

DOVER DISTRICT COUNCIL

PLANNING COMMITTEE – 10 APRIL 2014

REPORT OF THE HEAD OF REGENERATION AND DEVELOPMENT

a) **DOV/14/00023 – Section 73 application to vary condition 2 (parts 2d and 2e) of planning permission DOV/12/00589, to enable racing on:**

- **Sunday 20/04/2014, 9am to 5pm (British Drift Championship);**
- **Sunday 10/08/2014, 9am to 5pm (British Drift Championship);**
- **Sunday 25/05/2014, 9am to 5pm (World Rallycross Championship);**
- **Two consecutive days at intervals of less than 10 clear days in May, due to the relocated World Rallycross Championships and in June, due to the relocated Kings of Europe Championships,**

At Lydden Race Circuit, Wootton

Reason for Report: The application has also been called-in by a Councillor.

b) **Summary of Recommendation**

Refuse planning permission.

c) **Planning Policy and Guidance**

Core Strategy (CS)

- DM1 states that development will not be permitted on land outside the rural settlement confines, unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM3 states that new commercial development/expansion of an existing business will be given if it is within the rural settlement confines, unless it can be demonstrated that no suitable site exists, in which event it should be located adjacent to the settlement, unless there is a functional requirement for it to be located elsewhere.
- DM15 states that development that would adversely affect the character or appearance of the countryside will only be permitted if it meets certain criteria, including if it cannot be accommodated elsewhere and provided that measures are incorporated to reduce harmful effects on countryside character.

Dover District Local Plan (DDLDP) saved policies

- AS13 states that proposal to expand the use of Lydden Circuit for motor sports or intensify its frequency will be refused. Only development ancillary to its existing use will be permitted.

National Planning Policy Framework (NPPF)

- The NPPF states that planning should proactively drive and support sustainable economic development and that it should seek to ensure a good standard of amenity for all existing occupants.

Noise Policy Statement for England (2010)

- This document sets out the long-term vision of Government noise policy to promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.
- It provides several key phrases, including:
 - LOAEL- Lowest Observed Adverse Effect Level (the level above which adverse effects on health and quality of life can be detected)
 - SOAEL – Significant Observed Adverse Effect Level (the level above which significant adverse effects on health and quality of life occur. This is likely to be different for different noise sources, receptors and times).

National Planning Policy Guidance (NPPG): Noise (2014)

- This guidance examines when noise is relevant to planning, whether it can override other planning concerns, how to determine the noise impact, observed effect levels, how to recognise when noise could be a concern and what factors influence whether noise could be a concern.
- The guidance refers to the phrases outlined in the Noise Policy Statement. It states that Significant Observed Adverse Effects are those that are noticeable and disruptive and would cause a material change in behaviour and/or attitude, resulting in quality of life being diminished, due to a change in the acoustic character of the area.
- It examines what factors are relevant to identifying areas of tranquillity, stating that whilst there are no precise rules, for an area to be protected for its tranquillity, it is likely to be relatively undisturbed by human-caused noise sources. Such an area is likely to be already valued for its tranquillity, including the ability to perceive and enjoy the natural soundscape and is likely to be seen as special for other reasons, including its landscape.

d) **Relevant Planning History**

- DO/84/1109 - Retention of the circuit, together with associated toilets, buildings and car parks and the continued use of the land as a motor sport centre on a permanent basis –allowed at Appeal.

| | | |
|-------------|---|---|
| DOV/09/1115 | - | Retrospective application for the erection of two grandstands and associated hard-standing – granted. |
| DOV/09/1116 | - | Retrospective application for the siting of a two storey portable building – granted. |
| DOV/10/372 | - | Retrospective application for the creation of an earth mound - granted. |
| DOV/10/650 | - | Erection of a catering building – granted. |
| DOV/11/0463 | - | Certificate of Lawfulness (existing) for continued use of land for grass track racing – granted. |
| DOV/11/1115 | | Erection of race control/ office tower, toilet/shower block, single storey workshop/store/scrutineering building, VIP centre/ canteen building and associated landscaping (existing race control building, toilet/shower block, scrutineering building, workshop and storage containers to be removed) – granted. |
| DOV/12/589 | | Section 73 application for the variation of Condition 2 (part E) of planning permission DO/84/1109, to vary the opening times on a Sunday – granted. |
| DOV/13/167 | | Section 73 application for the erection of race control/ office tower, toilet/shower block, single storey workshop/store/scrutineering building, VIP centre/canteen building and associated landscaping with the variation of condition 2 of DOV/11/1115 to allow external changes to the appearance of the race control tower – granted. |
| DOV/13/954 | | Scoping Opinion – advice given. |

e) **Consultee and Third Party Responses**

Environmental Health: Objects.

A previous application (DOV/12/589) was submitted requesting that a condition be varied to allow racing between 9am and 6pm on Sunday. The Environmental Protection Team objected on grounds that the existing conditions were put in place to protect residents from noise and permitting racing all day on a Sunday would undermine that. A compromise was reached in permitting events to begin and end 2 hours earlier on Sundays.

The Secretary of State originally imposed the condition in 1984 (DO/84/1109) in order to protect residents from noise arising from events at the circuit.

The residential properties in the surrounding area have not come about as a result of changes in use in the land - they were in existence prior to the race circuit. No information has been submitted as to how the increased noise exposure to local residents, resulting from this proposal, would be mitigated and minimised.

Further comments (in response to the agent's additional comments): The events take place at weekends and Bank Holidays when people want peace and quiet. The consecutive May weekends and information on the circuit's website mean it is proposed that in a period of 21 days there will be 7 days of racing. This is likely to cause severe disturbance to those living in the area. Recent monitoring of noise from the circuit has shown the levels of noise experienced in nearby residential properties to be intrusive. Varying the condition for these events will magnify such disturbance especially in the Bank Holiday weekends.

Whilst it is recognised that traffic noise is a concern to people in the area, the objection from Environmental Health is concerned with noise created by vehicles and associated activities on the track.

Principal Ecologist: There are no landscape or ecology issues, but there are concerns about the impact the proposal would have on the tranquillity of the AONB.

County Highways: No objections, as the proposal does not seek to alter the permitted nature of events at the circuit.

Environment Agency: No comments.

Affinity Water: No objections. If permission is granted, advice is given that the developer should work with Affinity Water in association with the provision of a potable water supply.

Southern Water: No objections.

County Archaeology: No archaeological measures required.

Highways Agency: No objection. There would be no increase of traffic above that for which the site already has permission. Has discussed some traffic measures that might assist and the applicant has submitted a simple transport statement, confirming trialling measures during events, which may deliver improvements and could be considered within a longer term traffic management plan for future events.

Denton with Wootton Parish Council: No objections.

Shepherdsweil Parish Council: Objects. Racing before 10.30am and 4pm on Sundays is unacceptable as the noise is detrimental to the amenity of the occupants of the village when they wish to enjoy the peace of a Sunday. Also, the noise could interfere with an individual's right to practice their religion. Racing on three consecutive weekends is also unacceptable. The resultant noise and traffic congestion is detrimental to the amenity of the village and to have insufficient break between events does not allow for adequate enjoyment of the village and its environs when the majority of people are having a break from work.

Public Representations: 40 letters of representation have been submitted- 38 of objection and 2 of support.

Noise

- The race track must comply with condition 3 of DOV/84/1109 relating to noise disturbance and environmental impact on the area;
- The proposal would exacerbate the noise and traffic congestion on Sunday mornings, which have already been allowed under DOV/12/00589, despite strong local objections;
- DO/84/1109 gave consideration to noise intrusion to local residents on Sundays and this is gradually being eroded;
- Noise is continual without relief on race events;
- The proposal seeks to extend the hours beyond those that are currently giving rise to excessive noise levels;
- The noise is so bad sometimes that residents are obliged to go out;
- The noise can be heard from Elham;

Amenity

- Unacceptable intensification of use of the circuit, detrimental to local amenity;
- No evidence or justification of the need for additional hours has been submitted by the applicant;
- The piecemeal approach of planning applications raises concern within the local community;
- Sunday 20th April is Easter Sunday and priority should be given against the intrusion;
- Objects against racing on the May Bank Holiday Sunday;
- Events in the area are regularly impacted by the race calendar at the circuit;
- It is increasingly rare to have a weekend without significant and anti-social impacts of the substantial noise levels;
- Some events cause unpleasant smells of burning rubber;
- There is no consideration of the community impact in this commercial venture;
- The events are already being advertised on the circuit's website;
- Concerns that the Wootton Parish Hall may be adversely affected in its bookings and the enjoyment of events held there;
- Visitors would arrive at the site well before the proposed starting time;
- Waste is frequently left along the verges;

Policy

- Contrary to Local Plan Policy AS13;
- Contrary to the NPPF;
- The owners purchased the site knowing what the conditions were;
- The prevailing south-west wind blows from the track to Shepherdswell - even the loudspeakers can be heard, let alone the intrusive noise of the racing;

Traffic

- Traffic congestion at the A2/Coxhill junction is already considerable;
- Dunbrill Hill and Geddinge Lane are very narrow lanes with sharp bends and few passing places and are not suitable for race-going traffic;
- Concerns about restrictions on the roads and the implications for the use of combines during harvest;
- Road closures may impact on the promptness of emergency access;
- By closing roads, traffic congestion will build up on the A260;
- The Traffic Statement provides vague measures for traffic management – concerns about access to residents' properties during events;

Other

- This proposal is the resubmission of something previously considered unacceptable by the Council (the originally submitted scheme under DOV/12/589);
- Interference with enjoyment of residents in their gardens and disturbance of Church services;
- It is in a designated Area of Outstanding Natural Beauty;
- There are already too many meetings;
- It is incumbent upon the applicant to provide sufficient and robust evidence to demonstrate that no additional harm will be caused – this has not been done;
- It may create a precedent for a range of other activities – particularly in light of the applicant's intention to submit an application for a more intensive use of the circuit;
- The submission of a comprehensive application would be welcomed, unlike this proposal, as it would require appropriate levels of evidence to be provided;
- The benefits to the circuit from these additional events would not outweigh the considerable adverse impact on surrounding residents, environment and public highway;
- The submission of an application in January for events to be held in April and May is very late and should not result in a rushed decision;
- Events held over two days will have people staying overnight;
- Concerns about air quality from drifting;
- The agent has amended the proposal during the course of the application and this has resulted in confusion over what is being proposed;
- The expansion is not necessary;
- Cannot understand how an application is made so late, when the event for which it is required was programmed such a long time ago;
- Wishes assurance that the Council would put in place suitable measures and would take all reasonable steps to ensure that appropriate enforcement action is taken, if necessary.

Letters of support

- This has been a race circuit for a long time and it needs to be able to evolve to become as viable a business as possible;
- Has lived in Coldred for ten years and has not been disturbed by the activity, although aware of the increase in traffic.

f) 1. **The Site and the Proposal**

- 1.1 The application site relates to Lydden Hill Race Circuit. The circuit is a long established venue for motor sports. It is located south of the A2, accessed from a country lane, which leads from the A2 to Wootton. The site lies within an Area of Outstanding Natural Beauty (AONB). Most of the site is taken up by the tarmac circuit. Various buildings and other related paraphernalia (such as flag poles and spectator seating) surround the circuit, but are mainly clustered to the south-western edge of the site. Parts of the site are viewed from various points along the roads running around the site, though trees and hedgerows in the surrounding countryside provide a good screen.
- 1.2 Members may recall that an application (DOV/12/589) went before Planning Committee on 5th September 2013. This sought to vary a condition of the original consent, to allow the site to be used between 10.30am and 4pm on Sundays, instead of between 12.30 and 6pm – a shift, rather than extension, of the permitted hours.
- 1.3 At Planning Committee, several Members expressed concern in relation to the proposed changes on the ground that the quality of life for residents would be affected (Minutes, point 180). The planning application was granted.
- 1.4 The DOV/12/589 application reviewed and restated where necessary the conditions originally imposed in DO/84/1109 in the decision notice.
- 1.5 This application seeks to amend condition 2 of DOV/12/589. The condition currently reads:

The permitted uses shall not be carried out on the land on:

- (a) More than 52 days in any calendar year;*
- (b) Consecutive days in excess of 12 occasions in any calendar year;*
- (c) More than 2 consecutive days;*
- (d) Two consecutive days at intervals of less than 10 clear days;*
- (e) Except between the hours of 9am and 6pm on weekdays and 10.30am and 4pm on Sundays.*

For the purposes of this condition and condition 3, the term 'calendar year' means a period commencing on 1 April in one year and ending on 31 March in the succeeding year. A record book identifying the dates/ times of use shall be available on request at any reasonable time to the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

- 1.6 The agent has set out that this application has been submitted prior to the main application for the additional uses and replacement buildings, which is delayed whilst mitigation measures are being discussed.
- 1.7 The proposal seeks planning permission to vary condition 2 of DOV/12/589 to enable racing on Sunday 20th April and Sunday 10th August 2014 for the British Drift Championships and on Sunday 25th

May for the Wold Rallycross Championships - to between 9am and 5pm.

1.8 The proposal also seeks to enable racing on two consecutive days at intervals of less than ten clear days in May, due to the relocation of the World Rallycross Championships and in June, due to the relocation of the Kings of Europe event. The agent states that these events have been held annually at the circuit.

1.9 A Traffic Statement has been submitted by the agent, setting out the following:

- No changes in visitor or traffic numbers is expected for the British Drift or Kings of Europe compared to previous years;
- The World Rallycross Championships may experience a small uplift in visitor numbers, due to an increase in competitors;
- Provides details on the profiles of arrivals and departures at the site for a large event held in August 2013. The largest peak was between 9am and 10am, where 265 cars entered the site;
- The majority of visitors access the site via the A2;
- The circuit is putting in place traffic management measures with a local Traffic Management company, Walker Traffic, for the major events listed in the application;
- This will include Temporary Traffic Regulation Orders to close local roads through Wootton, which will be controlled by Walker Traffic Personnel;
- The use of temporary signage will direct people via the main roads and away from the local roads and will be put in place by the circuit;
- The circuit provides a mini-bus service to and from the circuit on major events for a number of local residents and is happy to consider expanding this provision if necessary.

1.10 Temporary Traffic Restrictions in Denton and Wootton have been issued by Kent Highways Services during event weekends at the circuit. This will involve the closure of Denton Lane and Shelvin Lane, which will be closed at their junctions with A260 Canterbury Road. Geddinge Lane will be closed to the west of the entrance to AB Crush Panelcraft and Wootton Lane will be closed at the junction with Stockham Lane between 7am and 1pm each day. Shelvin Lane will be closed at the junction with the A2 between 3.30pm and 6pm each day. This will mean that there will be no access for through traffic from the A260 Canterbury Road to Lydden Race Circuit other than via the A2. Residents will have managed access with a permit.

1.11 The alternative route to the circuit is via the A260 the Street, Canterbury Road and the A2.

1.12 The restrictions will apply on:

- 29th and 30th March
- 19th and 20th April

- 5th May
- 24th and 25th May
- 28th and 29th June
- 9th and 10th August

1.13 In response to the Environmental Protection Officer's objection, the agent has also submitted further comments:

- The change to enable two consecutive days at intervals of less than ten clear days is not a blanket change for the whole year, it relates solely to two groups of three consecutive weekends in May and in late June/ early July;
- This would result in other weekends left free of having two consecutive days racing;
- The number of days racing in the calendar year would remain;
- The events also remain the same;
- Traffic mitigation measures are being introduced to the event days subject to this application, which would result in a reduced level of noise disturbance to local residents, by removing traffic on its way to the circuit from the village;
- It was originally hoped that these changes would form part of the major application that is in preparation, but due to the length of time taking to prepare the Environmental Statement, the submission of the major application is delayed. The major application will be accompanied by a full Noise Assessment, within the Environmental Statement:

1.14 An Economic Report was not submitted alongside the submission of the planning application. Whilst this committee report was being finalised, a report on the Economic Contribution of Major Events has now been submitted for consideration by the agent. It is disappointing that this has been submitted at a very late stage in the application. It will be available online for Members and the general public to view.

1.15 *A site plan will be on display.*

2. **Main Issues**

2.1 The principal issues are:

- Principal of development;
- Impact on surrounding residents;
- Impact on surrounding countryside and AONB;
- Economic benefits of the scheme;
- Highways implications.

3. **Assessment**

Principle of development

- 3.1 DDLP Policy AS13 states that proposals to expand the use of Lydden Circuit for motor sports or intensify its frequency will be refused. Only development ancillary to its existing use will be permitted. The preamble to the policy highlights the major constraints on the use of the circuit, stemming from disturbance to local residents (particularly those at Wootton, Shepherdswell and Coldred), its location in a very sensitive landscape and poor access. It states that any future proposals for development should in particular be assessed against policy for the AONB.
- 3.2 The previous application DOV/12/589, which granted consent for the alteration in hours of use, originally proposed to extend the hours of use of the site. The proposal was amended to shift, rather than extend the hours of use, so it was not considered to intensify the frequency of the use of the site.
- 3.3 The proposal is not for ancillary development, as it would result in the intensification of the site by virtue of the extension of the hours. The proposal is considered to fail to comply with the requirements of this policy. This report examines whether there are material considerations that would warrant departing from this policy requirement.

Impact on surrounding residents

- 3.4 Paragraph 109 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by (*amongst other things*) preventing both new and existing development from contributing to unacceptable levels of noise pollution.
- 3.5 It continues in paragraph 123 to state that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, but that it should be recognised 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.
- 3.6 National Planning Policy Guidance has recently been published as well, which incorporates guidance on noise. It states that decisions should take into account whether or not a 'significant adverse' or an 'adverse' effect is likely to occur and whether or not a good standard of amenity can be achieved.
- 3.7 It draws particular attention to whether the 'significant observed adverse effect level' (SOAEL) boundary has been crossed, which would indicate that there would be significant adverse effects on health and quality of life.
- 3.8 The guidance states that a way of deciding whether the SOAEL boundary has been crossed can be ascertained through consideration of whether 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. The planning process should be used to avoid this effect occurring.

- 3.9 The agent has stated that what is being requested as part of the application is not new development; it is an extension of an existing use for a short period of time on three specific dates, stating therefore that the NPPF and guidance are not directly applicable to this scheme. However, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that for the purposes of any determination made under the planning Acts, the determination must be made in accordance with the development plan, unless material considerations indicate otherwise. The advice set out in the NPPF and the corresponding guidance is therefore a material consideration and is directly relevant to this application.
- 3.10 The nature of the objections raised indicates that the noise levels from the proposal may result in a material change in behaviour for local residents. The intrusiveness of the noise from the current operation of the site has already been raised in a number of objection letters, with references made to events in the area being regularly affected by the circuit and the noise being so bad sometimes that residents are obliged to go out. The Environmental Health Department also receives regular complaints when events are held and has concerns about the existing noise levels generated from the circuit. An increase in the hours of use on the proposed dates would exacerbate this impact, as would the proposal to hold consecutive events that do not afford the ten-day break currently required.
- 3.11 The National Planning Policy Guidance advises that assessing the impact of noise levels for non-continuous sources of noise on those affected will depend on a number of factors, including the number of noise events, the frequency and occurrence of the noise and the time of day it occurs.
- 3.12 The proposal seeks planning permission for the hours of use on three Sundays in 2014 to be extended (as well as the associated consecutive weekends proposed to hold events). This is a set number of events, so any noise disturbance would be restricted. However, even a small increase would still go beyond the restrictions attached to the original consent, which were intended to prevent unacceptable harm to residents, as well as the recent consent to shift the hours early on Sundays (DOV/12/589).
- 3.13 The National Planning Policy Guidance states that in cases where existing noise sensitive locations already experience high noise levels, a development that is expected to cause even a small increase in the overall noise level may result in a significant adverse effect occurring. The use of the site does by its nature create noise and even the shift in hours permitted under DOV/12/589 was a real concern to some local residents, even though it did not increase the hours of use. Incremental changes such as this, which may appear fairly insignificant in the context of the overall business, can nevertheless have significant adverse impacts on surrounding occupants who are already experiencing a level of noise disruption from the site.
- 3.14 The agent has stated that in respect of mitigation, traffic management measures will be introduced. This may well address some of the

concerns raised from local residents about noise and disturbance generated by traffic. However, whilst traffic noise is a concern to people in the area, the Environmental Protection Officer's objection is concerned with noise created by vehicles and associated activities on the track.

- 3.15 No information has been submitted to show how the increased noise exposure to local residents would be mitigated and minimised. Local residents have raised concerns that the proposal would have an adverse impact on their living conditions. The proposal is considered to make the existing situation worse and the residents' concerns are considered to be justified.
- 3.16 The proposal would involve events taking place for extended time periods at weekends and Bank Holidays when people could reasonably expect a degree of peace and quiet. The Environmental Health Officer has advised that the use of the site in the manner proposed is likely to cause severe disturbance to those living in the area. Recent monitoring of noise from the circuit has shown the levels of noise experienced in nearby residential properties to be intrusive. Varying the condition for these events would magnify such disturbance, which may be particularly harmful in the Bank Holiday weekends, which, as national holidays, are likely to have value for local residents as established times of rest/holiday.
- 3.17 Members may recollect that the previous application DOV/12/589 originally proposed an extension of hours of use for four Sundays each year, but this was changed during the course of the application to a shift in hours, to respond to the objection raised by the Environmental Protection Officer. As part of the previous application, the agent had been advised of the concerns surrounding the increased intensity of the site through an extension of hours, the implications in respect of DDLP Policy AS13 and the concern that the development would not be sustainable development as defined in the NPPF.
- 3.18 The noise pollution resulting from the proposal would not support the health and social wellbeing of the community and so would undermine the objectives of the NPPF regarding development providing a beneficial social dimension.

Impact on surrounding countryside and AONB

- 3.19 The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. It states that great weight should be given to conserving landscape and scenic beauty in AONBs.
- 3.20 The proposal does not incorporate any new buildings, but it does increase the intensity of the use of the site, which would, due to the associated noise, traffic movements and general activities within and around the site, have an impact on the character of the AONB. There is concern that the proposal would restrict further the periods of tranquillity of the AONB when the race circuit is not use and would

therefore fail to preserve or enhance the character of the AONB and surrounding countryside.

- 3.21 The proposal would not contribute to protecting and enhancing the natural environment and so would undermine the objective of the NPPF to provide an environmental role.

Economic benefits of the scheme

- 3.22 National Planning Policy Guidance states that noise is a consideration to taken into account of in proposed developments, but that it is not to be considered in isolation, separately from the economic, social and other environmental dimensions of the proposal.
- 3.23 No information was submitted in support of the application in relation to the economic benefits of the scheme, other than a statement setting out that the major events would attract large numbers of visitors to the district and put Dover on the map as an important part of the history of motorsport. No evidence was made to support this claim in the form of a robust economic case.
- 3.24 A report has just been received at the time of writing this report, entitled 'The Economic Contribution of Major Events at Lydden Hill Race Circuit'.
- 3.25 The late submission of this document is disappointing, particularly as officers had advised the agent in the previous application DOV/12/589 that evidence for an economic case should be an integral part of a proposal for the extension of hours of use of the circuit.
- 3.26 The document will be online for Members to view prior to Planning Committee. The document does not change the nature of the proposal, so it does not trigger the need for the scheme to be re-advertised.
- 3.27 The first of the proposed events sought by this application (20/04/2014) follows closely after the April Planning Committee. As such, any additional letters of representation submitted from third parties in relation to the report will be relayed to Planning Committee.
- 3.28 The report provides the following information, in summary.
- The events will draw around 12,000 visitors to Dover District (based on numbers from previous events);
 - The events on their own are a major draw that bring visitors to Dover District;
 - The estimated total expenditure associated with these events is over £700,000;
 - The three events would support 426 person days of employment (event marshals, medical personnel, time-keepers etc.);
 - Not all the benefits to Dover District can be captured in numbers. LHRC is an important economic asset to the District;
 - The circuit is the District's third largest 'paid for' visitor attraction.

- 3.29 The report concludes by stating that *“Lydden Hill Race Circuit is an important economic asset for Dover District and more broadly East Kent. Dover District Council needs to support Lydden Hill Race Circuit in developing its programme and working with the circuit to capitalise on the opportunities that arise from the fact that circuit attracts a very different type of person to Dover District than existing visitors. The circuit could be an important partner of DDC in promoting the District. DDC therefore need to nurture and ensure the success of the Race Circuit”*.
- 3.30 This applicant’s report identifies economic benefits arising from the proposal and there need to be weighed against the other issues, as outlined in this report.
- 3.31 The weight given to any economic benefits has to be very carefully balanced against the harm that would be caused to local residents and the implications of approving a scheme to which Environmental Health has raised objection and to which officers have concluded does not fulfil the aims of sustainable development in respect of its social and environmental role.
- 3.32 Moreover, whilst there appears to be a case for asserting that these events are economically beneficial to the business/ district, there remain a number of uncertainties. No evidence has been submitted from the Motor Sports Association (MSA) or the Federation Internationale de l’Automobile (FIA) to indicate that they would pull out if the hours were not extended. No case has been made to demonstrate what the impact would be on the business if these organisations did pull out. In addition, it is not known whether the number of visitors at these events would be significantly greater than at the other events that do not require a change in the hours of use. As such, the degree and strength of the economic case remains inconclusive. None of these points have been addressed by the submission. Officers consider that these omissions significantly reduce the weight that can be given to weighing the economic benefits in favour of the scheme.
- 3.33 Taking this into account, it is not considered that what appear to be tangible economic benefits would outweigh the dis-benefits of the proposal. The economic case is not compelling and would not substantiate a recommendation of approval being made.

Highways implications

- 3.34 A number of concerns have been raised in relation to traffic restrictions. However, County Highways raises no objections to the proposal. The traffic restrictions can go ahead as they do not require planning permission and their effectiveness at controlling the traffic flows will be able to be ascertained once put in place.

Conclusion

- 3.35 The NPPF and associated guidance set out that noise implications are to be considered under a planning application, but are not to be considered in isolation of the general principles of sustainability.

- 3.36 Officers consider that the economic case for the proposal does not weigh the balance in favour of the proposal, given the objections raised by the Shepherdsweil Parish Council, the local residents and the Environmental Health Officer in relation to the harmful impact the proposal would have on surrounding occupants and the AONB.
- 3.37 The NPPF strongly indicates that when considering the merits of a scheme in relation to its economic, social and environmental role, all three dimensions are fundamental to achieving sustainable development. In this case, the scheme falls very short of providing a social or environmental role, as no measures have been incorporated to show that increased noise exposure to local residents and within the AONB would be mitigated and minimised. The proposal is considered to fail to comply with the objectives of the NPPF and supporting guidance.
- 3.38 It is recognised that there is also an economic case to be considered and that the actual increase in the hours the circuit proposes to operate under would be modest in the context of the overall operation of the circuit, restricted only to the set events proposed in 2014. However, there would be clear harm arising due to the noise and disturbance to local residents and the impact on the character of the AONB.
- 3.39 The proposal would result in an intensification of use, which would be contrary to the objectives of DDLP Policy AS13 and in this case, officers do not consider that material considerations would justify a departure from this policy.
- 3.40 There are no implications under the Equality Act that would alter this conclusion.

g) **Recommendation**

- I PERMISSION BE REFUSED, for the following reason: The proposal, due to the nature of the existing use of the site for the racing of motor vehicles and the noise that would be generated from the intensification of the existing use, together with proximity of residential dwellings to the circuit, would increase the noise levels and exacerbate the impact from the circuit to a level that would result in unacceptable harm to the residential amenity of surrounding residents and the tranquillity of the AONB, resulting in harm to its character. The proposal is thereby be contrary to Dover District Local Plan Policy AS13, the National Planning Policy Framework (particularly paragraphs 6, 8, 17, 69, 109 and 123) and Planning Practice Guidance: Noise.

Case Officer

Sarah Platts

