

PLANNING COMMITTEE – 7 MARCH 2019

PART 3

Report of the Head of Planning

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 18/506424/FULL		
APPLICATION PROPOSAL		
Variation of condition 3 to application 15/510605/FULL to allow for Speedway motorcycle racing to operate one day per week on Mondays to Saturday, whilst continuing with the already approved Bank Holiday arrangements.		
ADDRESS Central Park Stadium Church Road Sittingbourne Kent ME10 3SB		
RECOMMENDATION Refuse		
SUMMARY OF REASONS FOR RECOMMENDATION		
This is a finely balanced decision. In my view, with a restriction imposed on the number of meetings per season that could take place on Saturday, together with a condition preventing meetings taking place on any Monday immediately following use on a Saturday, it was arguable (albeit still marginal) that planning permission should be granted. However – the applicant/agent have strongly advised that restricting the number of meetings per season on a Saturday would not be acceptable. In the absence of such a restriction, I conclude that the potential use of the site every Saturday from 1 st March to 31 st October would have a severely detrimental impact on the residential amenities of the occupiers of dwellings in the vicinity by virtue of noise and disturbance, which outweighs the benefits of the proposal.		
REASON FOR REFERRAL TO COMMITTEE		
Significance		
WARD Murston	PARISH/TOWN COUNCIL	APPLICANT Cearnsport Ltd AGENT PowerHaus Consultancy
DECISION DUE DATE 14/03/19		PUBLICITY EXPIRY DATE 08/02/19

Planning History

18/504830/FULL

Variation of conditions 2 and 3 of planning application 15/510605/FULL to allow for speedway motorcycle racing to operate between 1st March and 31st October once per week only, on Monday to Saturday, with an additional 40 minutes on Fridays and Saturdays (between 1700 and 2110 hours), plus four Bank Holiday afternoon meetings.

Refused on the basis of likely noise and disturbance to local residents. Decision Date:13.12.2018

This application was refused by the Planning Committee at its December Meeting last year

15/500862/FULL

Variation of condition 7 of SW/09/0314 to allow speedway racing between 1800 and 2130hrs on Fridays
Approved Decision Date: 12.05.2015

This application was recommended for refusal, but approved by the Planning Committee on a temporary basis. The permission has yet to be implemented..

15/510605/FULL

Removal of condition 2 to allow permanent use of the stadium for speedway of planning permission SW/09/0314.

Approved Decision Date: 03.05.2016

The approval of this application made the, previous temporary, planning permission for the use permanent.

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 Decision Date: 24.09.2014

This application was refused on the basis of likely harm to residential amenity as the result of the late start time.

SW/14/0087

Variation of condition (8) of SW/09/0314 to allow up to 23 races per speedway meeting, plus occasional re-runs on six days per season.

Withdrawn Decision Date: 18.06.2014

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.

Grant of Conditional PP Decision Date: 13.10.2009

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.

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 Decision Date: 28.08.2009

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.

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 Decision Date: 17.08.2009

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.

SW/09/0274

Erection of acoustic fence around southern perimeter of stadium terraces maximum height 6.1m.

Decision Date: 11.09.2009

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 details.

SW/08/0962

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.

Grant of Conditional PP Decision Date: 15.01.2009

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.

1. DESCRIPTION OF SITE

- 1.1 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.
- 1.2 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.
- 1.3 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. PROPOSAL

- 2.1 This application seeks to vary condition (3) of the permission granted under reference 15/510605/FULL (the permanent planning permission for the use of the site for league speedway racing), in order to allow racing to take place once per week on any day except Sundays.
- 2.2 The current permission allows for racing once per week only, on Mondays to Fridays (and Bank Holiday Mondays). The latest finish permitted by condition (5) is 8:30pm, and on Bank Holidays, 6.00pm. As set out above, there is an unimplemented permission which allows for a trial period of later finishes on Fridays.
- 2.3 The application is accompanied by a supporting statement, extracts from which is as follows:

"The application to vary the condition of the existing consent arises from a need for Central Park Stadium to continue to represent the commercial requirements of Speedway Racing and provide flexibility to maximise the Speedway Racing season for competitors and spectators alike. Saturday racing allows competitors to arrive at the Stadium without conflict with weekday commuter traffic and for some conflict with weekday working. The use is already established, speedway is allowed once per week,

the location is appropriate, acoustic fencing protects residential amenity and the hours of use continue to respect the residential amenity requirements of local residents. Saturday racing would mean no weekday racing on nights of the week that may be more sensitive to some residents. The application therefore represents a sustainable form of development with no material impacts on other interests.”

3. POLICY AND CONSIDERATIONS

3.1 The National Planning Policy Framework (NPPF) sets out the following:

Paragraph 92 - *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

a) *plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*

b) *take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*

c) *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;*

d) *ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*

e) *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

Paragraph 170 – *Planning policies and decisions should contribute to and enhance the natural and local environment by... preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*

Paragraph 180 - *Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should...mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life*

National Planning Practice Guidance (NPPG)

3.2 The following are extracts from the NPPG on Noise:

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.

Perception Examples of Outcome		Increasing Effect Level	Action
Not noticeable	No Effect	No Observed Effect	No specific measures required
Noticeable & not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect Lowest Observed Adverse Effect Level	No specific measures required
Noticeable & intrusive	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.	Observed Adverse Effect	Mitigate and reduce to a minimum

Perception Examples of Outcome		Increasing Effect Level	Action
<i>Noticeable & 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, eg regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, eg 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.*

Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017

- 3.3 Policy ST1 states that development proposals will “promote healthy communities through...protecting, managing, providing and enhancing open spaces and facilities for sport and recreation”
- 3.4 Policy CP1 states that development proposals will “Secure additional non-food retail/leisure growth, taking account of committed schemes and existing centres...”, “...consolidate or widen the Borough’s tourism potential”.
- 3.5 Policy CP5 states that development proposals will “safeguard or provide as appropriate, open space, sport and recreation in accordance with Policy DM17...”
- 3.6 Policy DM14 requires, amongst other things, development proposals to “Cause no significant harm to amenity and other sensitive uses or areas”.
- 3.7 Policy DM17, referred to above, relates principally to the provision of open space and recreation facilities, rather than providing, enhancing or safeguarding spectator sports facilities. Nonetheless, the general thrust of the policy emphasises the importance of sports and leisure facilities within the Borough.

4. LOCAL REPRESENTATIONS

- 4.1 12 representations supporting the application, together with a petition bearing 62 signatures (submitted by the agent) have been received. The writers are largely from outside Sittingbourne and in many cases outside the Swale area. Their contents are summarized as follows:
- Increases and encourages tourism to the area;
 - Is supported by the Local Plan;
 - One writer has modelled the noise likely to be experienced by local residents and has concluded that it would be less loud than rainfall;
 - Local residents have previously supported the use;
 - “Racing on a Saturday is no worse than racing on a Monday”;
 - Any noise lasts around 15 minutes in total per meeting;
 - Racing is finished by 8:30pm, and therefore noise would not disturb local residents’ sleep or that of their children;
 - Attendance at meetings would improve and this would benefit Swale as a whole;
 - Noise is not as bad as residents state – the acoustic fence works;
 - Would enable supporters to travel to meetings in good time, which is not possible during the week;
 - Would facilitate entry into a higher speedway league;
 - Is essential for the survival of the club;
 - Would encourage children to attend;

- There is a dearth of sporting stadia in Kent and this proposal, which would see Central Park Stadium retained, should be supported.

4.2 14 objections, from 12 separate addresses, have been received. They are summarised as follows:

- One writer has to leave his property during racing on Bank Holidays due to the intrusive noise;
- The noise levels are “objectionable and life disrupting”;
- The noise adversely affects the autistic grandchildren of one writer;
- Causes air pollution;
- Increase in traffic and parking;
- Adverse impact on house prices;
- Comments from parties who are not local residents should not be given weight in the decision making process;
- People like to relax in homes and gardens at the weekend and this would prevent it;
- Racing on both Saturdays and Bank Holidays would ruin weekends;
- The level of noise is intrusive and ruins evenings at present;
- Writers have to raise their voices to be heard in their gardens during meetings;
- Current use disturbs the sleep of children;
- Causes significant and harmful parking in nearby streets;
- Several writers refer to having to close windows and doors during meetings, which they consider unacceptable, particularly in the summer months;
- The acoustic fence is inadequate and does not mitigate against the noise;
- Noise and dates and times of meetings are unpredictable, leaving residents unable to plan.

5. CONSULTATIONS

5.1 **KCC Highways and Transportation** do not wish to comment on the application.

5.2 The Council’s **Environmental Health Manager** comments as follows:

“I have been involved with this matter previously and have always been of the opinion that it produces an unacceptable level of noise disturbance to local residents during each event, despite its relatively short duration and frequency.

This application for variation to extend operating days to include Saturdays has potential to cause a considerable adverse noise impact and nuisance to local residents when racing could be held on both a Saturday evening and also on the following Monday over a Bank Holiday.

I think it would be completely unreasonable for local residents to have to suffer the noise of racing on both a Saturday and Monday during a Bank Holiday weekend and therefore suggest that if this permission is granted and Saturdays selected as the racing day, then a condition is imposed to prohibit racing taking place on any Bank Holiday Monday following a Saturday’s racing.”

6. BACKGROUND PAPERS AND PLANS

Application papers and correspondence for applications SW/08/0962, SW/09/0274, 275, 313 & 314, SW/14/0088, 15/500862/FULL, 15/504830/FULL, 15/510605/FULL 18/504830/FULL & 18/506424/FULL

7. APPRAISAL

- 7.1 The site already has permanent planning permission for holding speedway racing once per week on any weekday. The principle of the use is clearly already established. In addition, Members will note the unimplemented (as yet) temporary permission for later finishes on Fridays.
- 7.2 Members will note the objections of local residents on the basis of harmful vehicle parking and loss of value to properties. The latter is not a material planning consideration, and Members cannot take it into account.
- 7.3 With regards highways matters, it is important to note that this application does not seek an additional meeting per week – simply to allow racing once per week on any weekday or Saturday. The stadium has a significant area of vehicle parking to the front, and whilst the planning system cannot compel it to be used by spectators, or indeed competitors or employees at the site, it remains the case that there is sufficient parking at the site for the use proposed. KCC Highways have not objected in the past and whilst they do not comment on this proposal, I cannot conclude that this proposal gives rise to harm to highway safety and convenience.
- 7.4 Members will note suggestion by one of the supporters of the use that the noise experienced by local residents would be less intrusive than rainfall. This is wholly contradicted by the evidence on previous applications by the applicant's own noise consultant, by the comments of the Environmental Health Manager (whose Officers have visited nearby dwellings during races) and by the comments of local residents. No details have been given by the writer of any professional qualifications as a noise consultant, and as such I would suggest that Members give these comments very little weight.
- 7.5 Equally, whilst some objectors raise the issue of air pollution, as I set out above – the use of the site has planning permission and this proposal would not see the number of meetings per week increase. As such, there would be no increase in air pollution over the existing use. It is also notable that the Environmental Health Manager does not raise objection in this respect.
- 7.6 The key issue here is therefore potential for noise and disturbance to local residents, and the impact this would have, bearing in mind what is being sought by this application.
- 7.7 It is the Environmental Health Manager's long held view, and mine, as set out in numerous reports to this Planning Committee, that this use causes harm to residential amenity by virtue of noise and disturbance. This is disputed by the applicant and agent, who consider that any harm to local residents is overstated and that the acoustic fence is successful in mitigating any adverse impacts from the use.

- 7.8 It is though clear from the Environmental Health Manager, and (anecdotally) from local residents, that the use of the site for speedway racing causes demonstrable harm to residential amenity by way of, with reference to the table above, “noticeable and intrusive” noise as a minimum, rising to “noticeable and disruptive” noise dependent on the weather conditions and prevailing wind direction.
- 7.9 This proposal seeks to allow racing once per week only, on any weekday or on Saturday. It does not seek to increase the number of meetings per week, nor the time such meetings can be held. The principal consideration here then is whether there are any additional impacts arising from the use of the site on Saturdays, and whether these are outweighed by any benefits.
- 7.10 In this respect, it is pertinent to consider how people use their dwellings at weekends, during the speedway season. It is reasonable to suppose that dwellings and gardens are enjoyed more by residents at the weekend, and are more likely to be used for family activities, social occasions and leisure over the weekends, as opposed to during the week. Assuming this to be the case, it is arguable that speedway racing on a Saturday evening would have a greater impact on the behaviour of local residents than racing during the week – preventing or altering the use of gardens and the manner in which dwellings are used generally.
- 7.11 The use of the site for holding speedway racing on a Saturday is likely to give rise to an increase in attendance and the overall popularity of the site, which is in accordance with Policies CP1, CP5 and DM17 of the Local Plan, which broadly support the provision and retention of sports and leisure facilities within the Borough. In addition, this may give rise to a boost in footfall in Sittingbourne Town Centre, although I remain unconvinced that this would be significant enough to amount to a material benefit that weighs heavily in favour of the proposal.
- 7.12 Equally, given that this proposal seeks to maintain the same hours of operation, a further benefit of running meetings on a Saturday is that any disturbance to sleep of children (or indeed, adults) would take place on a non-school/work night. This is a material consideration that can be afforded weight in the decision making process.
- 7.13 In terms of scheduling meetings, the ability to hold them on Saturdays would, unless controlled by condition, allow for them to also be held on the Mondays (including bank holiday Mondays) which immediately follow, meaning two meetings being held in three days. In my view, this potential frequency of meetings and therefore noise and disturbance would have an extremely harmful impact on the amenities of nearby residents.

Balancing Exercise

- 7.14 This is, in my view, a finely balanced decision. On the one hand, the proposal would be likely to positively impact on the popularity, attendance and use of the site for speedway racing. It would also have benefits to local residents in terms of moving meetings to a non school/work night.
- 7.15 However – there is no doubt that the use gives rise to significant noise and disturbance to local residents, and the use would have a detrimental impact on their ability to enjoy their dwellings in the normal way on Saturdays. Furthermore, as I set out above, there is also the possibility that meetings could take place twice in 3 days, including on bank holidays. I consider that this would be wholly unacceptable.
- 7.16 In considering planning applications, government advice is clear that where harm can be appropriately mitigated by conditions, planning permission should not be refused. I

consider that a condition could be justifiably imposed preventing any meetings taking place on any Monday following use on a Saturday. The agent has advised that this would be acceptable to her client.

- 7.17 Furthermore, I have given consideration to imposing a condition restricting the number of Saturday meetings per season. I put this to the agent for the applicant and their response was as follows:

“With regard to restricting the number of potential Saturday race meets, this is not acceptable. The reason for seeking Saturdays is that if Kent Kings are to elevate to a higher league, it cannot happen without the permission to run on Saturdays. It will be necessary to comply with whichever league of three, they are in. Like football, the league allocates the regular race day per track, which for Central Park has been Mondays for some time because that was the day they were allocated. This new season there are many changes in the league structure so they do not really know which day they will have to race but they need to know they can race on a Saturday if needs be. Whilst it is unlikely that they are likely to be asked to race every Saturday, they need the option to be allocated a Saturday without restriction. Like football it is a LEAGUE with so many HOME matches per season in the league PLUS KNOCK OUT CUPS . If you do well you have to run more matches. If you are knocked out in the first round then LESS Matches.

The applicant cannot therefore accept a condition which limits the number of Saturday's per season it races, the same as it could not accept a limitation for Monday's to Friday's.”

- 7.18 Having regard to the clear advice from the agent that in order to be effective, use on Saturdays would need to be unencumbered by a restriction on the number of uses in a calendar year, I conclude that it may not be appropriate to impose a condition in this regard. Planning conditions should not be imposed where they render the permission incapable of being implemented and the agent sets out that, for operational reasons, they need the opportunity to race on every available Saturday from 1st March to 31st October.

- 7.19 In my view, approval of the use of the site in such a manner would be likely to cause more severe harm to residential amenity than use during the week. I am also of the view that this is not outweighed by the benefits of use on Saturdays that I set out above.

- 7.20 Given this, the balance tips in favour of refusing the application.

8. CONCLUSION

- 8.1 This is a finely balanced decision and one where Members may feel that the proposal would potentially be acceptable, subject to restrictions (or indeed, without such restrictions). However, for the reasons I set out above, I am on balance of the view that the proposal would give rise to such harm to residential amenity by virtue of significant and intrusive noise that permission should be refused.

9. RECOMMENDATION

REFUSE for the following reason:

- 1) Whilst consideration has been given to the benefits the use brings to the town and the wider Borough, and the benefits which would arise as the result of the proposal, the use of the site for the holding of league and cup speedway meetings on Saturdays would give rise to demonstrable and substantial harm to the living conditions of nearby residents by virtue of noise and disturbance. The proposal is contrary to Policy DM14 of the Swale Borough Local Plan 2017 and to the provisions of the National Planning Policy Framework and National Planning Policy Guidance in relation to Noise.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

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.

