Application Number: ADC/0369/10 Recommendation - APPROVE

Site: Unit 2, Chartwell Road, Lancing BN15 8TU

Proposal: Change of use of warehouse to Go-Kart manufacturing, maintenance, testing and racing

The Application

The application site is a vacant warehouse building (Class B8) located in the middle of the Lancing Business Park, on a 'backland' site. The application building forms two fifths of a single building which has been divided into 5 units (Units 2-6). A sixth unit (Unit 1) is detached and occupies the frontage to Chartwell Road. All of the units are vacant with the exception of Unit 5. Unit 2 has a floor area of 3,665sqm, including 220sqm of ancillary firstfloor office space. It has been vacant since January 2008.

The application proposes to change the use of the site to a go-karting centre for the manufacturing, maintenance, testing and racing of go-karts. The manufacturing is a Class B2 'general industrial' use but the racing is 'sui generis' (ie. not in any Use Class). The application is supported by a Planning Statement, Transport Statement, Travel Plan and Noise Report.

The submitted plans show the majority of the ground floor would be given over to a race track, with a reception, waiting area and toilets at the entrance on the south side of the building. A workshop would also be provided at the southern end of the building on the ground floor. Changing rooms, a safety briefing room and a small private party room are to be provided at the upper level. It is anticipated that the track has a capacity for 14 go-karts to be raced simultaneously. The applicant intends to manufacture and test go-karts during normal working hours but racing would take place at weekends and weekday evenings. The application seeks opening hours of 9.30am-11pm every day. It is stated that 12 full time and 26 part-time staff are proposed to be employed. It is stated that the go-karts are gas-powered and fitted with catalytic converters, so emissions are minimal.

Consultations and Representations

West Sussex County Council: No objection, taking account of the submitted transport assessment, outline travel plan and vehicular swept path analysis. From the plans provided and the description of the development in the planning statement, state that it appears that the manufacturing element would be subsidiary to the go-kart racing element but, for the purposes of the Transport Contributions Methodology, WSCC state that they have presumed that the manufacturing element will use 20% of the floorspace (ie 733sqm) which would result in a requirement for a sustainable transport contribution of £9,424 (NB. this has been queried because of the existing B8 use rights and further comments are awaited).

The transport statement gives details of usage at one of the applicant's other operational sites. The potential trip attraction appears broadly equivalent to an industrial use of the site, with potential for more intensive use at evenings and weekends. It therefore appears that the impact on the highway network will be within acceptable limits. The parking provision proposed, while being significantly lower than under WSCC's *maximum* standards, appears adequate for the proposed use and has been justified within the transport assessment. Formal provision for loading and unloading of goods vehicles must be provided.
The travel plan indicates how car travel to and from the site could be minimised. In order to be acceptable, the travel plan will need to include a nominated coordinator and a commitment to annual surveys, the results to be submitted to the WSCC Travelwise team. A more developed

plan will also be needed.

Adur District Council: The Environmental Health Officer has no objection. He states that he was on-site for part of the time that the noise survey was being undertaken and is satisfied with the methodology. During this time, he noted that there was significant noise breakout, mostly appearing to be from the high level windows to the sides and from the concertina doors at the front. The tonal noise was audible (but not measurable) at Royal Buildings whereas the more broadband 'pink' noise could not be heard at this position.

The report indicates that, at present, the fabric of the building (effectively the concertina doors for the measurement position) provides an attenuation of about 30dBA for the noise generated at the position of the race track. He notes that the consultant feels that the measurements are worst-case due to the reflections from containers in the vicinity, but equally these 'barriers' do provide attenuation for the distant listener and so the effect equals out. If this figure is correct, then improving the noise attenuation of the anteroom should provide sufficient mitigation to meet reasonable planning conditions. He does have a residual concern regarding noise breakout at the higher level windows, which may give rise to complaints, but they face away from the nearest residential properties and assessment of their attenuation would be problematic.

He recommends imposition of a condition requiring a scheme of improvements for noise mitigation to be submitted to the Council for approval prior to the commencement of any works or use. He further recommends a condition requiring noise from the go-kart track not to exceed 10dB below background as measured at the entrance to the car park at Units 1 & 2 Royal Buildings.

Lancing Parish Council: No objection

Third Parties: 46 letters/emails and a petition with 239 signatures have been received. 44 of the letters/emails are from residents of the following properties:-

- Western Road – No's 15, 18, 23, 26, 27, 28, 29, 44, 45, 48
- Lancing Park – 2, 12, 31, 36, 40, 42, 49
- Western Close – 2, 6, 10, 11, 13, 14, 17, 25 (2 letters), Roy's Folly
- West End Way – 7, Flat 4 No.14, 19 (2 letters)
- Myrtle Crescent – 25 (3 letters)
- Elms Drive – 26
- The Triangle – 3, 4, 5
- Bessborough Terrace – 13
- Winston House, Winston Road
- 27 Southfields Road, Littlehampton
- 1 Thakeham Close, East Preston
- 80 East Ham Road
- 1 unspecified address

The other 2 letters are from the operator of Brooklands Circuit, Brighton Road, Worthing

Objection is raised to the application on the following grounds:-

- Increased noise pollution with unreasonable opening hours at evenings and weekends
- Noise is already a problem at the Business Park as a result of recycling plant
- Business Park is surrounded by houses who will suffer increased traffic, disturbance, activity, parking problems
- Noise and fumes from any proposed exhaust extraction system
- Doors could be opened to assist ventilation which would increase noise impact
- There is a restrictive covenant to cease trading on the Business Park by 6pm

- Negative effect on the existing Go-Fart facility at Brooklands Park, leading to job losses and loss of community facility
- Danger to users of Go-Kart facility from other industrial estate traffic
- Increase in youths present at industrial estate in evenings leading to increased crime
- Loss of property value
- Inappropriate location
- Chartwell Road is a one-way loop which will be used as a racing circuit
- Loss of industrial unit
- Concern about storage and disposal of oils, fuels and chemicals
- Company specialises in all-day corporate events with racing not just at weekends and evenings
- Team racing events can last for 2.5 hours without stopping

Relevant Planning Policies and Guidance

The South East Plan (GOSE 2009):SCT1-3, SP3-4, CC1-2, RE3, RE6, T4-5, NRM9-10, S5-6
Adur District Local Plan 1993-2006 (1996) (saved policies): AG1, AE2, AE4, AR7
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS4 'Planning for Sustainable Economic Growth'
PPG13 'Transport' (DTLR 2001)
PPG17 'Planning for Open Space, Sport and Recreation' (ODPM 2002)
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

In the Adur District Local Plan the site is within the Lancing Business Park being an area specifically identified as an employment area subject to policies AE2 and AE4. These policies state that business and industrial development falling within Classes B1, B2 and B8 will be permitted, except where development is in close proximity to residential development where uses will be restricted to B1 only. The proposed use does not fall within these classes but instead falls with Class D2 (assembly and leisure).

Policy AR7 states that new recreational facilities within the built up area will normally be permitted subject the facilities being of a scale and character appropriate for the locality; local environmental considerations including the effects on the residential amenity of nearby dwellings; and acceptable on-site access and parking arrangements and incorporating appropriate facilities for disabled persons.

The South East Plan aims to achieve more sustainable development, protecting the environment and combating climate change. It was revoked in July by the Secretary of State for Communities and Local Government but this revocation was quashed by the High Court and, for the time being, the SE Plan forms part of the statutory Development Plan. It states that development should be focused in urban areas, should be well designed and consistent with the principles of urban renaissance and sustainable development.
SCT1 gives priority to pro-actively pursuing sustainable economic growth and regeneration of the Sussex Coast whilst also protecting and enhancing its high environmental quality, its cultural and historic assets and promoting excellence in design of new developments in recognition of their importance to economic success and quality of life.
T4 states that Local Development Documents should adopt restraint-based maximum levels of parking for non-residential developments, linked to an integrated programme of public transport

and accessibility improvements. It requires maximum parking standards to be set in line with PPG13, reducing provision below this where there is good public transport, and ensuring sufficient cycle parking.
RE3 encourages local authorities to undertake employment land reviews where land cannot be economically developed, or which for other reasons, is not suitable for employment purposes (including mixed use schemes), alternative allocations may need to be made and the original land reallocated to alternative use(s).

Government policy and advice on economic uses is now contained in PPS4 'Planning for Sustainable Economic Growth' (2009). It states that LPAs should adopt a positive and constructive approach to applications for economic development which accord with development plan policies. Policy EC2 of PPS4 encourages, at the local level, new uses for vacant or derelict buildings and seeks to make the most efficient and effective use of land, prioritising previously developed land which is suitable for re-use.

PPG17 'Planning for Open Space, Sport and Recreation' states amongst its objectives that recreational facilities can play a major part in improving people's sense of well being and can bring together members of deprived communities and provide opportunities for social interaction. They have a vital role in promoting healthy living and preventing illness.

Departure from Development Plan

The proposed D2 use is a departure from the Development Plan which identifies the Lancing Business Park for business, industrial and storage uses only. The Act requires that local planning authorities must make their decisions in accordance with the statutory development plan unless material considerations indicate otherwise. In this instance, the acceptability of this departure from development plan policies AE2 and AE4 depends on whether there are sufficiently strong material considerations that would warrant approval for the proposed go-kart centre.

The applicant's Planning Statement argues that, as part of the proposed use involves the manufacture, maintenance and testing of go-karts, it is akin to a B2 use and would be an appropriate use in this building. It is debatable, however, as to whether or not the manufacture of go-karts will form a significant part of the business. Despite the assertion in the Statement that, during usual office hours (9am-5pm Monday to Friday) the unit would operate in a similar way to other industrial units on the Business Park, the applicant's website offers stag party races and corporate days which involve all-day racing, as well as team group racing which can last for up to 2hrs 30mins per race, birthday parties and 'arrive and drive' where there are off-peak and lunchtime offers. It is likely that the racing of go-karts will be the primary use and, as such, the application should be considered as a change of use to non-industrial use which is a 'Departure' from the Development Plan.

The site has been vacant for 3 years and has been actively marketed on the websites of Graves, Son & Pilcher, the Estates Gazette, Property week and West Sussex County Council. In addition, the site's particulars have been circulated to a large number of commercial property agents in the South East and adverts have been placed in national and local publications such as Property Week, Worthing Herald and the Argus. The Planning Statement advises that, during this time, only 2 viewings have taken place, with little interest shown. It is considered, therefore, that, a use outside those referred to in policies AE2 and AE4 of the Local Plan may be justified, subject to other considerations, in order to bring this rather dated industrial building back into use. The current proposal, by its nature, requires a large building and would seem suited in principle to being located within the less sensitive environment of an industrial area.

It is considered therefore that the stock of available units within the Business Park is adequate and that the loss of one further unit to recreational use (in addition to the Wickers Gymnastics

facility) would not impact unacceptably on business and employment needs within this part of the District.

On balance, weighing the provisions of policies AR7 against AE2 and AE4, it is considered that the benefit to the community of providing the proposed recreational facility, plus the desirability of finding a use for this long-vacant unit, outweighs the loss of business floorspace in this instance.

Noise and impact on residential amenity

The site is located almost in the centre of the Business Park, 150m from the residential area to the south, 250m from that to the east and west, and 300m from that to the north. The applicants have carried out noise testing in order to assess the possible impact on residents of dwellings which adjoin the Business Park, primarily those in Western Close approximately 150m away to the south. The test was carried out between the hours of 6pm and 11pm on a Thursday evening.

The site consists of a double gabled industrial building which shares a common wall with units 3 and 4 to the east. The southern façade of the building has concertina steel doors with an 'ante room' immediately behind the doors which is to contain the reception and workshop area.

The test consisted of placing two full-range speaker cabinets within the proposed race track area. These were placed 4m and 26m from the opening into the ante room. The noise generated pure tones and 'pink' noise, which is a broader hissing sound which measures noise at several frequencies. Readings were recorded outside the building, 5m from the concertina doors and inside the building within the doorway to the ante room. For security reasons there were a number of containers placed close to the southern façade of the building, some stacked two high, which would affect the readings.

The pink noise broadband attenuation between the source at 26m from the opening and the external recorder was calculated at 30.6dBA. The containers gave some improvement in attenuation levels. It is proposed to block up an existing ventilation aperture and a further improvement could be made by fitting a large sliding door over the main opening. The report suggests that an increase in noise attenuation of 6dBA could be achieved. It was noted that existing fan noise from other industrial units will mask other noise experienced in Western Close.

The Council's Environmental Health Officer was present during the testing and is satisfied with the methodology. He noticed noise 'breakout' from high level windows at the sides of the Unit and from the concertina doors at the front. At Royal Buildings, which adjoin the boundary with Western Close, the tonal noise was audible but not measurable whereas the broadband pink noise could not be heard. He concludes that improving the noise attenuation of the anteroom should provide sufficient mitigation, along the lines suggested in the report. There is concern at noise from the high level windows but these face sideways towards the industrial estate. He recommends a scheme of noise attenuation be submitted for approval prior to the operation commencing, to include measures such as improving sound attenuation in the ante room and ensuring that doors and windows are kept closed during racing. He further recommends a condition requiring noise from the go-kart track not to exceed 10dB below background as measured at the entrance to the car park at Units 1 & 2 Royal Buildings.

Concern has been expressed that the amount of racing in the evenings and weekends will cause unacceptable harm to residential amenity. The applicant's website advertises corporate all-day events and longer team races. However, with appropriate noise attenuation measures in place, it is considered that it would be difficult to justify a refusal of the application on noise grounds. Such measures, in addition to those referred to above, should also include a restriction on the opening hours. The applicant is seeking 9.30am – 11pm every day but this is considered to be unreasonable given the relative proximity of residential properties. A limit of 9.45pm for racing with all activity required to cease by 10pm is considered necessary.

Vehicles leaving the site at 10pm are not considered to be likely to cause serious disturbance to residents adjoining the Business Park in view of the relatively low number of vehicles likely to be involved.

Transport Assessment

Traffic Generation

The submitted Transport Assessment refers to traffic generation when the Unit was formerly occupied by Littlehampton Book Service Ltd as a warehouse and distribution centre, but no figures are provided. The Statement considers that the most accurate way to establish the likely travel demand for the proposed use is by undertaking a survey at the applicant's other sites (at Gateshead and Loughborough).

The site at Lancing is more accessible by public transport than the Loughborough site which may lead to a lower number of car journeys. The Loughborough site generated 258 car trips over a 6 day period (closed on Mondays) plus 8 cycle trips and 4 minibus trips. The busiest days were Saturday and Sunday with 74 and 60 trips respectively. The remaining days averaged 31 vehicle trips per day. During the evening peak hour (5pm-6pm) there were only 7 movements generated by the use and none in the morning peak due to the later opening time of 10am.
If these results are applied to Lancing, it would suggest that during 8am-6pm there would be 85 vehicle movements associated with the Go-Kart use, or less than 10 per hour. On this basis, the report concludes that there would be little impact on the existing highway network. WSCC is satisfied with this conclusion and has not raised any objection.

For the purposes of the Transport Contributions Methodology, WSCC state that they have presumed that the manufacturing element will use 20% of the floorspace (ie 733sqm) which would result in a requirement for a sustainable transport contribution of £9,424. However, this has been queried with them because of the existing B8 use rights and their further comments are awaited.

Travel Plan

A Travel Plan was submitted with the application. The applicants state that they wish to reduce the reliance on the car for single occupancy trips. They intend appointing a Travel Plan Co-ordinator who will liaise with West Sussex County Council to ensure that the Travel Plan measures are fully implemented. These measures include encouraging car-sharing and use of public transport. They state that in their experience the majority of customer trips involve car sharing. The Transport Planning Officer is satisfied in principle with this approach but has stated that a more developed Plan will be required in due course.

Parking and access

There are no formally laid-out parking spaces on the site but the application drawings show 42 proposed marked-out spaces. The TA suggests that this figure is equivalent to that which could have existed previously on the site. The 42 spaces are considered sufficient.
Access would be from the one-way system in Chartwell Road. There is not anticipated to be any significant conflict with other users of the industrial estate as most racing is expected to take place at evenings and weekends.

Other issues

Objections have been raised about the potential impact that the proposal may have on the existing Go-Kart facility at Brooklands Park. While the concerns of the operator of that facility are understood, competition between businesses is not a planning consideration and the application

cannot be refused on this ground. It is hoped that, should permission be granted, both businesses will be able to operate as they may well appeal to different sectors of the market.

The issue of the need for an exhaust extraction system has been raised. However, the applicant's agent has confirmed that there are a number of existing extractor units in the roof and no more will be required. The karts are gas powered and fitted with catalytic convertors so emissions are minimal. For this reason, the storage and disposal of oils, fuels and chemicals is not considered to be a significant issue. Any additional ventilation or air conditioning units which may be required can be controlled by condition.

Recommendation

Subject to further comments awaited from WSCC and the completion, if necessary, of a section 106 Obligation undertaking to pay a sustainable transport contribution, APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for leisure facilities within the District and make use of vacant premises without resulting in an unacceptable degree of loss of business floorspace. It can take place without detracting unacceptably from the local environment including the amenities of residents in the residential areas surrounding the Business Park and without detraction from highway safety. Consequently, although not in accordance with policies AE2 and AE4 of the Adur District Local Plan, having regard to policies AG1 and AR7, it is not considered that the proposal would conflict materially with the policies of the Local Plan or those of the South East Plan (SCT1-3, SP3-4, CC1-2, RE3, RE6, T4-5, NRM9-10, S5-6).

Subject to:-

1. C1Ci (Standard time limit)
2. C16Ai (Restriction of use to the manufacture, maintenance, testing and racing of go-karts and no other purposes within Use Class D2 but with reversion of use to a Class B8 warehouse in the event of such use ceasing)
3. C14L (Racing and testing hours to be limited to 9.30am to 9.45pm with all activity at the unit ceased by 10pm)
4. C17B (Details of extraction/externally-sited plant to be approved)
5. Prior to the commencement of the development hereby permitted, a more detailed Travel Plan shall be submitted for the written approval of the local planning authority. The approved Plan shall be implemented in accordance with the timetable contained in the Travel Plan and shall thereafter be maintained and developed to the satisfaction of the local planning authority.
6. Before the development hereby permitted commences a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from the premises. The approved scheme shall be fully implemented before the use commences and thereafter maintained. Such measures shall include the closing of windows and doors during the racing and testing of Go-Karts, the blocking up of the existing ventilation opening on the south wall of the building and the provision of a door to close up the existing opening between the proposed waiting area/workshop and racing track.
7. The noise from the premises shall not exceed 10dB below background as measured at the entrance to the car park at Units 1 & 2 Royal Buildings, Marlborough Road.
8. C8Gi (Details of car parking related to use to be approved, provided and retained)
9. C18O (Details of any facilities for lubricant and fuel storage to be submitted and approved) (amended)
10. This permission relates to the following approved plans date stamped received 4 October 2010:-

Dwg No. 07/01 (Site Plan), 07/02 (Building Floor Plan), 07/03 (First Floor Plan), 07/04 (Ground Floor Office Plan)

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