

Aylesford **574346 163452** **8 November 2010** **TM/10/03148/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 and condition 1 of TM/99/01200/FL and renewal of permission TM/09/02921/FL)
Location: Karting Centre Buckmore Park Maidstone Road Chatham Kent ME5 9QX
Applicant: Buckmore Park Karting Ltd

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 application is a renewal of a temporary permission that was granted in August 2008 and renewed in April 2010. This second renewal was granted on a temporary basis to enable a different type of tyre to be trialled in an attempt to overcome the issue of tyre squeal being audible over background noise levels.
- 1.2 The application was originally submitted requesting a permanent change in hours however this has now been amended to seek a further temporary permission.

2. Reason for reporting to Committee:

- 2.1 This application is reported to Committee due to the planning history of the site.

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 the M2 and to the north of the main Buckmore Park Scout Centre. The site is surrounded by trees on three sides but to the east is exposed to open views from the M2 Motorway and Rochester Road that are in an elevated position on the opposite side of the valley to the track.

4. Planning History:

TM/00/00030/RD Grant 29 March 2000

Details of external materials submitted pursuant to condition 2 of permission TM/96/01840/FL: erection of replacement workshop

TM/00/02758/FL Grant With Conditions 16 February 2001

Two storey clubhouse and associated facilities for the Go-Kart complex

TM/01/00955/FL Grant With Conditions 22 June 2001

Relocation of existing demountable building to facilitate construction of new clubhouse approved under application TM/00/02758/FL

TM/01/00956/FL Application Withdrawn 14 November 2003

Retention of portal frame building for housing and maintenance of ambulances used in association with the kart track

TM/01/02382/AT Grant With Conditions 16 November 2001

Erection of entrance/exit portal to karting circuit

TM/69/10438/OLD Grant With Conditions 29 August 1969

First aid room, circuit office, kart store, paddock office, tea bar and toilets for Medway West Boy Scouts Association.

TM/77/10940/FUL Grant With Conditions 22 December 1977

Erection of single storey building as part of Go-Kart facility.

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/90/11465/FUL Grant With Conditions 12 July 1990

Erection of new clubhouse building and installation of cellpool.

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/94/00266/FL Grant With Conditions 30 March 1994

Alterations to track gradient and addition of two hardsurfaced spurs between the site and the parking area to the north-east at the 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/96/01838/FL Grant With Conditions 21 February 1997

Erection of replacement clubhouse

TM/96/01839/FL Grant With Conditions 21 February 1997

erection of race control building

TM/96/01840/FL Grant With Conditions 21 February 1997

Erection of replacement workshop

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/97/00961/FL Refuse 7 August 1997

Re-surfacing of existing BMX track and formation of kart training loop

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/99/00113/FL Grant With Conditions 8 April 1999

Security gates to new go-kart circuit access roadway

TM/99/00183/AT Refuse 8 April 1999

Erection of entrance/exit portal signage at go-kart circuit access road

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/99/02368/AT Refuse 24 March 2000

Erection of entrance/exit portal sign and security gates to new Go-Kart circuit access

TM/99/02368/FL Appeal allowed 26 October 1999

Erection of entrance/exit portal sign and security gates to new Go-Kart circuit access

TM/99/02698/ORM Application Withdrawn 12 January 2000

Revised siting of workshop and minor increase in size to incorporate electrical intake board within workshop as an amendment to permission TM/96/01840/FL: erection of replacement workshop

TM/02/02481/FL Grant With Conditions 30 October 2002

Relocation of existing demountable buildings

TM/02/02668/ORM ORM approved 23 October 2002

Minor amendments to elevations submitted in respect of planning permission TM/00/02758/FL: Two storey clubhouse and associated facilities for the Go-Kart complex

TM/02/03146/RD Grant 22 November 2002

Material schedule submitted pursuant to condition 2 of planning permission TM/00/02758/FL: Two storey clubhouse and associated facilities for the Go-Kart complex

TM/02/03373/ORM ORM approved 13 December 2002

Amendments to design of Clubhouse building approved under application TM/00/02758/FL involving reduction in pitch of roof from 20 degrees to 14 degrees together with minor elevational changes to glazing area and balcony details

TM/02/03417/FL Grant With Conditions 2 January 2003

Erection of ambulance and facilities building

TM/03/03110/RD Grant 30 December 2003

Details of materials submitted pursuant to condition 2 of planning permission TM/02/03417/FL: erection of ambulance and facilities building

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.

TM/04/01415/FL Grant With Conditions 8 July 2004

Upgrading of existing track

TM/08/01066/FL Approved 15 August 2008

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)

TM/08/02818/FL Approved 2 December 2008

Erection of detached classroom building for educational use

TM/09/02921/FL Approved 12 April 2010

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 and renewal of permission TM/08/01066/FL

5. Consultees:

5.1 PC: No objection.

5.2 DHH: Would agree with a further temporary permission to enable monitoring of further trials of different types of tyres to be carried out.

5.3 Medway Council: Raise objections as the submissions have failed to demonstrate that the proposed additional hours of use would not inflict unacceptable noise and disturbance on the residents of properties on Rochester Road, at times of the day when they may reasonably expect a peaceful period, due to tyre squeal from the karts. If the proposal is to be granted permission conditions are requested regarding the number of karts and type of exhaust silencer.

5.4 Private Reps: 2 letters received from local residents raising the following concerns:

- Increased circuit activity, blight and disturbance caused by increased noise nuisance, kart emissions and intrusive visual impact (excessive circuit floodlighting) at unsocial hours.
- Increased CO2 emissions from the use of the circuit and the extended hours.
- Not sticking to agreed opening hours 9 times between 04/11/10 and 12/12/10.

6. Determining Issues:

- 6.1 This application seeks the renewal of the temporary consent originally approved under application TM/08/01066/FL to enable the karting centre to operate until 23.00 Monday to Friday, with the consent limiting the number of karts on track between 22:00 and 23:00 to 18, and these karts to be 4 stroke only and fitted with the 'Luna' exhaust silencer to reduce the noise impact of the operation. This consent was granted on a temporary basis to enable an assessment of the noise and disturbance from the extra hour to be monitored. This temporary consent was renewed for a further year under TM/09/02921/FL due to concerns over the impact of tyre squeal on the surrounding properties and enable further monitoring of this to be undertaken.
- 6.2 Joint monitoring has been carried out with Medway Council in August 2010. During this monitoring it was apparent that some tyre squeal could be heard at the nearby properties over the existing background noise present due to the proximity of the M2 and the CTRL. The squeal appears to be audible not due to its volume but due to its pitch and the intermittent nature of the sound.
- 6.3 The audibility and likelihood of tyre squeal being produced and heard at nearby properties would be dependant on prevailing climatic conditions and given this it is unlikely that the noise could be classed as a statutory noise nuisance. There is however an amenity issue to consider and given the concerns expressed by residents and Medway Council it is considered that it would not be appropriate to issue a permanent permission as requested by the applicant.
- 6.4 The applicant has sourced a revised tyre compound that is hoped would reduce the impact of tyre squeal further. On this basis they have suggested that the application be considered on a further temporary basis to enable further monitoring to be undertaken during this summer. Given the nature of the noise impact it is considered that this approach is an acceptable one in this instance.
- 6.5 The concerns of local residents regarding light pollution are noted but as stated on previous applications the additional hour would not significantly detract from the visual amenity of the locality. The additional hour sought does not seek an extension to the hours of operation of the tannoy so as this should not be used between 22:00 and 23:00 its impact would not have a bearing on the specific issue being assessed. With regard to the comments made regarding the lighting and the hours of operation no formal complaints have been made to this Council with regard to this matter.
- 6.6 Subject to appropriate conditions limiting the additional hour use to the specific type of kart and tyre and also allowing the use on a further temporary basis only to enable further monitoring the proposal is considered to be acceptable.

7. Recommendation:

- 7.1 **Grant Temporary Planning Permission** in accordance with the following submitted details: Letter dated 08.11.2010, Design and Access Statement dated 08.11.2010, Noise Assessment dated 08.11.2010, Location Plan dated 08.11.2010, Site Layout dated 08.11.2010, Site Plan dated 08.11.2010, Site Plan dated 08.11.2010, Letter dated 30.03.2011 and subject to the following:

Conditions / Reasons

- 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/FL and TM/99/02100/FL on or before 31 October 2011.

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 The only karts permitted to use the kart circuit between the hour 22:00 to 23:00, between the days of Monday to Friday and in the period up to the expiry of this permission on 31 October 2011 shall be fitted with tyres of a compound as set out in letter dated 30 March 2011.

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

- 3 Conditions 3 and 4 imposed on planning permission TM/97/01734/FL and conditions 2 and 3 imposed on planning permission TM/09/02921/FL are also imposed on this permission.

Reason: For the reasons originally stated.

Informatives

- 1 The applicant is advised that a separate planning permission will be required should you wish to extend the use of tannoys during this extra hour.
- 2 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.
- 3 In order that an appropriate assessment may be made at the end of this temporary planning permission, the applicant is asked to collaborate with the Borough Council's Director and Health and Housing and Medway Council in the monitoring of the noise levels during the extra hour.

Contact: Robin Gilbert