar to those at Hugh Price Close, the predicted speedway noise level of some 57dB L_{Aeq,1h} would, even adopting the conclusion of the BSPA report, be approaching the upper limit of acceptability and would be more likely to result in material harm. However, I am conscious that the property is in a dilapidated state and whilst I accept the Council's point that it could potentially be made available for occupation, I was given no substantive evidence to show that it would be restored to residential use. In these circumstances I consider that the possibility of harm to any potential future residents of Mere Court should carry only limited weight.
18. Although I accept that the proposed use could be detrimental to local residents, the Appellant points out that the speedway noise levels arising at Hugh Price Close would be significantly quieter than if a neighbour, even a few houses

SWALE BOROUGH COUNCIL
26 MAY 2010
PLANNING SERVICES

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

distant, were mowing a lawn with a powered lawnmower. The introduction of new silencers is likely to further reduce the predicted noise levels and, despite the Council's concerns as to whether use of the new silencers could be controlled, I note that a licensed speedway promoter is not given permission to stage speedway racing until he has signed a contract to abide by the Speedway Control Bureau (SCB) rules and regulations. Amongst other matters, these regulate the use of silencers. In these circumstances, and despite the limited testing to date, I consider it reasonable to have some regard to the benefits of the new silencers. It is also the case that each race would be short in duration, that there would be only a limited number of meetings during the year and that the timing of the meetings, particularly the finish times for the evening meetings, would be such as to minimise disturbance at what are generally accepted as the most sensitive times of the day.

19. According to the Appellant, the introduction of speedway would also help to offset the downturn in revenue from greyhound racing and would help to secure the future of the stadium. It was also said that the development would result in a contribution to the local economy. Whilst these assertions were not supported by substantive evidence, it nevertheless seems to me likely that there would be some benefits to the community.
20. However, notwithstanding any possible benefits, given that I have found that the proposed racing could be detrimental to local residents there may also be conflict with the Swale Borough Local Plan, particularly Policies E1 and E2. In these circumstances an unrestricted permission would not be appropriate. However, it is not certain that residents would suffer material harm. Circular 11/95 says that "where an application is made for a permanent permission for a use which may be "potentially detrimental" to existing uses nearby, but there is insufficient evidence to enable the authority to be sure of its character or effect, it might be appropriate to grant a temporary permission in order to give the development a trial run".
21. In this case, the number of years of racing could be controlled by condition. However, Circular 11/95 makes it clear that any such temporary permission should be reasonable having regard to the capital expenditure necessary to carry out the development and a trial period should be set that is sufficiently long for it to be clear by the end of the first permission whether permanent permission or refusal is the right answer. I deal with these matters below.

Whether or not the disputed condition is reasonable and meets the other tests of Circular 11/95

22. According to the Appellant, the capital expenditure required to prepare the stadium for speedway racing would be of the order of £250,000. Although the Council questioned the make up of the figure, the Council also noted that the capital costs of recent similar projects at other stadia were comparable or slightly higher. Notwithstanding the Council's concerns it therefore seems reasonable to take a figure of £250,000 as the likely capital expenditure.
23. The forecast profit and loss account submitted by the Appellant suggests that payback would occur early in the fifth year of operation. This payback period was also questioned by the Council and in particular the inclusion of a non-cash item of £25,000 per annum for depreciation. The Council also queried other

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

matters in the projection such as the assumed number of meetings (25), the lack of other income opportunities and the lack of any sponsorship income. However, even if all the Council's suggested adjustments were to be adopted, payback is shown as occurring in year two.

24. Circular 11/95 says at Paragraph 111 that a temporary permission should be reasonable having regard to the capital expenditure necessary to carry out the development and Paragraph 35 says that a condition should not be imposed if the restriction effectively nullifies the benefit of the permission. Although the Circular does not require any permission to be long enough to pay back the investment, and any financial projections are likely to be subject to variation and uncertainty, it seems to me that the payback period is one indicator of what may be an appropriate length for any temporary permission.
25. In this case, I consider that a condition which limits racing to one season, when even a highly optimistic scenario shows payback would not occur until year two, effectively nullifies the benefit of the permission. I am also conscious that, because of its forward planning cycles, the BSPA view is that permission being granted for a single season means in reality that the stadium would never operate. Although I find no conflicts with the other tests of Circular 11/95, I therefore find the disputed conditions unreasonable.
26. Although the Appellant's figures show that payback would occur in year five I note that over 90% of the capital investment would be paid back in the first four seasons. However, whilst I agree with the Council that it would not be reasonable to include depreciation when considering the length of a temporary permission, it would nevertheless be very marginal to suggest that payback would occur in year three. Although the Council's view was that there were other income opportunities that would help in boosting profitability, the Appellant considered that it would be unreasonable to include these in the projections. As some would affect the intended offer and some would be subject to considerable uncertainty, I accept the Appellant's view.
27. Although the Appellant has made it clear that he is seeking unlimited permissions, or minima of seven years in order to justify the investment, it is my opinion that permissions allowing racing for four years would be reasonable having regard to the capital expenditure involved. The Appellant and Council both accepted that, if I determined that temporary permissions were appropriate, their duration would be a matter for my judgement based on the facts before me.
28. Notwithstanding that a four year permission would be reasonable having regard to the capital expenditure involved, there remains the question of whether a four year permission would be reasonable having regard to the potentially detrimental effect on local residents. Planning Policy Guidance: Planning and Noise (PPG24) says that, in considering noise from recreational and sporting activities, the local planning authority will have to take account of how frequently the noise will be generated and how disturbing it will be, and balance the enjoyment of the participants against nuisance to other people.
29. Despite the opposition of many local residents, a significant number of letters have been received in support of the proposal and there appears to be considerable enthusiasm for the introduction of speedway at Central Park

SWALE BOROUGH COUNCIL

7

26 MAY 2016

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

Stadium. I have already established that the frequency and duration of noisy events would be controlled by other conditions and that the projected noise levels would be further limited by the new silencers. Taking account of all these factors it is my opinion that limiting racing to four years would be reasonable having regard to the potentially detrimental effect on local residents and the enjoyment of the participants. Four years would also be long enough to determine whether a permanent permission or refusal is the right answer.

Other matters

30. A number of local residents have raised other concerns including the use of the proposed track for practice and junior meetings, the commercial viability of the operation and the sensitivity of the financial information. However, other conditions would restrict the number of times that motor cycle racing can take place and prevent use of the track for speedway practice and whilst I have had regard to the sensitivities inherent in the financial projections, the commercial viability of the proposal is largely a matter for the Appellant.
31. In respect of the unease expressed by third parties over the potential for congestion and additional parking on local roads, the Council has not objected on these grounds and as greyhound racing already attracts similar size crowds to the stadium, I see no reason to take a different stance.

Conditions

32. I have established that, if I were to allow the appeals, conditions limiting the number of years over which racing may take place would be necessary. In respect of Appeal A, I would also need to refer back to the conditions imposed on planning permission Ref SW/08/0962 but, for consistency with other permissions subsequently granted by the Council, I would also need to impose new conditions 4 and 5. Similarly, in respect of Appeal B, a new condition 4 would be required. This approach was agreed by the main parties.

Conclusion

33. I have found that the disputed conditions are unreasonable. However, I have also found that the effect of the proposed racing on the living conditions of local residents is uncertain and potentially detrimental. Taking account of these matters I have determined that conditions limiting the racing to four years would be reasonable in all respects. Therefore, and having considered all other matters before me, including the sustainability of the development, I conclude that both Appeal A and Appeal B should succeed but that the resultant permissions should be subject to new conditions limiting racing to no more than four years.

Lloyd Rodgers

Inspector

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

<p>Mr G Stoker of Counsel</p> <p>He called</p> <p>Mr D N Ledger FCIEH, MRSPH</p> <p>Mr K Godden MISPAL</p> <p>Mr R T Bailey MRTPI</p>	<p>Instructed by Ms Blades-Chase, Head of Legal, Swale/Tonbridge/Maidstone Borough Councils</p> <p>Environmental Protection Manager, Swale Borough Council</p> <p>Director, pmp genesis Ltd</p> <p>Area Planning Officer, Swale Borough Council</p>
---	---

FOR THE APPELLANT:

<p>Mr S Randle of Counsel</p> <p>He called</p> <p>Mr RJC Cearns</p> <p>Mr A E Mole</p> <p>Mr N Hill C Eng, MIOA, MIMechE</p> <p>Mr F Robinson FRTPI, CMILT</p>	<p>Instructed by Robinson Escott Planning</p> <p>Cearnsport Ltd</p> <p>President, British Speedway Promoters Association</p> <p>Hill Engineering Consultants Ltd</p> <p>Robinson Escott Planning</p>
--	--

INTERESTED PERSONS:

<p>Cllr M Henderson</p> <p>Ms. E Walker</p> <p>Cllr E Lowe</p> <p>Mr B Bibby</p> <p>Mr G Marriott</p> <p>Mr RA Swade</p> <p>Cllr D Banks</p>	<p>Swale Borough Councillor, Member of the Planning Committee. Appearing on behalf of local residents.</p> <p>Local resident</p> <p>Swale Borough Councillor, Member of the Planning Committee. Appearing on behalf of local residents.</p> <p>On behalf of a local resident</p> <p>Local resident</p> <p>Local resident</p> <p>Ward councillor and local resident</p>
--	--

<p>SWALE BOROUGH COUNCIL</p>
<p>28 MAR 2016</p>

APPENDIX I

Appeal Decisions APP/V2255/A/09/2114712, APP/V2255/A/09/2115416

DOCUMENTS HANDED IN AT THE INQUIRY

- 1 List of persons attending the inquiry on behalf of the Appellant. Submitted by Mr Robinson.
- 2 Bundle of letters. Submitted by Mr Robinson.
- 3 Letter from JP Crook and Co. dated 9.2.10. Submitted by Mr Robinson.
- 4 BPSA letter plus attachments. Submitted by Mr Robinson.
- 5 Supplementary noise proof of Nicholas Hill. Submitted by Mr Robinson.
- 6 Bundle of letters. Submitted by Mr Stoker.
- 7 Response to Appellant's evidence from Pmpgenesis Ltd. Submitted by Mr Stoker.
- 8 The 2009 Speedway Regulations (SCB). Submitted by Mr Stoker.
- 9 BS 4142: 1997. Submitted by Mr Stoker
- 10 Statement of Common Ground (Noise).
- 11 Acoustic evidence of Mr Bibby
- 12 Letter from Cllr Manuella Torres
- 13 Appellant's opening statement. Submitted by Mr Randle.
- 14 Environmental Noise Assessment June 2000. Submitted by Mr Stoker.
- 15 The 2010 Speedway Regulations (SCB). Submitted by Mr Randle.
- 16 Copy of Decision Notice from Birmingham City Council in respect of Application Number N/04323/08/FUL (Perry Barr Stadium). Submitted by Mr Stoker.
- 17 Letters in respect of the introduction of new homologated silencers (R&D Aggregates/ACU). Submitted by Mr Randle.
- 18 Calculation sheet of N Hill in respect of attenuation effect of barrier with bikes at different track points. Submitted by Mr Randle.
- 19 2010 Calendar showing potential number of meetings under existing permissions. Submitted by Mr Stoker.
- 20 Table 4.1 of WHO guidelines. Submitted by Mr Stoker.
- 21 Council's closing statement. Submitted by Mr Stoker.
- 22 Appellant's closing statement. Submitted by Mr Randle.
- 23 Joint statement on the applicability of the WHO guidelines to properties at Hugh Price Close and Oak Road.
- 24 Costs application on behalf of the Appellant. Submitted by Mr Randle.

APPENDIX II

Hill Engineering Consultants Limited

Independent Noise and Vibration Consulting
 07950 355042
 Nicholas.Hill1961@yahoo.co.uk

PO Box 8937
 Ravenshead
 Nottingham
 NG15 9WD

Mr R Cearns
 Central Park Stadium
 Church Road
 Eurolink
 Sittingbourne
 Kent ME10 3SB



Your reference:

15/510605

Our reference: ENV/73/001/NH/jh/pL

Date: 4th July 2013

By e-mail only - rogercearns@aol.com

Dear Roger,

RE: Speedway, Central Park Stadium

Further to my visit to site on Monday 3rd June 2013 to inspect the acoustic barrier and to monitor noise from Speedway, I comment as follows.

Barrier

You will recall that in my report E15073/05 of 29th July 2008 supporting the application for Planning Permission I recommended a '6m high acoustic barrier is erected to replace the existing 'concrete slatted wall 2.25m high' to the southern aspect of the Stadium shown on Figure 1. The barrier should start close from the eastern straight and continue clockwise, unbroken, for a circumferential distance of approximately 200m'. I note that in Swale Borough Council's letter of 16th January 2009 the acoustic fence proposed in your drawing of 1st December 2008 showing an acoustic barrier to run a distance of approximately 185m at a height of 6m, to be located slightly behind the existing 2.25m high existing concrete slatted fence was approved.

At the site inspection I noted that the acoustic barrier has been constructed to a height of 6m, built above the existing concrete slatted fence on 4" by 4" square section steel columns using 9-ply (1" thick), oil treated plywood sheets, photos as follows:



APPENDIX II

Sittingbourne Speedway
Environmental Noise Impact Assessment

2 of 4

ENV/73/001/NH/jh/pL
4th July 2013



There are no substantial breaks or gaps in the barrier. Given that the current height meets the recommended height of 6m total and is in the correct geographical position then there are no measures that could be undertaken to improve the noise barrier, other than increasing its height. It is therefore fit for purpose and meets the requirements of my original specification.

The 1" thick plywood will provide a substantially increased noise insertions loss of at least 20 dB(A) (i.e. through the plywood) compared to the predicted 11 dB(A) shielding provided by the noise diffracting over the height of the barrier. Consequently, increasing the thickness of the current 1" plywood sheet will show no additional benefit.

APPENDIX II

Sittingbourne Speedway
Environmental Noise Impact Assessment

3 of 4

ENV/73/001/NH/jh/pL
4th July 2013

In my reporting I predict a Speedway noise level of 52 dB $L_{Aeq,1h}$ at property on Hugh Price Close and surrounding area, 5 dB(A) below the adopted criterion of 57 dB $L_{Aeq,1h}$ based on the early evening ambient background noise level of 42 dB $L_{A90,1h}$, using the criterion adopted from the 2003 report prepared by Scott Wilson for the BSPA.



At the site inspection the following noise levels were measured at Hugh Price close:

Time	L_{Aeq}	L_{A90}	$L_{Amax,fast}$	comments
17.00-17.15	51.8	41.5	76.4	local road traffic, birdsong, pedestrians
17.15-17.30	53.9	42.5	76.8	
17.30-17.45	54.6	43.0	77.2	
17.45-18.00	55.0	44.5	71.0	
18.00-18.15	52.8	44.0	66.8	bikes warm up from 18.06
18.15-18.30	53.1	43.0	69.6	warm up until 18.23
18.30-18.45	58.2	45.0	80.8	first heat at 18.35
18.45-19.00	56.5	42.0	82.0	
19.00-19.15	52.6	41.5	73.9	
19.15-19.30	54.6	43.0	73.0	
19.30-19.45	53.8	41.5	74.8	
19.45-20.00	58.2	43.5	79.5	
20.00-20.15	57.6	43.0	77.9	
20.15-20.30	55.3	38.5	73.4	last heat at 20.20
20.30-20.45	51.5	37.0	69.2	local road traffic, local keep fit club, pedestrians, birdsong etc. Twilight at around 21.30.
20.45-21.00	50.6	36.5	68.2	
21.00-21.15	49.4	35.0	67.4	
21.15-21.30	45.5	36.0	63.5	
21.30-21.45	44.6	34.5	64.9	
21.45-22.00	42.2	35.0	60.4	

APPENDIX II

Sittingbourne Speedway
Environmental Noise Impact Assessment

4 of 4

ENV/73/001/NH/jh/pL
4th July 2013

At the time of the measurements there was a noticeable north-easterly wind, blowing towards the measurement location, with gusts at up to 5 m/s.

It can be seen that the bikes warm-up commenced at 18.06 and continued until 18.23. The first heat commenced at 18.35 and the final heat at 20.20.

The average ambient noise at the measurement point in the 90 minutes prior to commencement of the heats is calculated from the data tabulated above to be 53.7 dB(A) L_{eq} , predominantly due to local road traffic.

The average noise level throughout the course of the 2½ hour meeting is calculated from the data tabulated above to be 56.3 dB(A) L_{eq} .

The specific noise from the Speedway is therefore 56.3 dB(A) L_{eq} minus 53.7 dB(A) L_{eq} . This is calculated to be 52.8 dB(A) L_{eq} .

In layman's terms, the noise from the Speedway over the course of the 2½ hour meeting at Hugh Price Close is 52.8 dB(A) L_{eq} . This slightly exceeds the predicted noise level of 52 dB(A) L_{eq} I report in my report E15073/05 of 29th July 2008. The reason for the actual noise level exceeding the predicted noise level is almost certainly due to the prevailing north-easterly wind at the time of the measurement; it is most difficult to calculate accurately the effect of wind direction and speed upon the prediction of environmental noise and any such effect is still not included in any relevant British and International noise prediction Standards. It is quite likely, however, that with the predominant south-westerly wind expected at the site that Speedway noise levels will, in general, be reduced by as much as 5-7 dB(A) compared to those measured at the site inspection reported above with the north-easterly wind experienced.

The Speedway specific noise level, 52.8 dB(A) L_{eq} (with the north-easterly wind experienced) is below the WHO evening guidelines of 55 dB L_{Aeq} and will be further reduced with a prevailing south-easterly wind.

On this basis then I conclude that the noise barrier erected satisfies my original specification and does not require any modification. Noise levels from Speedway at Hugh Price Close are slightly higher than expected but due to the north-easterly wind experienced at the time of the measurements; with a prevailing south-easterly wind I expect Speedway noise levels to be reduced by as much as a further 5-7 dB(A). The Speedway specific noise level measured at the site inspection is below the WHO evening guidelines of 55 dB L_{Aeq} .

Yours sincerely,



Nicholas Hill BSc(Hons) CEng MIOA MIMechE
Noise and Vibration Consultant

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

PowerHaus
Consultancy

15/510605



**CENTRAL PARK STADIUM,
SITTINGBOURNE, KENT ME10 3SB**

**PLANNING STATEMENT FOR
REMOVAL OF
CONDITION 2 AND VARIATION OF
CONDITION 7 OF PERMISSION
SW/09/0314**

Date: 23rd December 2015

Ref: 018

PowerHaus Consultancy
Suite 6036, 1 Fore Street
Moorgate, London
EC2Y 5EJ
T: 020 3608 7612
M: 020 7248 4743
mp@powerhausconsultancy.co.uk
www.powerhausconsultancy.co.uk



Planning Statement

APPENDIX III



CONTENTS

1.0 INTRODUCTION AND DESCRIPTION OF DEVELOPMENT 1
2.0 SITE AND LOCATION 3
3.0 SPEEDWAY BACKGROUND AND PLANNING HISTORY 4
4.0 NEED 7
5.0 PLANNING POLICES AND JUSTIFICATION 9
6.0 CONCLUSIONS 14

TABLES

Table 1. Relevant Planning History at Central Park Stadium 4
Table 2. UK Speedway Stadia Finish Times 5

Appendix 1 – Information From Swale Borough Council EHO December 2015
Appendix 2 – Email From Swale Borough Council EHO 5th December 2015

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

Powerhaus
Consultancy**1.0 INTRODUCTION AND DESCRIPTION OF DEVELOPMENT**

- 1.1 An application has been submitted on behalf of Cearnsport Ltd concerning Central Park Stadium Sittingbourne Kent, for permission to remove Condition 2 and to vary Condition 7 of planning permission ref. SW/09/0314, under Section 73 of the Town and Country Planning Act. This would continue the speedway use at the Stadium as already permitted and allow a later finishing time on Fridays. All other controls would remain as set down in the various permissions. Part change of use of the Stadium was permitted for speedway meetings on 13 October 2009 subject to the use coming into effect before 15th January 2012. The use was implemented the first week of January 2012.
- 1.2 Speedway racing commenced in the 2012 season and is therefore due to cease at the end of the end of the Speedway season in October 2016 in line with the four-year time limit of the planning consent (condition 2 of planning permission SW/09/0314 amended by Appeal decision APP/V2255/A/09/2115416). The removal of Condition 2 would therefore allow permanent use of the Stadium for Speedway, which will secure an economic boost to the Stadium and Borough, with the decline in Greyhound racing experienced at Central Park Stadium and nationally as a spectator sport. The use has already been approved and is an appropriate use in this location.
- 1.3 This application also seeks to continue the extended later finishing time on Fridays from 17.00 to 21.10, with an additional 20 minutes for overruns, to attract a higher league speedway club to the race track, and to ensure racers, workers and spectators can reach the grounds in good time for the speedway races. There is no other speedway track in the country that operates with such restricted hours and this significantly hampers the ability of Cearnsport to attract a higher league team to compete from Central Park Stadium. A higher league team competitor would positively alter the economic benefits of the speedway operation, contributing to the local economy. Given that the Speedway use can currently continue for a further year, Cearnsports has not been able to attract a higher league team due to the uncertainty over the continued use of Central Park Stadium for Speedway and the necessary investment required for the higher league team riders.
- 1.4 Planning permission has already been granted by the Council on 12 May 2015 reference 15/500862/FULL, to allow the later Speedway finishing time on Friday nights.
- 1.5 This application is therefore seeking to ensure that both conditions are varied for the original change of use consent reference SW/09/0314, to ensure that Speedway use can be a permanent use and that the later finishing time on Friday's can continue at Central Park Stadium.
- 1.6 The proposed revised Condition 7 is to say:

"On Fridays speedway racing shall take place between 1700 and 2110 hours only (with a further 20 minutes to be used only in the event of re-runs of individual races which may take place additionally where necessary in the interests of safety).

APPENDIX III



In all other circumstances, weekday races shall take place between 1700 and 2030 hours only and there shall be no warming up of speedway bikes prior to 1630 or after 2030 hours.

Bank Holiday Monday races shall take place between 1500 and 1800 hours only and there shall be no warming up of speedway bikes prior to 1430 or after 1800 hours.*

1.7 This application will regularise speedway use at the Stadium subject to the existing constraints as follows:

- i) Speedway season confined to 1st March to 31st October each year;
- ii) Only one speedway meeting per week Monday to Friday, plus four Bank Holiday afternoon meetings;
- iii) Only 17 heats per meeting;
- iv) Mondays to Thursdays no racing after 20.30;
- v) Fridays no racing after 21.10 except for re-runs up to 21.30 only; and
- vi) Race meetings will finish at 18.00 on Bank Holidays.

1.8 Information has been requested from the Council's Environmental Health Department regarding the number of noise complaints associated with the Stadium uses. The information received is referred to in further detail in Section 5 below.

1.9 The structure of this Planning Statement will now examine the circumstances and planning policies to support this application and is set out as follows:

- **Section 2 Site and Location** – describes the site and surroundings.
- **Section 3 Background and Planning History** – sets out the relevant background with regard to speedway racing at Central Park Stadium and the recent and relevant planning history of the speedway use at Central Park Stadium and other at other stadia in the UK.
- **Section 4 Need** – demonstrates the need for the permanent use of the Stadium for speedway and the associated later Friday night finishing time already permitted.
- **Section 5 Planning Justification** – assesses the proposals against the relevant planning policy framework.
- **Section 6 Conclusions** – summarises the conclusions in favour of the application.

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

POWERHAUS

Consultancy

2.0 SITE AND LOCATION

- 2.1 Central Park stadium is used successfully for league speedway racing. A large parking area is located to the north and east sides of the stadium, which are the main entry points to the Stadium. Pit areas for speedway bikes and riders are located to the north east of the site. A substantial acoustic fence has been erected along the southern boundary of the site, which is the smallest part of the stadium, which lies some 175 metres from the nearest residential properties to the south.
- 2.2 Central Park Stadium also hosts greyhound racing and football activities which have been permitted since 1996 to take place 7 nights a week until 11pm. During busy times, the stadium accommodates crowds in excess of 5,000 spectators associated with these events. The applicant also has a drinks licence until 2am and is permitted to hold five outdoor concerts a year. Speedway race meetings as proposed on Fridays would still finish earlier than other activities within the same Stadium and would also take place comparatively infrequently. Current planning restrictions ensure that no more than 17 heats take place per meeting, that there is only one meeting per week and that Speedway events can only take place between March and October each year.
- 2.3 Central Park Stadium is appropriately situated on the outskirts of Sittingbourne, on the fringes of the Eurolink industrial estate and the East Hall Farm industrial estate. Light, general and storage and distribution employment uses surround the Stadium on the west, north and east sides. To the south the Stadium is bordered by two playing fields, which sit between the Stadium and the residential properties to the south, The nearest residential streets to the stadium are at Murston to the south of the site, the closest of which lies approximately 175m to the south at Hugh Price Close and Oak Road.
- 2.4 The overriding character of the site is therefore industrial and employment focused, with a Local Plan allocation (2008) for additional employment generating uses to the east of the stadium which is mostly complete. The emerging draft Local Plan currently the subject of examination also continues to surround the Stadium area with a mixed use allocation to the south/east of the Stadium site. A Stadium use with Speedway events in this location is therefore highly appropriate as a land use.

APPENDIX III



3.0 SPEEDWAY BACKGROUND AND PLANNING HISTORY

i) Background

- 3.1 Speedway racing is a popular event at Central Park Stadium and receives considerable support from the local community. Speedway race meetings consist of 17 one-minute races which take place for approximately two hours at a time on one weekday in the season (1st March to 31st October). Typically, meetings take 1hr 30 minutes however this occasionally increases to 1hr 55 minutes if there has been a delay, such as a crash or a heat recall. The total length of each meeting would remain the same, never normally exceeding two hours.
- 3.2 The approved later Friday night finishing time of 21.10, with an additional 20 minutes if a delay occurs is essential for the permanent speedway use at Central Park Stadium. The Council accepted that the races taking place during the additional hour (i.e. 20.30 to 21.30) would typically be limited to 5 to 8 sixty second races, amounting to a maximum of 8 minutes of racing during this hour.
- 3.3 The speedway use is in full compliance with the terms of the relevant planning permissions (refs. SW/08/0962 and SW/09/0314) first granted by the Borough Council but as subsequently varied by the Inspector on appeal decisions dated 25 May 2010 (APP/V2255/A/09/2114712 and APP/V2255/A/09/2115416 respectively). Speedway racing may continue as permitted by these consents until the end of the 2016 season.

ii) Planning History

- 3.4 The relevant planning history for Central Park Stadium is summarised in Table 1 below:

Table 1. Relevant Planning History at Central Park Stadium

Reference	Description	Decision
SW/08/0962	The part change of use of existing sports stadium to permit the holding of speedway meetings, including the installation of clinker track surface, provision of covered 'warm up' area and pits and erection of acoustic fence around part of the perimeter.	Approved on 15/01/09 Planning Officer recommended refusal, but Members resolved to grant a temporary planning permission to allow the use of the site on a trial basis only.
SW/09/0274	Erection of acoustic fence around southern perimeter of stadium terraces maximum height 6.1m	Approved on 11/09/09
SW/09/0275	Variation of condition (2) of SW/08/0962 to allow a minimum of 7 seasons use for the holding of speedway meetings.	Refused on 17/08/09 Allowed on appeal 25/05/10
SW/09/0313	Variation of condition 7 of SW/08/0962 to allow warming up of speedway bikes from 1400 hours on bank holidays, rather than from 1430 hours.	Refused on 28/08/09
SW/09/0314	Variation of condition 5 of SW/08/0962 to allow 1 speedway race per week between Mondays and Fridays, as opposed to between Mondays and Wednesdays.	Approved 13/10/09 Appeal allowed on 25/05/10 and temporary permission

APPENDIX III



	Applicant sought to vary Condition 2 attached to permission SW/09/0314 which restricted the use to one season only at appeal.	extended to four years (until the end of the 2016 season).
SW/14/0088	Variation of condition (7) of SW/09/0314, to allow speedway racing between 15:00 & 22:00 hours on weekdays and bank holidays.	Refused on 24/09/14
15/500862/FULL	Variation of condition 7 of SW/09/0314 to allow speedway racing between 1800 and 2130hrs on Fridays.	Permitted 12 May 2015

iii) Operational Hours of Other UK Speedway Stadia

3.5 All other speedway stadiums in the UK have later operational hours than Central Park Stadium. Of the 29 UK stadia that host speedway races as set out in Table 2 below, all finish much later. The majority finish around 10pm on weekdays, whereas Central Park Stadium is restricted to finish as early as 20.30 during weekdays, between half an hour to two hours earlier.

Table 2. UK Speedway Stadia Finish Times

Speedway track and location	Latest finish time (approx) and main race day
Birmingham Brummies, Perry Barr Stadium	22.00 (Wednesday/Thursday), 21.00 (Sunday)
Glasgow Tigers, Ashfield Stadium	18.00 (Sunday)
Edinburgh Monarchs, Armadale Stadium	22.30 (Friday)
Berwick Bandits, Shielfield Park	22.00 (one weekday), 21.30 (Saturday)
Workington Comets, Derwent Park Stadium	22.00 (Friday / Saturday / Sunday / Bank Holidays)
Newcastle Diamonds, Brough Park	*21.30 (Sunday)
Redcar Bears, South Tees Motorsports Park	22.00 (Thursday)
Scunthorpe Scorpions, Eddie Wright Raceway	*21.30 (Friday)
Sheffield Tigers, Sheffield Speedway, Owlerton Stadium	22.00 (Thursday)
Belle Vue Aces, Bell Vue Stadium, Manchester	21.30 (Monday) – Once new stadium is built and operational, will be 22.30 (Wednesday, Friday, Saturday)
Buxton Hitmen, Buxton Speedway Stadium, Derbyshire	17.00 (Sundays)
Stoke Potters, Chesterton Stadium, Chesterton	*21.30 (Saturday)
Kings Lynn Stars, The Stadium, King's Lynn	22.30 (Thursday)
Peterborough Panthers, East of England Showground	22.00 (Thursday)
Wolverhampton Wolves, Monmore Green Stadium	22.00 (Monday)
Coventry Bees, Coventry Stadium, Coventry	22.00 (Friday)
Mildenhall Fen Tigers, Mildenhall Stadium	18.30 (Sunday)
Ipswich Witches, Foxhall Stadium	22.30 (Weekday) 18.30 (Sunday/Bank Holiday)
Rye House Rockets, Rye House Stadium, Hoddeson	*21.30 (Saturday)
Lakeside Hammers, Arena-Essex Raceway, Thurrock	22.00 (Friday)
Kent Kings, Central Park Stadium, Stittingbourne	Existing time 20.30 (Monday) Proposed time 21.30 (Friday)
Eastbourne Eagles, Arlington Stadium, Hailsham	*21.30 (Saturday)
Isle of White Islanders, Smallbrook Stadium	21.00 (Tuesday) – except when meeting is delayed, then may operate until

APPENDIX III



	21.30
Poole Pirates, The Stadium, Poole	22.00 (Wednesday)
Plymouth Devils, St Boniface Arena, Plymouth	21.45 (Thursday to Saturday), 20.30 (Bank Holidays)
Somerset Rebels, Oak Tree Arena	22.00 (Friday)
Swindon Robins, Abbey Stadium, Swindon	22.00 (Thursday)
Dudley Heathens, Ladbroke Stadium	*21.30 (Tuesday)
Leicester Lions, Beaumont Leys Stadium, Leicester	22.30 (Saturday)

Source: Speedway GB (The Official British Speedway Website) and individual speedway race operator websites, accessed December 2014. Link: <http://www.speedwaygb.co/wherearethecubs.html>

Note: *A search of the individual speedway race operator websites and the relevant planning histories (where available) on the respective local authority websites has identified all the start times and main race days of the speedway race meetings, and in most cases, the permitted finish times. However, when finish times were not available, it has been assumed that the meetings will finish two hours from the start time, based on the average length of speedway race meetings lasting approximately two hours. Therefore in some cases (*) the stadia may actually have a later curfew than indicated in this table.

3.6 The most recent permissions granted at St Boniface’s College Sports Ground, Plymouth, at Belle Vue Leisure Centre, Kirkmanshulme Lane, Manchester and Perry Bar Stadium, Birmingham, have residential homes 200m away, at 30m and 20m from the stadium site boundaries respectively.

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

Powerhaus
Consultancy**4.0 NEED**

- 4.1 It has already been demonstrated to the Council and the Council has accepted the economic case for speedway use at the Stadium, to add to the appropriate mix of uses and events at this sporting venue. This resulted in a four year permission to allow the use and test the impact.
- 4.2 It is also clear that the imposed planning conditions create the appropriate planning balance to allow the economic use whilst protecting residential amenity through the conditions. This economic need remains as prevalent today as it did in 2012. The use has not attracted adverse reaction from large numbers of the community. There are significantly greater numbers in support of the use (see section 5 below).
- 4.3 The case for the later Friday night finishing time has also already been demonstrated and accepted by the Council in the recent May 2015 permission (see Table 1 above). This being that the later Friday night finish allows spectators, competitors and volunteers to reach the stadium. It is important to note that condition 8 of the permission restricts the number of races per event to 17 races per meeting, which generally confines speedway events to a two hour window.
- 4.4 The later Friday night finishing time benefits the speedway use as follows:
- It enables local spectators who commute to and from London by public transport, to arrive at the stadium before the start time.
 - It is a family orientated sport and it enables parents to get home and collect their children before reaching the stadium which is difficult to achieve, given the start time is during the peak evening rush hour.
 - Race meetings are very reliant upon volunteer assistance and adverse traffic conditions can present difficulties. Race meetings cannot commence without an ambulance present.
 - Competitors also encounter difficulty particularly when travelling from far away. The inability of the stadium to recruit skilled and experienced speedway riders to their team is evidence of the present difficulties. Speedway is not comparable to a football team in salaries and benefits, and most competitors have a day job.
 - Potential to attract more visitors to attract a higher league team or promotion of the local team. On average, approximately 550 people attend the speedway racing meetings, however, a minimum of 750 visitors are required in order to be promoted from the bottom league. The applicant has recently received an approach from a higher league team to transfer to Central Park Stadium, which would be a significant coup for Sittingbourne. A later finish on Friday is therefore required to maximise the number of people able to attend each event and so that the races can be broadcast on Sky TV. Sky TV also adds financial benefits for the speedway team and stadium sponsors. An increase in the number of people able to attend the event is required to cover the higher rider costs.
 - Financial viability. In order to make the stadium an attractive venue and to ensure its future financial viability, it is necessary to facilitate and attract more spectators and to ensure that spectators are not deterred by inconvenient operating hours. There is also an aspiration to attract more prestigious and international events which would be unable to take place at the stadium given the existing operating restrictions. Riders for such events may travel from all over Europe. Such events, if they were held, would enhance the reputation and image of the stadium as they are of immense interest and tend to attract many new supporters.

APPENDIX III



- Community support is expected to be demonstrated from the speedway supporters, which include local residents who live in the closest roads to the Stadium at Hugh Price Close and Oak Road, via further petitions and letters of support for the application as with previous applications.

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY



5.0 PLANNING POLICES AND JUSTIFICATION

5.1 The key planning issues identified for consideration of the permanent speedway use with the associated later Friday night finishing time as already permitted include:

- i) The appropriateness of permanent speedway use at the Stadium,
- ii) The established principle of a later Friday night finishing time, and
- iii) The impact on the living conditions of nearby residents by virtue of noise and disturbance

i) The Appropriateness of Permanent Speedway Use

5.2 The principle of speedway use at Central Park Stadium has already been accepted by the Council as an appropriate economic use in this location on the outskirts of Sittingbourne's urban boundary, in a primarily industrial location served by significant numbers of HGVs. The four year time limit imposed by the Planning Inspectorate on appeal has allowed for a period of operation and an assessment of impact. It is the applicant's view demonstrated by evidence, that the use has proven to be an acceptable neighbour, controlled by the imposition of planning conditions limiting the season, the numbers of races per week, per event and by the hours of operation.

5.3 The applicant has also made significant investment to enable speedway racing including track facilities, safety measures and an acoustic fence. It would be a significant wasted investment to require speedway to cease and would not be a sustainable economic outcome.

5.4 The Swale Borough Local Plan (SBLP) (February 2008), recognises the importance of supporting and retaining businesses and ensuring that the needs of local businesses can be met to the full (section 3.2, para. 3.72). Core Strategy Policy SP3 (1) states that supporting local companies to grow and develop and providing opportunities for new innovative industries to flourish can help to satisfy economic need and bring about the required step-change in economic performance, particularly in its principal town centre, Sittingbourne.

5.5 SBLP Core Strategy Policy SP7 states that to satisfy the social needs of the Borough's communities, development proposals will promote safe environments and a sense of community by *"increasing social networks by providing new community services and facilities, increased use of local facilities or innovative ways of providing or continuing existing services"*.

5.6 SBLP Development Control Policy C1 (2) states that the Council *"will grant planning permission for new or improved community services and facilities. Additionally, where proposals would meet an identified local need in an accessible location, it will permit proposals that will help maximise the use of existing public and private community services and facilities, including those that would make them available for wider public use in locations where shortfalls in local public provision could be met"*.

5.7 Through the National Planning Policy Framework (2012) (NPPF), the Government is committed to ensuring that the planning system proactively supports sustainable economic growth and accounts for and reacts to market signals. To help achieve this, paragraph 20 states that local

APPENDIX III



planning authorities should plan to meet the development needs of business and support an economy fit for the 21st Century. Furthermore, the document recognises the importance of supporting existing business sectors when they are expanding, and implementing planning to allow rapid response to change in economic circumstances.

5.8 Paragraph 70 of the NPPF states that in order to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *“plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
- *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
- *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services”*

5.9 It is therefore considered that the Council’s policies (SP3(1) and SP7 and C1) support and encourage economic development, tourism and sporting activities in appropriate locations and in terms of speedway there can only be one appropriate location in Sittingbourne, which is the Central Park Stadium. Permanent use of the stadium for speedway is a highly sustainable use of this important community facility and is appropriate and in accord with the Boroughs policies.

ii. The Established Principle of Later Friday Night Finishing Time

5.10 The Council has already permitted the later Friday night finishing time for speedway in May 2015. On the basis that speedway is an appropriate use of the stadium and its location, the later finishing time must also support this economic activity.

5.11 All modern businesses require an element of flexibility in their operating hours, a fact that becomes more pronounced for medium sized enterprises, which are critical to the sustained development of the UK economy. There is a need and community support for the permanent use of the Stadium for speedway, particularly given the reduced attraction of Greyhound racing affecting Central Park. The later Friday night finishing time associated with this permanent use, allows spectators, competitors and workers sufficient time to arrive before meetings commence, and to attract new visitors to the venue. The success and necessary expansion of the speedway business depends on an increase in visitor numbers which would enable it to move out of the speedway bottom league and to accommodate a higher league speedway team. This would ensure the financial viability of the business and would contribute to the local economy of Sittingbourne. It also complies with Core Strategy Policy SP7 and Development Control Policy C1(2), which also seek to increase the improve the use of community facilities.

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

Powerhaus
Consultancy

- 5.12 In continuing to apply the variation of Condition 7 to extend the operating hours of the speedway race meetings on Friday, the proposal complies with both national and local policy and contributes towards the strengthening of the Borough's economic and employment provision, particularly for this now well established sports enterprise. The proposed wording to allow a later finish time is to attract a higher league speedway team and enhance the viability of the Stadium uses. As the proposed later finishing time is a Friday, this would not affect parents with school children, either attending the track or residents in the area. The principle of this later finish time has already been permitted and should therefore be approved again.
- 5.13 The principle of a finishing time of 2130 on Fridays only has already been established and is entirely reasonable with the permanent use of the Stadium for speedway. There would be no demonstrable harm to residential amenity.

iii Impact On Residential Amenity

- 5.14 Swale Borough Local Plan 2008 (SBLP) Development Control Policy E1 sets out the general development criteria by which the Borough Council expects all developments proposals to comply with to protect residential amenity. Criterion 8, relevant to this application, states that proposals should "cause no demonstrable harm to residential amenity and other sensitive uses or areas".
- 5.15 Development Control Policy E2 states that "all development proposals will minimise and mitigate pollution impacts and that proposals will not be permitted that would, individually or cumulatively, give rise to pollution significantly adversely affecting the following: [inter alia] residential amenity"
- 5.16 Para. 3.6 of the SBLP states that the Council seeks to "minimise the impact of noise between new and existing uses...The Council requires adequate details to be submitted with planning applications to identify noise intrusive uses, noise sensitive sites as well as the measures needed to reduce noise. By considering noise exposure at the time of the application, and any increases that may be reasonable expected, a judgement will then be made on the potential noise impact in accordance with Government Planning Policy".
- 5.17 The National Planning Policy Framework 2012 (NPPF) states the following noise requirements associated with new and existing development:
- Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by inter alia "preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability".
 - Paragraph 120 explains that "to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account".

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

POWERHAUS
Consultancy

- Paragraph 123 stipulates that planning policies and decisions should aim to:
 - *'avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
 - *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
 - *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established...'*
- 5.18 The Hill Engineering Consultants Ltd noise assessment (July 2013), demonstrates that the acoustic barrier required to support the speedway use is operating effectively so as to safeguard the residents from the adverse effect of noise emissions. It can be soundly concluded that there is no demonstrable harm to residential amenity associated with permanent use of the Stadium for speedway.
- 5.19 The Council has already supported (permission 15/500862/FULL) a later Friday night finish time for the remainder of the permitted use of the Stadium for speedway (October 2016 speedway season). There are no material reasons to suggest that both a permanent use of the Stadium for speedway and a later Friday night finish for a top league speedway team would materially harm adjacent residents.
- 5.20 The applicant requested information from the Council's Environmental Health Department regarding the number of noise complaints made to the Council since the use of the Stadium for speedway in 2012. This information is attached in **Appendix 1**. Further questions were posed to ascertain how many of the complainants were from the same households. The response is also attached in **Appendix 2**.
- 5.21 The Information confirms that complaints received were from the same six residents in Hugh Price Close and seven in Oak Road and one in Meeres Court Lane. A total of 13 residents in the closest residential streets to the stadium have raised noise complaints, which is not an unremarkable fact. There are approximately 125 houses in these three nearest streets only counting the properties located in the first row of houses along these streets and therefore the complaints represent approximately 10 % of the immediate residents closest to the stadium
- 5.22 It is also important to note that outside of these three closest streets no other complaints have been received, which confirms that the acoustic fence is effective.
- 5.23 The Stadium operators have not received any complaints from the Council's environmental health department about noise, there has been no follow up and no action taken in respect of the Speedway use.

APPENDIX III



- 5.24 Speedway is traditionally a working class sport and like many other sports not all people enjoy all forms of sports such as football. Speedway however, must be allowed to take place somewhere and Central Park Stadium is the most appropriate location for this use.
- 5.25 The policy tests within local planning policies and national policy guidance stipulate that planning decisions should aim to avoid noise from generating a significant adverse impact on quality of life.
- 5.26 Condition 7 was originally imposed (and supported at appeal) to offer protection against an unknown noise environment or potential impact, given the lack of supporting technical information available to the Inspector at the time. The supporting technical information is now available and unequivocally demonstrates that there is no demonstrable harm to residential amenity and that the existing conditions for speedway use represent a balanced consideration to protect residential amenity whilst enabling an economic and appropriate use of the Stadium.

APPENDIX III

PLANNING AND DEVELOPMENT CONSULTANCY

POWERHAUS

CONSULTANCY

6.0 CONCLUSIONS

- 6.1 The use of Central Park Stadium as a permanent speedway venue is an existing and appropriate use. The location is ideal for a popular sporting event that attracts many visitors to Sittingbourne. It appropriately adds to the other mix of uses permitted at the Stadium including football, greyhound racing and concerts. To maximise the economic use of the stadium for sporting uses, accords with the principles of the Council's policies for economic and viable activity, in line with its objectives for boosting job creation and economic activity. Permanent speedway use of the Stadium will add to its economic viability particularly where greyhound racing is now declining as a spectator sport.
- 6.2 An extension to the operating hours by one hour on Fridays up to 21.30, has already been permitted by the Council in line with the Stadium's current use for speedway. This application seeks for this condition to continue to apply to the permanent use of the Stadium for speedway, to enable Cearnsport to attract a higher league team to Sittingbourne. A higher league speedway team has not yet been persuaded to move to the Stadium given the current expiry of the speedway use at the end of the 2016 season. The investment required could not be committed for such a short timeframe.
- 6.3 The evidence submitted with the application demonstrates that neither a permanent speedway use and continuation of the later finish time on a Friday, would give rise to demonstrable or substantial harm to nearby residents. This application should be considered in light of the potential benefits to be derived from approving this application, given that the use already exists and is appropriately sited and that the existing planning conditions provide appropriate residential amenity protection. Noise complaints received by the Council represent significantly less than 10% of the local residents that live close to the Stadium.
- 6.4 Speedway racing is important to the community of Sittingbourne which is demonstrated by the significant levels of support. There is however, no other speedway track in the country that operates with such restricted hours and this significantly hampers the ability of Cearnsport Ltd to attract the Top League teams to compete from Central Park Stadium. On the basis that permanent use of the Stadium for speedway is permitted, the extension of the Friday night speedway times is essential to encourage the viability of the Stadium as a mixed sporting and cultural venue. Any reduced hours of use imposed on a Friday night would be detrimental to the viability of the use of the site.
- 6.5 The approval of this application would help to offset the downturn in revenue from greyhound racing and would help to secure the continued use of the Stadium. There would be significant benefits to the local economy and to the community within Sittingbourne, helping to promote speedway racing at this location and to encourage young people to participate in the sport.
- 6.6 Speedway race meetings will remain at the same length and would not generally exceed 2 hours. Given the short duration of the races, the noise impacts of the speedway, whilst being noticeable to adjacent residential properties, are predictable and will not reach harmful or

APPENDIX III



disruptive levels due to existing mitigation measures. The existing planning conditions will remain in place to ensure only one speedway race takes place per week between Mondays and Fridays and only 17 races per event in accordance with the principles established to balance the economic needs of the Stadium for speedway use and protection of residential amenity.

- 6.7 We therefore conclude that the speedway use is an appropriate use in this location, it is an existing use and should continue on a permanent basis in compliance with local and national planning policies. The existing conditions satisfactorily protect residential amenity and the later Friday night finish has already been permitted by the Council.
- 6.8 For all of the reasons set out above, it is considered that the application proposals should be permitted given the conformity with national and local planning policies.

Signed: 

On behalf Powerhaus Consultancy

Date: ...23rd December 2015.....

APPENDIX III

APPENDIX 1: INFORMATION FROM SWALE BOROUGH COUNCIL EHO

Date of Complaint	Location of Complaint	Nature of Complaint	Time of Complaint	Conclusion / Action
	(All Sittingbourne)			
7th Sept 2011	Roman Square	Speedway Noise	10:15	Informal Action
4th Oct	Oak Road	Speedway Noise	12:50	"
7th May 2013	Hugh Price Close	Speedway Noise	09:40	Noted/No action
"	Oak Road	Speedway Noise	16:00	"
14th May	Hugh Price Close	Speedway Noise	14:30	"
21st May	Hugh Price Close	Speedway Noise	15:00	"
4th June	Oak Road	Speedway Noise	10:00	"
"	Hugh Price Close	Speedway Noise	15:00	"
"	Meeres Court Lane	Speedway Noise	15:40	"
18th June	Thorn Walk	Speedway Noise	13:00	"
"	Hugh Price Close	Speedway Noise	13:25	"
"	Oak Road	Speedway Noise	17:00	"
19th June	Hugh Price Close	Speedway Noise	11:20	"
25th June	Oak Road	Speedway Noise	13:30	"
"	Meeres Court Lane	Speedway Noise	15:00	"
2nd July	Meeres Court Lane	Speedway Noise	08:00	"
9th July	Hugh Price Close	Speedway Noise	12:45	"
"	Hugh Price Close	Speedway Noise	13:00	"
"	Thorn Walk	Speedway Noise	13:45	"
"	Oak Road	Speedway Noise	15:45	"
"	Oak Road	Speedway Noise	16:00	"
10th July	Oak Road	Speedway Noise	10:50	"
"	Hugh Price Close	Speedway Noise	15:15	"
11th July	Thorn Walk	Speedway Noise	09:00	"
17th July	Oak Road	Speedway Noise	09:40	"
"	Oak Road	Speedway Noise	09:45	"
24th July	Hugh Price Close	Speedway Noise	08:20	"
30th July	Oak Road	Speedway Noise	16:10	"
13th August	Meeres Court Lane	Speedway Noise	11:00	"
"	Oak Road	Speedway Noise	15:20	"
15th August	Oak Road	Speedway Noise	12:40	"
"	Hugh Price Close	Speedway Noise	15:55	"
20th August	Oak Road	Speedway Noise	15:40	"
21st August	Hugh Price Close	Speedway Noise	16:05	"
27th August	Blythe Close	Speedway Noise	10:10	"
"	Hugh Price Close	Speedway Noise	10:45	"
"	Oak Road	Speedway Noise	16:15	"
28th August	Oak Road	Speedway Noise	09:30	"
"	Hugh Price Close	Speedway Noise	16:40	"
3rd Sept	Oak Road	Speedway Noise	16:15	"

APPENDIX III

"	Meeres Court Lane	Speedway Noise	11:00	"
"	Oak Road	Speedway Noise	11:00	"
"	Hugh Price Close	Speedway Noise	12:30	"
4th Sept	Hugh Price Close	Speedway Noise	10:30	"
"	Oak Road	Speedway Noise	11:40	"
"	Oak Road	Speedway Noise	16:10	"
6th Sept	Salisbury Close	Speedway Noise	10:05	"
24th Sept	Oak Road	Speedway Noise	11:55	"
"	Oak Road	Speedway Noise	12:20	"
"	Oak Road	Speedway Noise	12:45	"
25th Sept	Hugh Price Close	Speedway Noise	11:20	"
26th Sept	Oak Road	Speedway Noise	09:25	"
1st Oct	Oak Road	Speedway Noise	11:00	"
18th Oct	Oak Road	Speedway Noise	10:55	"
15th April 2014	Meeres Court Lane	Speedway Noise	13:30	"
"	Oak Road	Speedway Noise	16:25	"
16th Apr	Hugh Price Close	Speedway Noise	12:10	"
17th Apr	Oak Road	Speedway Noise	15:15	"
22nd Apr	Hugh Price Close	Speedway Noise	16:25	"
6th May	Oak Road	Speedway Noise	16:30	"
8th May	Hugh Price Close	Speedway Noise	14:10	"
13th May	Meeres Court Lane	Speedway Noise	11:40	"
16th May	Oak Road	Speedway Noise	09:30	"
20th May	Hugh Price Close	Speedway Noise	14:30	"
22nd May	Oak Road	Speedway Noise	12:45	"
17th June	Hugh Price Close	Speedway Noise	09:40	"
"	Meeres Court Lane	Speedway Noise	12:30	"
"	Oak Road	Speedway Noise	16:25	"
24th June	Oak Road	Speedway Noise	11:55	"
"	Oak Road	Speedway Noise	12:20	"
"	Oak Road	Speedway Noise	12:45	"
1st July	Hugh Price Close	Speedway Noise	15:45	"
2nd July	Hugh Price Close	Speedway Noise	16:00	"
19th Aug	Oak Road	Speedway Noise	16:20	"
9th Sept	Meeres Court Lane	Speedway Noise	09:10	"
10th Sept	Hugh Price Close	Speedway Noise	14:10	"
16th Sept	Meeres Court Lane	Speedway Noise	09:35	Noise monitoring on 15th September for planning committee
"	Oak Road	Speedway Noise	11:10	Noted/No action
"	Oak Road	Speedway Noise	09:35	"
24th Sept	Meeres Court Lane	Speedway Noise	14:30	"
20th Oct	Meeres Court Lane	Speedway Noise	14:30	"
31st Oct	Out of Area	Speedway Noise	09:15	"
7th April 2015	Hugh Price Close	Speedway Noise	10:50	"

APPENDIX III

15th Apr	Oak Road	Speedway Noise	16:15	
24th Apr	Oak Road	Speedway Noise	15:25	*
30th Apr	Hugh Price Close	Speedway Noise	14:30	*
7th May	Oak Road	Speedway Noise	12:10	*
13th May	Meeres Court Lane	Speedway Noise	10:25	*
26th May	Oak Road	Speedway Noise	15:25	*
"	Oak Road	Speedway Noise	15:40	*
9th June	Hugh Price Close	Speedway Noise	12:05	*
"	Oak Road	Speedway Noise	16:05	*
9th July	Hugh Price Close	Speedway Noise	12:05	*
14th July	Hugh Price Close	Speedway Noise	11:25	*
14th July	Oak Road	Speedway Noise	15:55	*
21st July	Oak Road	Speedway Noise	16:45	*
1st Aug	Oak Road	Speedway Noise	15:35	*
8th Sept	Hugh Price Close	Speedway Noise	15:25	*
11th Sept	Meeres Court Lane	Speedway Noise	14:10	*
17th Sept	Oak Road	Speedway Noise	16:10	*
25th Sept	Oak Road	Speedway Noise	16:10	*

APPENDIX III

APPENDIX 2: EMAIL FROM SWALE BOROUGH COUNCIL EHO RECEIVED 5TH DECEMBER 2015

From: **Steve Wilcock** <Steve.Wilcock@midkent.gov.uk>
Date: 2 December 2015 at 14:43
Subject: RE: FW: Central Park Stadium - Speedway Noise Complaints - FOI NO: 536
To: Mary Power <mp@powerhausconsultancy.co.uk>
Cc: Sharon Dormedy <SharonDormedy@swale.gov.uk>

Mary,

Thank you for your email.

I can tell you that all the complaints from Meeres Court Lane are from the same household.

There have been six households complaining from Hugh Price Close and seven households from Oak Road.

Hope this helps

Regards

Steve Wilcock

Environmental Protection Team Leader
Mid Kent Environmental Health
Maidstone Borough Council, Maidstone House, King Street, Maidstone ME15 6JQ
Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT
t 01795 417137 f 01622 602184 w www.maidstone.gov.uk
w www.swale.gov.uk

