Development Management - Delegated Officer Report

Application Number: AWDM/0243/22 Recommendation – Approve

Site: Unit 2, 30 Chartwell Road, Lancing Business Park, Lancing

Proposal: Change of use from Class B8 storage to Go-Kart manufacturing, maintenance, testing and racing centre (Unit 2 Chartwell Road) - Application to vary condition 3 of ADC/0369/10 to extend operating hours to 09.00am to 11.30pm and change petrol driven Go-carts to Electric.

Date of site visit: No visit undertaken/seen previously

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Planning permission was granted in 2010 for the change of use of a former industrial unit to a go-kart facility (ADC/0369/10).

Condition 3 states: "*The premises shall not be open for trade or business other than between the hours of 9.30am and 9.45pm and all activity at the unit shall cease by 10.00pm*.

This application seeks to vary the condition to allow the unit to operate from 09.00am until 11.30pm. It is also proposed to remove petrol driven cars from the site and replace them with electric go-karts.

The applicant's agent has explained that:

"*Almost without exception all of Team Sport's sites are open to the public until 11.00pm (with then 30 mins for staff to tidy up etc). There are only a limited number of venues (circa 4) which close earlier, the application site being one, but the significant majority of the Company's estate are open until 11.00pm.*

There is significant demand for go-karting into the evening. Go-karting is a leisure/sporting activity. In the same way as one expects cinemas, drinking establishments, bingo halls and leisure centres to be open late in the evening to allow people to undertake such activities after work, the same is equally applicable to go-karting venues."

Relevant Planning History

ADC/0369/10 - Change of use from Class B8 storage to Go-Kart manufacturing, maintenance, testing and racing centre (unit 2 Chartwell Road)

Consultations

West Sussex County Council: The Highways Authority: The proposal to extend the opening hours is unlikely to have a significant impact on traffic in the local area. The site has been operating safely for a number of years and therefore the additional hours would not raise any highway safety concerns.

Adur and Worthing Councils: Public Health: The change to electric go carts should be welcomed as this will reduce fumes and noise inside the facility which in turn will improve the environment for staff and patrons. It may also negate the need to have such powerful extract ventilation for the building which is quite noisy. The facility has operated for some time now without complaint and given its location I can confirm that there are no EH objections to this application to vary condition 3 of its current planning permission.

Lancing Parish Council: No comment

Representations

1 objection received from a resident in Western Road:

My objection to this application is 2 fold. Firstly the business currently operates until 6.30 pm but are now seeking an additional 5 hours per night (does not specify if this is every night) to remain open until 11.30. Why is it necessary to be as late as 11.30 when the industrial estate is surrounded by residential areas and this could create significant noise with extra vehicles leaving the site that late at night.

Secondly the traffic on Western Road is already disruptive due the large number of rubbish/recycling vehicles and the huge increase of lorries and vans from the new Bidfood premises which we were not consulted about. There is also the recent move of the Learner driving centre to Lancing which is bringing much more traffic. All of this additional traffic has affected my property and my health especially when the A27 is affected by accidents or road works sending more vehicles down Western Road to queue outside my house. My windows are covered with pollutants from all the additional traffic. The position will not improve with the introduction of the "Science park" at Brooklands. Traffic is continually speeding down Western Road late at night which will not be helped by another business operating late.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 25, 28, 34
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area.

Residential amenity

The applicant's supporting statement advises that the site is:

"*surrounded by unrestricted employment/industrial uses including Big Food Worthing, WSM Plastics, Lancing Building Material Supplier and BeeBee used car dealer. There are no residential properties adjacent or in the immediate vicinity of the application site. Many of the surrounding employment uses are unrestricted in terms of their hours of operation. The nearest residential property is some 150m away and is on the opposite side of Marlborough Road (Western Road), but is separated from the application site by a number of large buildings. As such, there is no direct visibility for any residential properties to the application site*."

The removal of petrol driven go-karts will significantly reduce odours, noise and pollution and will reduce the need for ventilation. Electric cars are silent and their use will therefore have significant benefits both environmentally and in terms of residential amenity.

There have been no known complaints about the facility since it opened. The proposed extension of hours will result in activity until quite late at night but, as the go-karts will be much quieter and there is good separation from residential properties, the activity itself is not a concern. Customer cars leaving the site after 11.30pm do have the potential to disturb residents at the entrance to the industrial estate, but there are a number of other businesses on the estate that operate 24 hours a day and the traffic associated with the go-kart facility is not considered to cause a significant increase in noise disturbance. There is no Environmental Health objection to the extension of the hours.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. The premises shall be used only for the manufacture, maintenance, testing and racing of go-karts and for no other purposes within Use Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification), but with reversion of use to a Class B8 warehouse in the event of such use ceasing.
3. The premises shall not be open for trade or business other than between the hours of 9.00am and 11.00pm on any day, with all activity at the unit ceasing by 11.30pm, and only electric go-karts shall be operated on the site at any time
4. The previously approved extraction or other air handling plant or externally-sited machinery and noise attenuation measures shall be retained permanently unless otherwise agreed with the Local Planning Authority.

5. The previously approved Travel Plan shall continue to be maintained and developed to the satisfaction of the local planning authority.
6. The previously approved measures to control noise emanating from the premises shall be maintained unless otherwise agreed with the Local Planning Authority.
7. The noise from the premises shall not exceed 10dB below background noise level as measured at the entrance to the car park at Units 1 & 2 Royal Buildings, Marlborough Road.
8. The access and parking spaces for vehicles and cycles shall be retained and used only for access and parking of vehicles and cycles incidental to the use of the premises concerned.
9. Any facilities for the storage of oils, fuels or chemicals in connection with the use shall be fixed on an impervious base and surrounded by impervious walls and shall be constructed and completed in accordance with plans to be approved by the Local Planning Authority.

Is recommendation contrary to letter(s) of representation? Y

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 25 March 2022

Authorised by: Gary Peck Date: 25 March 2022