

**Aylesford**                      **574346 163452**    **28 March 2008**                      **TM/08/01066/FL**  
Blue Bell Hill And  
Walderslade

Proposal:                      Use of kart circuit between hours of 0800-2300 Monday to Friday between 1st March and 31st October (variation of condition 2 of TM/97/01734/FL and condition 1 of TM/99/02100/FL)

Location:                      Karting Centre Buckmore Park Maidstone Road Chatham Kent ME5 9QX

Applicant:                      Buckmore Park Karting Ltd

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**1. Description:**

- 1.1 This proposal is to extend the use of Buckmore Park kart circuit for an additional hour during weekdays until 23:00 hours. The proposal for the additional hour is only sought between the months of March to October. The additional hour request also relates to extending the time of external illumination.
- 1.2 The application is a submission following the refusal of a previous application TM/03/03654/FL for an extended hour in the evening. That was refused in 2004 and dismissed at appeal in 2005. The appellant has now sought to address the previous concerns of the appeal inspector by proposing the following:
- Restricting the extended hour to just weekdays, i.e., Monday to Fridays;
  - Restricting the extended hour to between the months of March to October;
  - Reducing the number of karts in use at any one time from 33 to 18 four stroke karts;
  - Fitting silencers to all the four stroke karts used between the hours of 22:00 to 23:00;
  - Willingness to accept a temporary planning permission;
- 1.3 The applicant believes that the noise levels will be reduced by between 4dBA to 7 dBA compared to the previous application, by reducing the number of karts on the track at any one time and use of quieter karts by fitting silencers;
- 1.4 The additional hour during the week is sought to enable a wide range of educational and youth initiatives to be undertaken, which require track time in the late afternoon and early evening. This additional hour at the same time safeguards the corporate element of the business.

1.5 The educational projects for this year include: Bambino School for 6 and 7 years old; Let's Go Karting Project; Playing for Success; Mid Kent College; and North West Kent College.

**2. Reason for reporting to Committee:**

2.1 This application is being reported to Committee due to it's the public wide interest.

**3. The Site:**

3.1 The application site lies within the Kent Downs Area of Outstanding Natural Beauty and outside the confines of both Walderslade and Blue Bell Hill. The site lies to the west of M2 and to the north of the main Buckmore Park Scout Centre. It is surrounded by trees on three sides but to the east is exposed to open views from the elevated M2 motorway and Rochester Road.

**4. Planning History (most relevant):**

TM/89/11771/FUL Grant with conditions 7 August 1989

Extend opening hours on 12 Sundays a year by two hours from 12 noon to 10 am.

TM/90/11452/FUL Grant with conditions 3 December 1990

Further variation of condition imposed on MK/4/62/483 (as previously varied on 7 August 1969) to allow use of Kent track for the additional hours of 10 am to 12 noon on Sundays.

TM/91/10845/FUL Grant with conditions 31 December 1991

Further variation of condition imposed on MK/4/62/483 to allow use of kart track for the additional hours of 10 am to 12 noon on Sundays. Buckmore Park Kart Track, Maidstone Road, Chatham

TM/94/00265/FL Section 73a approved 30 March 1994

Retention of lighting on permanent basis at Karting circuit

TM/94/00267/FL Refuse 28 April 1994

Application for further variation of condition attached to permission MK/4/62/0483 to enable 24 hour charity go kart race to take place commencing at 14.00 hours on 4th June 1994

TM/95/00090/FL Refuse 2 June 1995

Variation of condition attached to permission MK/4/62/0483 to stage a 24 hour charity Go Kart Race - (one off event) from 8.00pm 02.09.95 to 10.00am 03.09.95

TM/95/50553/FL      Application Withdrawn      13 June 1995

Variation of condition attached to permission MK/4/62/0483 to extend hours of operation from 8.00pm finish to 9pm (mid week only)

TM/95/51527/FL      Grant With Conditions      1 April 1996

Variation of planning condition of permission MK/4/62/0483 to allow extended hours of operation until 2100 hrs Monday to Friday

TM/95/51529/FL      Grant With Conditions      1 April 1996

Variation of planning condition of permission MK/4/62/0483 to allow 24 hour charity event on the 7th and 8th September, 1996

TM/96/01014/FL      Grant With Conditions      18 October 1996

Variation of planning condition of permission MK/4/62/0483 to use kart circuit from 9.00am to 9.00pm on 23rd March 1997 for a charity event

TM/97/00216/FL      Grant With Conditions      25 April 1997

Permanent variation of planning condition of permission MK/4/62/0483 to allow extended hours of operation

TM/97/00447/FL      Application Withdrawn      24 November 1997

Variation of planning condition of permission MK/4/62/0483 to use kart circuit between 9.00pm on 28th June and 10.00am on 29th June 1997

TM/97/01734/FL      Grant With Conditions      24 April 1998

Permanent variation of condition of MK/4/62/483 to enable the use of the kart track from 08.00 to 22.00 Monday to Fridays, 08.00 to 21.00 Saturday and 10.00 to 20.00 on Sundays

TM/99/02100/FL      Section 73 Approved      23 June 2000

Variation of condition 1 of permission TM/94/0007 to permit illumination in accordance with the hours of operation approved under permission TM/97/01734

TM/03/03654/FL      Refuse      24 January 2004

Variation of condition 2 of planning permission TM/97/01734 and condition 1 of planning permission TM/99/02100 to use the cart track between the hours of 08.00 hrs - 23.00 hrs Monday to Friday; 08.00 hrs - 22.00 hrs Saturday; 10.00 hrs - 21.00 hrs Sunday; together with illumination between these hours.

MK/4/62/483

Approve

29 March 1963

The construction of a roadway circuit together with ancillary facilities and operators' enclosure for the purposes of road safety instructions and demonstration and use as a Go-kart circuit track

**5. Consultees:**

- 5.1 PC: Objection: There is no perceived benefit to the community of increasing the hours of use. Between 2200 and 2300 the noise levels from the M2 would be decreasing. Additional use of the circuit would increase noise levels during this time, to the detriment of local residents.
- 5.2 KCC Highways: The submission proposes to extend the weekday opening times by one hour a day, between spring and autumn. The proposal will not materially affect highway issues connected to the site and I would therefore raise no objection.
- 5.3 DHH: The environmental health issue raised by this application is noise. There is little evidence that noise associated with the present use of the kart track has an adverse impact on the amenity of residents of this Borough except in the most unusual meteorological conditions.
- 5.3.1 In my view there remains a degree of uncertainty as to the noise impact of the proposed extended hours of operation such that it would not be appropriate to permit a permanent extension to the hours of operation. Therefore unless a temporary test permission can be ensured then I would object.
- 5.4 Medway Council: The submissions have failed to demonstrate that the proposed additional hours of use would not inflict an unacceptable level of noise and disturbance on the properties on Rochester Road at times of the day when residents may reasonably expect a peaceful period.
- 5.5 KCC Cabinet Member for Children, Families and Education: I support the application to extend the operating time by an extra hour. KCC is working with Buckmore Park to expand the range of services available to children. The difference in the children's attitudes before and after attending Buckmore Park is significant; they are more motivated and passionate about sport. The facilities and personnel are excellent which certainly has aided Lewis Hamilton and Jenson Button to excel in driving.
- 5.5.1 I would also like to point out that there are few other circuits around the county that would be able to handle the projects we are planning with Buckmore Park. Children from across the west of the county attend, not just those from the

neighbouring villages. The popularity of this circuit with children has meant that Buckmore Park will have to extend the evening sessions to cater for adults in order to remain financially viable. Generally school sessions are subsidised.

5.6 Minister for Sport: I was interested to hear about the Playing for Success scheme, and the valuable work that is being done. Sport has the power to engage and motivate people, and it is excellent that this scheme offers young people the opportunity to develop their learning through an interest in motorsports and karting. I welcome the introduction of scheme that use sport as a tool to increase learning opportunities for young people. It is vital to build on the interests of young people and offer them new experiences and skills that can benefit them in the future.

5.7 Private Reps: 6/0X/0S/7R: Seven letters received objecting on the following grounds:

- Noise disturbance and pollution;
- Tannoy noise disturbance;
- Floodlight intrusion;
- Previous application refused and no change in circumstances;
- Harm to residential amenity;
- Fumes and smell pollution;
- Extra hour would be unacceptable;
- Prevailing wind goes across the site;
- Educational role only runs during school holidays and Saturday mornings;
- An increase in 1db will be noticeable.

5.8 Press Notice & A8 Site Notice: 9 letters received supporting the proposal from such organisations as John Surtees MBE, Go Driver Training, Canterbury College, Motor Sports Association, Mid Kent College; Playing for Success Kent and Medway Council. Reasons for support are as follows:

- Support initiative to get children interested in sport;
- More suitable hours for children;
- Karts are now quieter and more environmentally friendly;
- Opportunity for the kart track to play a greater role in the wider community;

- The request for an extension has been made in order to move the corporate events to a later time in the evening so as to accommodate the increased programmes with younger drivers;
- Scheme to reach out to the young people of Kent and engage them in this exciting hobby;
- Buckmore Park has been chosen a Learning Zone as part of the Playing for Success initiative in Kent, between the 3.30pm to 6.30pm;
- Would allow our pupils (Playing for Success) more circuit time in the early evening to utilise Buckmore's excellent on circuit facilities;
- Unless the extended hour is agreed it is unlikely that the educational programmes will be possible.

## **6. Determining Issues:**

- 6.1 The main issues to be considered are whether the proposed extended hour will cause harm to residential amenity and whether the proposal leads to significant light pollution in the locality.
- 6.2 The previous planning application TM/03/03654/FL was refused planning permission and dismissed at appeal. The Planning Inspector considered that the extended hour would increase ambient noise levels by 3dBA, which is perceptible.
- 6.3 The appellant has sought to address this matter by reducing the number of karts on the track at any one time from 33 to 18 and by fitting karts with silencers. In addition, the applicant is only seeking to use the kart track for 8 months of the year, rather than all round, as well as only using the kart track during week days rather than every night of the week. This amounts to 175 evenings when the extra hour is sought, rather the 365 evenings previously sought. The applicant has also indicated a willingness to accept a temporary permission.
- 6.4 The application is also supported by an acoustic report and further technical note, which indicate that through the reduction of the number of karts and the fitting of silencers, they can reduce the noise levels compared against the refused application by 4 to 7 dBA. This would be likely to move the noise levels out of category C into category B under saved policy P3/17 of the TMBLP. Further to the applicant submitting further information regarding the silencers and technical note, further comments from Medway Council and DHH are awaited and will be reported in the supplementary papers.
- 6.5 However, Members will note that in DHH's initial comments the proposed extended use will not affect residents of TMBC and that there is some uncertainty as to the noise impact. Also, the DHH would have an objection unless a temporary test consent can be achieved. The applicant has now submitted further

indicating a willingness to accept a temporary permission and fit silencers. When this is combined with the significant reduction of number of evenings when the extra hour is sought and the lesser number of karts to be used at any one time, I consider that there is a change in circumstances from the last application. DHH also initially indicated that there remains a degree of uncertainty as to the noise impact. Therefore, I consider it appropriate to have trial period to fully assess the actual noise impact.

- 6.6 The previous application was not refused on the impact of the additional illumination of the site from the additional hour. The Planning Inspectorate commented that "... *this would not cause such harm as to justify refusing the additional hour of evening use*". As highlighted above, the actual number of days when the site will be illuminated has been decreased, thereby further reducing the impact. Therefore, I am satisfied that the extended hour of illumination will not detract from the visual amenity of the locality.
- 6.7 The proposed extended hour application is required to move the corporate business on the site back an hour to allow for a greater provision educational and youth projects to operate on the site during late afternoons until early evening. Members will note we have received a number of letters of support for these projects including from the Minister of Sport.
- 6.8 It should be noted, that this application is only seeking to change the hours of use for the 4 stroke karts and the illumination of the track. The applicant is not proposing to change the permitted hours of use of the tannoy or extend the permitted hours of use of the two stroke karts. Therefore, concerns relating to the use of tannoys or two stroke karts are not relevant to the consideration of this application.
- 6.9 In light of the above considerations and balancing the noise impact and the wider community benefit, I consider that it is appropriate to grant a temporary permission to assess the implications on the extended hour. Therefore, I support this proposal subject to a trial period until the end of October 2009.

## **7. Recommendation:**

- 7.1 **Grant Section 73 Approval** in accordance with the following submitted details: Certificate B dated 28.03.2008, Letter dated 28.03.2008, Details BACKGROUND dated 28.03.2008, Location Plan dated 28.03.2008, Noise Assessment dated 28.03.2008, Letter dated 04.07.2008 subject to the following conditions:

- 1 The additional hour of operation and illumination hereby permitted shall cease and operations shall revert to the hours permitted under planning permissions TM/97/01734 and TM/99/02100 on or before 31 October 2009.

Reason: In order that the effect of the additional hours of operation on the nearby residential properties can be fully assessed in light of experience.

- 2 There shall be no more than 18 karts on the kart circuit at any one time.

Reason: In interests of the aural amenity of the nearby residential properties.

- 3 The only karts permitted to use the kart circuit between the hour 20:00 to 23:00, between the days of Monday to Friday and between the dates of 1 March to 31 October shall be four stroke karts fitted with Luna Exhaust System silencers as detailed in submitted letter dated the 29 July 2008 and attached Technical Note.

Reason: In the interests of the aural amenity of the nearby residential properties.

- 4 Conditions 3 & 4 imposed on planning permission TM/97/01734/FL are also imposed on this permission.

Reason: For the reasons originally stated.

**Informatives:**

- 1 The applicant is strongly urged to ensure that all existing lighting fixtures are angled and shaded to ensure that there is no light spill outside the site.

Contact: Aaron Hill