

RAPLEYS

Green Belt Statement for
Jockey Club Racecourses Limited

**SANDOWN PARK RACECOURSE
PORTSMOUTH ROAD
ESHER
KT10 9AJ**

22 February 2019

Our Ref: JAL/385/12/6

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1 INTRODUCTION

- 1.1 This statement has been prepared by Rapleys LLP on behalf of Jockey Club Racecourses Ltd (JCR) and supports a masterplan-led hybrid planning application across a series of individual (essentially nine) sites within the demise of Sandown Park (see site location plan, Appendix 1).
- 1.2 The outline element of the application (with all matters reserved aside from bell-mouth access arrangements to the public highway) includes the following operational enhancement and facilitating proposals:
- Redevelopment and enhancement of the operational racecourse facilities and infrastructure, including stables and car parking;
 - A circa 150 bedroom hotel;
 - Remodelling of the kart track site with a new family/community zone comprising an outdoor recreation area (including cycle track) and an indoor soft play/ancillary café;
 - Demolition of existing buildings/structures, where relevant, and the provision of residential development of circa 318 units (Use Class C3) across five individual sites, and
 - Re-provision of an upgraded nursery (Use Class D1).
- 1.3 The full element of the application comprises racecourse track widening.
- 1.4 The entire racecourse site lies within the London Metropolitan Green Belt, and this statement reviews the matters of planning principle arising from this designation. It should be read (for greater context of the proposals) alongside the other supporting material of the application proposals, particularly the green belt review of the Environmental Dimension Partnership (EDP).
- 1.5 The scope and structure of the report has been discussed, through pre-application discussions, with Elmbridge Borough Council. The report should also be read in parallel to a Green Belt Review, prepared by EDP. In this context, this report:
- Explains, in overall terms, the rationale behind the proposal, with reference to planning issues arising from the site's location in the Green Belt (Section 2);
 - Reviews the site's context in terms of its highly sustainable location (Section 3);
 - Sets out further detail pertaining to the racecourse, and the need for the development (Section 4);
 - Reviews planning policy at national and local level, as well as recent evidence base documents commissioned by the local authority (Section 5);
 - Analyses the concept of the openness of the Green Belt, in the context of relevant appeal decisions and case law (Section 6);
 - Assesses the reasons for including land within the Green Belt (in terms of paragraph 134 of the NPPF), and the relevance of them to the existing site, and the proposals (Section 7);
 - Considers the proposal's "appropriateness" (in terms of paragraph 145 of the NPPF), , concluding that - overall - it is appropriate development (Section 8), and
 - Outlines the very special circumstances that would also tell in favour of the proposal, in so far as they are relevant in the context of the proposal's general appropriateness (Section 9).
- 1.6 The statement concludes that, in the context of the above analysis, the proposal is acceptable in terms of Green Belt planning policy (Section 10).

2 THE RATIONALE BEHIND THE DEVELOPMENT

2.1 Before considering the scheme proposals, and matters pertaining to the Green Belt, in detail, the overall rationale behind the proposal must be recognised. This is reviewed below, with some of the themes arising explored in closer detail later in the report, as necessary/appropriate.

2.2 At present, **Sandown Park is an essential outdoor sports, leisure and community facility** in Esher, Elmbridge and the surrounding region/sub-region, and in planning terms contributes significantly to the three objectives of sustainable development, as follows:

- **Economic** - JCR's operations at Sandown Park are, directly, one of the largest employers in Esher/the Borough of Elmbridge. These operations go beyond just horseracing to public events and conferences/exhibitions. Further, Sandown Park is the major source of economic activity in the area, creating a high level of indirect and induced employment.
- **Social** - horse racing is the second largest spectator sport in the UK, and beyond the numbers of spectators, it also has universal appeal, attracting people from a more diverse range spectrum of social and economic backgrounds, with a wider range of needs in terms of accessibility, and with a greater gender balance than most other sports. Further, JCR has gone to great lengths over the last decades in ensuring that visiting the races is a pastime that the whole family can enjoy, with extensive facilities for children alongside those for adults. As such, the continuation of the horse racing industry is key to the social and cultural well-being of the UK. These themes were picked up on a more local level during the public consultation exercise relative to this proposal.
- **Environmental** - although the fringes of the racecourse are built up and semi-urban in character, the racetrack itself and the land within and around it contribute significantly to the openness of the Green Belt by providing a large open, green space in the centre of the site preventing coalescence of settlements and having a positive use for open air sport and recreation. Further, on the undeveloped fringes of the site, the lack of development provides habitat for wildlife. Beyond this, the site is in a fundamentally sustainable location in planning terms, ensuring that its impact on the environment through travel patterns is minimised through its location between Esher Town Centre and its railway station.

2.3 In this respect, Sandown Park generates substantial, and across-the-board planning benefits for Esher, Elmbridge and further afield. It should, therefore, be supported by the planning system.

2.4 However, for the reasons set out in further detail later in this report, the current facilities are out of date, less than fully utilised, in need of substantial renovation and modernisation to be fully fit for purpose and deteriorating. This was also confirmed by feedback from the local community (during engagement with them pre-application) - 64% of respondents agreed that the facilities needed improvement. As a result, it is evidently no longer meeting modern requirements and expectations in comparison to competing facilities and this is not sustainable. Therefore, **major works are required in order to secure the site's long term viability**. To ensure that these works are successful, the following principles must be adhered to:

- Any improvements must be of very high quality as a bare minimum, and should aim for **excellence as standard**. The higher the quality of the works, the better the site will be able to compete with other higher quality racecourses and competitor facilities such as convention/exhibition spaces and other leisure offers. Further, providing a facility of the highest standards will not only generate the highest revenue, but also

ensure that the quality of the facility is the highest it can be for all users and visitors, regardless of means.

- **Any improvements must pay for themselves.** It is not possible, or sustainable, for JCR to cross-subsidise major capital improvements in its racecourses. Each venue needs to be a going concern, and “stand on its own feet” commercially with respect to capital improvements. If it did not operate on this principle, like any business in a similar situation, it would ultimately fail.

2.5 The consequence of not carrying out the works, or not carrying them out properly (in the context of the above principles) would ultimately result in further decline and deterioration of the racecourse and its associated facilities (as they could not be carried out in isolation), the loss of the substantial planning benefits accruing from the site, and reviewed earlier in this chapter. This would evidently amount to substantial harm in planning terms, for Esher, Elmbridge and further afield. Such harm should be avoided where it is possible to do this through development being supported by the planning system.

2.6 In this context **the facilities at Sandown Park must be improved as a matter of relevant urgency**, and the planning system cannot allow it to decline further, as national policy gives significant weight to the need to support economic growth. Resisting the improvements at the Sandown Park in the absence of overwhelming matters in the planning balance to the contrary would be entirely against the main theme of NPPF, the encouragement of sustainable development, and the three objectives of sustainable development identified.

2.7 When reviewing the options for improvements, **all reasonable alternative approaches to development have been considered**, but have been found lacking - specifically:

- Improvements to the racecourse in isolation - this was rejected as, without the facilitating sites, it would not have generated the revenue required in order to fund the substantial and high capital cost improvements required;
- Residential development in isolation - rejected as it would not have generated the necessary enhancements to the racecourse;
- An alternative mix of racecourse improvements and residential development - other options were reviewed, but none generated the necessary balance between enhancements and facilitating development, and
- Do nothing - rejected as this would doom the racecourse to inevitable decline, leading to its increasing lower quality and likelihood of partial dereliction, and to the detriment of the economic, social and environmental role that the racecourse plays.

2.8 As a result of this analysis, it is clear **there is no alternative to the development** sought by this planning application and this, in itself would be a very special circumstance telling in favour of the proposal.

2.9 However, before considering whether very special circumstances are necessary to support the proposal, it is necessary to consider whether any proposal is “**appropriate development**” in the Green Belt in the context of paragraph 145 of the NPPF. The bullet point g) of the this paragraph confirms that the following is appropriate in the Green Belt:

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- 2.10 Although individual development plots are considered later in this report, overall the racecourse is clearly previously developed land, and in continuing use. As such, in principle “limited infilling” or “partial or complete redevelopment” of the racecourse site can be appropriate development within the Green Belt, subject to the caveats in one of the subsequent sub-bullet points. When considering which sub-bullet point is relevant, it is crucial to recognise that this proposal will, through on-site provision, contribute to meeting an identified affordable housing need in the local authority area (15% in terms of units). Therefore, the relevant test, when considering whether the redevelopment of the site is appropriate development, is whether it will cause “substantial harm to the openness of the Green Belt”.
- 2.11 The matter of “appropriateness” is explored in further detail later in this report, as is the matter of “very special circumstances”, regardless of the findings relative to the former (although it has to be recognised that development schemes which are appropriate development within the Green Belt evidently do not need very special circumstances to support them).

3 SITE CONTEXT

3.1 This section sets out the accessibility of the racecourse in relation to the local transport network and local amenities, and its fundamental sustainability as a result of its location.

GENERAL

3.2 The racecourse, in essence, sits between Esher town centre (check) and its railway station. It forms a natural extension of the “High Street”, where a range of retailers (from national operators through to independents) and a broad range of other facilities are present. These include:

- Offices;
- Cinema and other leisure facilities;
- Restaurants and drinking establishments, and
- Professional services.

3.3 As such, the racecourse is ideally placed to interact with, and supplement, this offer.

WALKING AND CYCLING

3.4 The Racecourse site is well located for pedestrian and cycle access to Esher town centre which is an approximately 500m from the main Grandstand. In addition, the Racecourse is within a reasonable walking distance of public transport nodes with footways linking to them.

3.5 There are a number of bus stops which are located on the A307 Portsmouth Road, and Esher Green and More Lane to the west of Racecourse. The Racecourse Grandstand is approximately a 1.3km walk from Esher Station via the A307 Portsmouth Road and B3379 Station Road. On race days, a pedestrian route directly from both Station platforms and linked via an underpass provide access to the Racecourse via a footpath and the turnstiles on Lower Green Road. This route is approximately 1.0km from the Station.

3.6 Intermittent advisory cycle lanes run along the length of the A307 Portsmouth Road to the south of the Racecourse which helps to prevent vehicles travelling to close to cyclists.

BUS

3.7 The nearest bus stops to the Racecourse are located on the A307 Portsmouth Road, Esher Green and More Lane. Appendix B contains a plan of the local bus services. The following table summarises the bus services stopping at these bus stops.

Summary of bus services

Bus route	Bus Stop Names	Direction towards	Hourly frequency				
			Mon - Fri			Sat	Sun
			AM	Inter - peak	PM		
515	Esher Green	Kingston	1	1	1	1	0
	Lower Green	Addleston	1	1	1	1	0
	Esher High Street						
715 (Portsmouth Road Branch)	Littleworth Common	Kingston upon Thames	1	1	1	1	0
	Esher Sandown Park	Guildford	0	1	1	1	0
	Esher Council Office						
715 (More Lane Branch)	Lower Green	Kingston upon Thames	0	0	0	0	1
	Esher Green	Guildford	0	0	0	0	1
	High School						
458	Esher Sandown Park	Staines	1	1	1	1	1
	Littleworth Common	Kingston upon Thames	1	1	1	1	1
	Esher Council Office						

RAIL

- 3.8 Esher Station is approximately 1.3Km walking from the Racecourse Grandstand via the A307 Portsmouth Road and the B3379 Station Road. The station is served by South Western Railway and links to London Waterloo and Clapham Junction Stations to the east Woking to

the west. On race days, the Racecourse operates a free of charge shuttle mini-bus between the station and the main entrance to the Racecourse behind the Grandstand. However, visitors can walk directly from the Station platforms to the turnstiles at the north of Racecourse. The following summarises the rail services stopping at Esher Station.

Summary of rail services

Direction	Hourly frequency					Journey times
	Mon - Fri			Sat	Sun	
	AM	Inter-peak	PM			
To London Waterloo	6	2	2	2	2	23 - 30 mins
From London Waterloo	2	2	4	2	2	20 - 28 mins
To Woking	2	2	4	2	2	20 - 25 mins
From Woking	5	2	2	2	2	19 - 25 mins

LOCAL HIGHWAY NETWORK

- 3.9 The Racecourse main site access is located on the A307 Portsmouth Road. Figure 2 shows the local highway network. To the west of the access, Portsmouth Road links to Esher town centre and the A3 Esher Bypass via the A245. The A3 then links to the M25 at junction 10. To the east of the access, Portsmouth Road links to the B3379 Station Road via a signal controlled junction and to the A309 Kingston Bypass via the 'Scilly Isles' junction which links the A3 and central London.
- 3.10 At the 'Scilly Isles' junction, the A309 Hampton Court Way links the Racecourse to the M3 Motorway via the A308. The M3 Motorway provides access to the M25 to the north via junction 12. Locally, the A307 Portsmouth Road links to Kingston upon Thames to the east.

SUMMARY

- 3.11 In this context, it is clear that the site is in a highly sustainable location, being:
- Between Esher town centre and its railway station and, further, ideally placed to interact and supplement the centre's offer, and
 - Highly accessible to a range of transport options, including walking, cycling, bus, train and others.
- 3.12 As a result, Green Belt matters aside, it is the type of location that national policy would under normal circumstances direct development to.

4 THE RACECOURSE AND THE NEED FOR DEVELOPMENT

4.1 Essentially, the proposal derives from the need for substantial investment in the racecourse to secure its future appeal and viability, and the corresponding need for this investment to be funded by facilitating development. This section provides some context to the need for the investment, focusing on the background of the applicant and its vision for the site.

4.2 JOCKEY CLUB RACECOURSES (JCR)

4.3 JCR is the largest racecourse group in the UK by turnover and attendance, with a focus on hosting the highest quality Flat, Jumps and All-Weather Track racing. In addition to Sandown, it currently operates 14 other racecourses in the UK, including internationally renowned courses at Cheltenham, Aintree (home of the Grand National), Epsom (home of the Derby) and Newmarket.

4.4 JCR is governed by Royal Charter and re-invests all of its profits into British Racing as a sport, which includes investment in the long term development and enhancement of its racecourse facilities and venues. JCR recognises the need to operate an efficient and diverse business to secure its long term future by delivering an offer of non-racing activities, to secure reinvestment in the enhancement and regeneration of its racing venues.

4.5 To date, JCR has invested significantly and successfully into the redevelopment and renewal of Cheltenham Racecourse and the redevelopment of the grandstand at Epsom Downs Racecourse. JCR is therefore experienced in delivering its vision to secure a long term future for its racing venues, and is seeking to repeat its success at Sandown Park Racecourse.

SANDOWN PARK RACECOURSE

4.6 Sandown Park Racecourse is a Jump and Flat racing venue, owned and operated by JCR, and hosts 25 racing fixtures annually. Since 1875, the primary function of Sandown Park as a sporting venue and visitor attraction has brought a range of economic and benefits - notably job creation - to the local economy:

- The Racecourse attracts approximately 120,000 visitors to the 25 racing fixtures per annum (including Music Nights).
- As one of JCR's regional hubs, Sandown Park employs 110 permanent staff through the year-round employment of administrative staff and other staff for the operation of 25 race meetings.
- In addition to the permanent staff, the Racecourse employs around 4,000 stewards, car park attendants, cleaners for race meeting operations, as well as 280 catering staff per meeting.
- A wide range of training opportunities are offered by the Racecourse to its staff.
- The Racecourse uses a variety of contractors and service providers for the operation of race meetings, events and maintenance.
- The Racecourse generates a significant number of indirect jobs, for example in the racehorse training industry.

4.7 A significant number of visitors are also attracted to Sandown Park each year through the hosting of approximately 300 non- racing events such as conferences, weddings, banqueting and public exhibitions that attract between 118,000 to 128,000 visitors per annum.

4.8 Notwithstanding the current number of visitors Sandown Park attracts and its significance, the business faces a number of challenges to its long term success, including:

- The existing racecourse infrastructure is ageing and absorbs a significant maintenance spend;
- Investment is required to maintain a competitive race programme and to raise its position as a premier racing venue;
- The existing buildings require upgrading to ensure that the venue keeps pace with the future needs of users and visitors, and
- The visitor experience requires investment to retain existing customers and to attract new audiences from the wider community.

4.9 The racing business as well as the conference and events business operates in an extremely competitive market and JCR must continue to invest in order to secure the long term future for Sandown Park. JCR is therefore fully committed to facilitating the regeneration and upgrading of the existing infrastructure and facilities at Sandown Park.

4.10 CURRENT FACILITIES

4.11 As confirmed above, the existing infrastructure at the racecourse is ageing and need substantial investment. Examples of this include:

The stables and associated facilities

4.12 JCR's annual structural survey from October 2018 highlighted a number of issues and defects in the existing stables. This repeated findings from previous surveys going back a number of years.

4.13 The stables consist of a number of single storey buildings including a veterinary first aid unit, a sampling unit, 110 stable units, toilet block, along with tack boxes, security office and storage units. The stable block was built over a number of years dating back to the 1930's and some parts even earlier.

4.14 The stables are nearing the end of their economic life, run down and in need of work in a number of areas. The timber is rotting in many places and generally in need of repainting to prevent further deterioration. Electrical installation, drainage and water supply are all areas needing upgrades.

4.15 A number of other works are required to ensure ongoing welfare standards, including the need for replacement stable staff accommodation (as the existing lodge requires significant investment over the forthcoming years to maintain operational deliveries, is it and its facilities/infrastructure are at the end of their lives) and newly re-aligned pre-parade ring, as well as horsebox drop off and saddling boxes.

The racetrack

4.16 The provision of the best possible track conditions is key for Sandown Park's future and for maintaining a competitive and high quality race programme. The scheme provides for widening of the racing surface at two important areas of the track, which allows us to put on an improved and safer racing product.

4.17 Another key part of these works are improvements to the course crossing, currently a tarmac surface, covered for racing using coconut matting. This is a crude and unsustainable solution, and in the long term must be updated to meet modern standards and expectations.

The grandstand

4.18 The current Grandstand was opened in 1973 and, at that time, was a first class example of a multi-use venue. Now 45 years old, grandstand infrastructure does not meet the current needs of our raceday or events customers. Further, the grandstand incurs increasingly

significant maintenance costs each year in order to continue to operate and deliver at its current level. This ongoing cost does not contribute to enhancements to our customer proposition.

4.19 At the same time other sporting arenas, stadiums and leisure attractions nationwide are seeing significant levels of investment to sustain their future and offer the highest level of customer experience to attract new and retain existing customers, meaning a challenging marketplace is becoming increasingly competitive.

4.20 This is confirmed by recent research of Sandown Park customers (September 2018), which identified that our facilities do not meet their needs or expectations.

THE VISION

4.21 As a critical leisure destination and employer in Elmbridge, our vision is to enhance this role, continue to play a key role in the local community and meet modern customer standards and expectations. In this context, JCR's overall vision for Sandown Park Racecourse is:

“To deliver a competitive and sustainable future for Sandown Park Racecourse”

4.22 In order to achieve this, the following three objectives have been identified, with the first two delivered by the third:

1. A higher quality racing programme and guest experience;
2. Wider and improved community provision, and
3. Racecourse enhancements to existing built environment and infrastructure.

4.23 These are explored in further detail below.

Delivering a higher quality racing programme and guest experience

4.24 Research has shown how racing needs to compete with all other leisure activities. JCR has continued to look at ways to improve the quality of the racing at Sandown Park. The investment is underpinned by the need to retain existing, but also attract new, racegoers to the racecourse. This, in turn, will assist in securing investment in prize money thereby further improving the race card and guest experience.

4.25 It is also recognised that the cultural heritage of the existing facilities plays a role in the guest experience, which will require a sensitive approach to investment and balanced consideration.

4.26 Specifically, JCR is seeking to provide:

- The highest quality fixture list throughout the year by maintaining a high number of runners per race, which is both competitive and attractive to racegoers.
- An enhanced guest experience of racecourse facilities and new on-site hotel on surplus land to contribute to the offer at Sandown Park and address the current deficient of visitor accommodation within Esher and wider locality.

4.27 To deliver this vision, which can underpin Sandown Park as a premier racing venue, it is therefore necessary to deliver a sustained package of investment and improvements through the enhancement of the built environment. Without this, Sandown Park Racecourse cannot remain competitive with other venues.

Wider and Improved Community Provision

4.28 In parallel to improving the race card and guest experience, JCR recognise the current need to enhance the year round provision and offer at Sandown Park Racecourse for families and wider local community outside of race days. Identified initiatives include:

- Refurbishment improvements to facilities and technology offer, including the exhibition spaces within the Grandstand.
- A new family zone to include a café, indoor/outdoor play facilities, children's cycle track, to be open to the public year-round.
- Re-provision of an upgraded children's nursery.
- Better integration between Sandown Park Racecourse, Esher Town Centre and railway station.

4.29 In addition to the above, the golf centre, ski and leisure centre and skywalk within the grounds of Sandown Park Racecourse shall continue to be open to the public.

Enhancing the existing built racecourse environment

4.30 At present, a significant amount of infrastructure maintenance to the existing built racecourse environment is required, resulting in high costs to implement these measures. It is therefore necessary to invest in the enhancement of the existing built racecourse environment, which in turn shall benefit and support the racing programme and guest experience.

4.31 The main focus will be on preserving the racecourse's key assets alongside the delivery of up to date, high quality racing facilities.

4.32 In this context, the following enhancements and improvements are envisaged:

- Upgrading and rationalising the horse stables and delivering new stable staff accommodation/facilities;
- Enhancements to the paddock;
- Infrastructure improvements, including racetrack widening, access and drainage improvements, and rationalised site-wide parking strategy;
- Refurbishment improvements of the 45 year old Grandstand and Eclipse buildings;
- A new on-site hotel, and
- Introducing inviting frontages to racecourse entrance and car parks to create a more attractive route between Esher Town Centre, the racecourse and railway station.

DELIVERY OF THE VISION

4.33 In order to support and deliver this vision, JCR propose the delivery of a small proportion of well-designed, high quality residential development on existing, discreet surplus land assets at Sandown Park Racecourse. This in turn will make a contribution towards meeting local housing need within Esher (albeit this needs to be balanced with the site's Green Belt location). These residential sites will facilitate capital to be raised and reinvested into the business to secure a competitive and sustainable future for Sandown Park Racecourse.

SUMMARY

4.34 In this context, in terms of the rationale behind the development, the following themes are clear:

- JCR is the largest racecourse group in the country, and are seeking to invest in, and improve, their facilities nationwide;

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- The facilities at Sandown are currently reaching the end of their life, and do not meet modern customer expectations, and as such require substantial investment, not least to ensure that the racecourse remains competitive;
 - To address this, JCR has a vision for the site that will enhance the sites offer and deliver a wider and enhanced community provision, and
 - This investment needs to be facilitated by a limited amount of residential development (including an element of affordable housing).

5 PLANNING POLICY AND EVIDENCE BASE

5.1 This section reviews planning policy at a national and then local level. It also analyses the local authority's recently commissioned Green Belt review, as it pertains to the site.

NATIONAL PLANNING POLICY FRAMEWORK

5.2 Relevant Central Government Policy is contained within the National Planning Policy Framework (the NPPF), adopted in February 2019 and its accompanying National Planning Practice Guidance (NPPG), as launched and updated online since 2014.

5.3 The NPPF sets out the Government's planning policies for England and is underpinned by the presumption in favour of sustainable development applied by plan making and decision making. In terms of the Green Belt, the following paragraphs are particularly relevant to this proposal:

5.4 Paragraph 133 - the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of Green Belts being their openness and permanence.

5.5 Paragraph 134 - the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns, and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.6 Paragraph 143 - inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.7 Paragraph 144 - when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.8 Paragraph 145 - local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt, albeit a number of exceptions are given, including:

- The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- The extension and alteration of a building provided it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, and
- Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - Not have greater impact on the openness of the Green Belt than the existing development, or
 - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting

an identified affordable housing need within the area of the local planning authority.

5.9 Paragraph 146 - other forms of development, including material changes in the use land for recreation, are also not inappropriate development in the Green Belt provided they preserve its openness and not conflict with the purposes of including land within it.

5.10 Within the Glossary in Annex 2, “previously developed land” is defined as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

5.11 In considering whether a site is “previously developed land”, the following principles, established in case law, should be taken into account:

- When defining curtilage, a key consideration is the functional relationship between land and buildings/structures i.e. land that can be said to serve the purpose of a building(s) in some necessary or useful way, and.
- Access roads, and areas of hardstanding, have been accepted as “fixed surface infrastructure”.

DEVELOPMENT PLAN

5.12 The site lies within Elmbridge Borough, and the Development Plan includes the following adopted documents:

- Core Strategy (2011);
- Policies Map (2011), and
- Development Management Plan (2015).

5.13 The Core Strategy sets out the vision, spatial strategy and core policies that are used to shape future development in the Borough up to 2026, with the Development Management Plan containing more detailed policies that all planning applications will be assessed against. In this context, the most pertinent policies relative to the Green Belt lie in the latter document. In particular:

5.14 **Policy DM17 (Green Belt - Development of New Building)** - in order to uphold the fundamental aims of the Green Belt to prevent urban sprawl and maintain openness, inappropriate development will not be approved unless the applicant can demonstrate very special circumstances that clearly outweigh the harm. Recreational development should be sited to minimise any impact on openness and should include a high quality landscape scheme. In addition, proposals for the limited infilling or the partial or complete redevelopment of previously developed sites will be considered in light of the size, height, type, layout and impact of existing buildings, structures and hard standing, together with the degree of dispersal throughout the site of existing and proposed development.

5.15 **Policy DM19 (Horse-related Uses and Development)** - new development associated with appropriate horse-related activities will be permitted, including within the Green Belt, provided it complies with policy and respects the character and amenity of the area without resulting in undue pressure on local infrastructure, nature conservation and biodiversity.

Key considerations - to assist such assessment - include the standard of design, the proposed landscape scheme and access and management arrangements.

EVIDENCE BASE

- 5.16 The most relevant evidence base document is the “Green Belt Boundary Review - Methodology and Assessment”, commissioned by Elmbridge Borough Council and prepared by Arup. The most recent available version of this document is Revision C, as issued on 14 March 2016.
- 5.17 The purpose of the document is to provide an independent and objective review of all existing Green Belt land in Elmbridge, including an assessment of the extent to which such land continues to meet the aim and purposes of Green Belts.
- 5.18 This document identified two tiers of land parcel for assessment, namely:
- Strategic Green Belt Areas (Strategic Areas) - broad areas defined through, inter alia, commonalities in landscape character and national constraints or barriers, and
 - Local Green Belt Areas (Local Areas) - more granular parcels.
- 5.19 In undertaking the review, the report considers the first three purposes of including land within the Green Belt, namely:
1. to check the unrestricted sprawl of large built-up areas;
 2. to prevent neighbouring towns merging into one another, and
 3. to assist in safeguarding the countryside from encroachment.
- 5.20 The purpose of preserving the setting of historic towns was not considered as being relevant to the review. This is because there was not deemed to be any instances where this consideration arose in the Borough. Further, the local authority considered that the amount of land within urban areas had properly been considered before identifying Green Belt land for development. Consequently, the purpose of assisting urban regeneration was also set aside from the review.
- 5.21 In these terms, Sandown Park is identified (in the strategic sense) as lying within Area A, which is confirmed - in general terms - as being:
- Fragmented in nature, often reduced to small pockets of green space utilised for functional/infrastructure and recreational uses;
 - Inclusive of green space within urban areas, with the racecourse being specifically referenced, and
 - Less tranquil than the other strategic areas.
- 5.22 The review found that Strategic Area A met two purposes, of including land in the Green Belt, very strongly (specifically, checking the unrestricted sprawl of large built-up areas, and preventing neighbouring towns from merging with one another). However, in terms of assisting in safeguarding the countryside from encroachment, Strategic Area A was found to be weak in meeting this purpose. In this respect, it is recognised that “change could be accommodated” in the more fragmented or degraded parts of this strategic area without causing any further harm to the integrity of the Green Belt.
- 5.23 The boundaries of Sandown Park Racecourse, in this context, also broadly correspond to Local Area 52. In these terms, the report acknowledges that the racecourse:
- “is comprised of managed, private open space with a number of buildings and hardstanding structures dispersed across the site. While the racecourse maintains a high level of openness, the concentration of structures and hardstanding linked to the racecourse, the*

motor racing circuit and the managed nature of the land contribute to a semi-urban character.”

5.24 In this context, the following conclusions are reached on the “purposes” assessed by the report:

- Checking the unrestricted sprawl of large built-up areas - moderate
- Preventing neighbouring towns from merging - strong/very strong
- Assisting in safeguarding the countryside from encroachment - relatively weak

5.25 The overall summary is that the area/site is strong in terms of meeting the purposes of including land within the Green Belt, notwithstanding that this is derived primarily from the need for preventing neighbouring towns from merging into one another (and, as such, as a result of only one of the three purposes identified in the report, or five overall). Further analysis of the Arup study can be found in the EDP Green Belt Review.

SUMMARY

5.26 From the foregoing commentary, the following conclusions can be drawn relative to national and local policy, and the local authority evidence base:

- The site lies within London’s metropolitan Green Belt;
- Within the Green Belt, much development is considered inappropriate and should only be granted planning permission in very special circumstances;
- Very special circumstances will not exist unless harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations and, further, that any harm to the Green Belt should carry substantial weight;
- However, there are caveated exceptions to these principles, and appropriate development in the Green Belt can include development relating to outdoor recreation (which is further defined as including horse related activities in the Development Plan) and the redevelopment of previously developed land, particularly relative to proposals that would meet an identified local need for affordable housing, and
- The local authority’s evidence base recognises that - within the site’s wider strategic area - change can be accommodated without causing further harm to the integrity of the Green Belt, and the primary contribution that the Racecourse site makes to the Green Belt is in preventing neighbouring towns from merging into one another.

6 OPENNESS

6.1 In the context of the foregoing policy, a key Green Belt policy consideration is evidently the “openness” of the Green Belt and the implications of development on it with reference, in particular, to paragraphs 145 and 146 of the NPPF. These matters are reviewed in the context of appeal decisions, case law and planning practice guidance below.

6.2 It should be noted that all appeal decisions and case law reviewed below arose from the 2012 NPPF. However, given the similarity of terminology within the 2012 and 2019 NPPFs, as they pertain to development in the Green Belt, it is considered that the principles arising are still relevant.

6.3 The main exception to this is the confirmation in the 2019 NPPF that development that would re-use previously developed land and contribute to meeting an identified affordable housing need should not cause “substantial harm” to the openness of the Green Belt. It is understood that there has been no case law which would assist in interpreting “substantial harm” in this context, but evidently the phrase is an established principle in terms of heritage and principles have been carried across in this review.

RELEVANCE OF OPENNESS

6.4 As previously confirmed, paragraph 145 of the NPPF confirms that new buildings within the Green Belt can be appropriate development under defined circumstances, albeit all of these circumstances (apart from “buildings for agriculture and forestry”) are caveated in terms of scale.

6.5 In terms of the types of appropriate development that are relevant to this proposal, the following caveats are applied:

- The provision of appropriate facilities, including outdoor sport and recreation, should “preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”, and
- In the case of limited infilling or the partial or complete redevelopment of previously developed land, development should either:
 - Not have a “greater impact on the openness of the Green Belt” than the existing development, or
 - Not cause “substantial harm to the openness of the Green Belt”, where it contributes to meeting an identified affordable housing need.

6.6 In this respect, in considering whether development is appropriate development within the Green Belt, its impact on “openness” is key. However, the measure of that impact is evidently different for different types of development.

6.7 Further, even in development that does not meet the requirements of paragraph 145, the impact of the proposal on openness is relevant as it can be considered as part of the balancing exercise when reviewing whether very special circumstances exist and outweigh any harm. For example, within the appeal decision refusing planning permission for development on the land east of Weylands House, the Inspector (and Secretary of State) considered the effect in some detail, and was clearly material in their findings as to whether very special circumstances existed.

DEFINITION OF OPENNESS

6.8 In terms of case law relative to the definition of openness, R (Lee Valley Regional Park Authority) v Epping Forest DC and Valley Grown Nurseries Ltd found that “openness” is the state of being free from built development, ie the absence of buildings.

6.9 Turner v SSCLG explored the concept further, and found that “openness” is open-textured and a number of factors were capable of being relevant. It was found that, prominent amongst these relevant factors is how built up the Green Belt is now, and how built up it would be if redevelopment occurs. In this context, the following matters were specifically referenced:

- The spatial/aspect, and
- Visual aspect.

6.10 Building on this, in terms of the latter point, it was recognised that part of the idea of the Green Belt is that the eye and spirit should be relieved from the prospect of unrelenting urban sprawl.

THE IMPLICATIONS OF DEVELOPMENT ON OPENNESS

6.11 As detailed above, when considering the appropriateness of outdoor sports facilities within the Green Belt, the key tests are whether it **preserves the openness of the Green Belt** and does not conflict with the purposes of including land within it. This key test is shared with the types of development set out in Paragraph 146 of the NPPF, which include mineral extraction and engineering operations.

6.12 R (Boot) v Elmbridge Borough Council 2017 found that harm was a key consideration when considering whether development preserved openness. Specifically, it found that if development had any harm on the openness of the Green Belt, development could not at the same time be found to preserve the openness of the Green Belt. Conversely, in order to preserve the openness of the Green Belt, it evidently needs to be established that the development will cause no harm to openness.

6.13 However, case law is also clear that the NPPF accepts in certain circumstances that new buildings in the Green Belt can be considered as not harmful to the Green Belt, and as such preserve its openness. Specifically, Europa Oil and Gas v SSCLG 2013 found that this had to be the case, otherwise the policy would be pointless. Further, this case found that the land use of the new building in question was relevant to its impact on openness. The example used was a house or a sports pavilion, whether the same building or materially similar, could have a different harm on the Green Belt. In particular it confirmed that one could have harm, and the other might not.

6.14 This point is further explored in R (Samuel Smith Old Brewery) v North Yorkshire County Council (which post-dates R (Boot) v Elmbridge), which found that factors such as the purpose of development could be taken into account to the extent that, even if there was adverse spatial and visual impact, the development would nevertheless not harm, but instead preserve, the openness of the Green Belt.

6.15 In terms of the balance between spatial and visual impact, Turner v SSCLG found that absence of visual intrusion did not, in itself, mean that there was no impact on the openness of the Green Belt. However, in a subsequent case, Goodman v SSCLG found that both impacts need to be taken together when the assessment of openness was made. In addition, this case found that the visual perception of development and its context could ameliorate the assessment of the severity of harm to the Green Belt in spatial terms.

6.16 When reviewing the appropriateness of development on previously developed land which contributes to meeting an affordable housing need, the key test is whether the development will cause “**substantial harm**”. As previously indicated, it is understood that, in the context of the Green Belt, this has not been explored in case law.

6.17 However, as a point of principle, “substantial harm” must involve a greater impact on the openness of the Green Belt than existing development. Further, taking the principles set

out within planning practice guidance relative to “substantial harm” in the context of heritage assets, the following themes emerge:

- Although substantial harm is a judgement for the decision taker, it is a high test so it may not arise in many cases;
- An important consideration is whether the adverse impact seriously affects a key element of its interest (in the case of the Green Belt, it is reasonable to take this as openness), and
- It is the degree of harm to the asset’s significance, not the scale of development, that is to be assessed.

SUMMARY

6.18 In this context, openness is a key consideration for development in the Green Belt, both in terms of assessing whether it is “appropriate development” in the context of paragraph 145 of the NPPF, and in the balance as to whether very special circumstances exist that would support “inappropriate development”. From a review of case law the following themes emerge:

6.19 In general terms, the NPPF confirms that the exceptions to “inappropriate development” in the Green Belt include the following:

- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.20 Further, in terms of defining openness:

- Openness is the absence of built development;
- When assessing the extent of a site’s openness, it is relevant to consider how built up it is at present, and
- Openness has a spatial and visual dimension.

6.21 When assessing the implications of development on the preservation of the openness of the Green Belt:

- Development cannot preserve the openness of the Green Belt if it causes harm to the Green Belt;
- In certain circumstances, new buildings in the Green Belt do not have an impact (and therefore do not cause harm) to the openness of the Green Belt;
- The land use of a new building can negate any harm caused by its visual and spatial impact, and
- When assessing harm, spatial and visual impact need to be separately assessed and also considered together, and the latter can ameliorate the former.

6.22 When assessing whether development will have “substantial harm” on the Green Belt:

- There is understood to be no case law to guide in the interpretation of this, but
- When the same terminology is used relative to heritage assets, it is a high test that considers impact to the asset and its significance over the scale of development per se.

7 THE PURPOSES OF INCLUDING LAND IN THE GREEN BELT

- 7.1 As previously confirmed, Paragraph 134 of the NPPF confirms that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns, and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.2 Also as reviewed previously, in assessing a development's impact of openness on the reasons for including land within the Green Belt, it is critical to consider how built-up the Green Belt is at present.
- 7.3 This is considered in detail in the local authority's evidence base, by Arup, relative to the Green Belt, and also in the attached Green Belt review by EDP. The conclusions of this analysis confirms that reason b) is most relevant matter relative the site.
- 7.4 Beyond this, it must be recognised that the extent to which the racecourse site is built-up varies considerably, but all of it exhibits a semi urban character (as confirmed by the local authority's evidence base). Beyond this, the site can be broadly split up into two areas:
- The core of the site, essentially the racetrack and central open area (including sites C and D), and
 - The fringes of the site, essentially the grandstand and offices, and the other development land parcels, which accommodate the vast majority of the racecourse's buildings (including the grandstand, which is considerable in scale).
- 7.5 Therefore, in terms of the racecourse site's contributions to the reasons for including land in the Green Belt, it is the central section of it which prevents neighbouring towns from merging into one another and, although this is considered less relevant by EDP in their review, checks the unrestricted sprawl of large built-up areas. Further, it is also clear that the care and maintenance of the site by JCR is necessary to ensure the essential characteristics of the Green Belt in this location. If, for whatever reason, parts of the racecourse of least importance to its function as a racecourse were to cease to be used positively and were to become derelict, this - in itself - would be harmful to the Green Belt, particularly in the context of reason e). The potential for this to occur is most likely to be to the fringes of the site.
- 7.6 However, the fringes of the site are more built up, and do not contribute to openness, and the purposes of including land within the Green Belt, in any meaningful sense at present.

8 APPROPRIATE DEVELOPMENT IN THE GREEN BELT

8.1 This section of the statement reviews the “appropriateness” of the proposal, in terms of paragraph 145 of the NPPF, and in the context of the review of case law in the previous section.

8.2 This section draws heavily on the Green Belt Review by EDP, which is also attached to this planning application. The comments in this section should, therefore, be reviewed in the context of this document.

8.3 Given that the proposal is a holistic package of enhancements and facilitating measures, promoted under a single planning application, the correct method of assessing “appropriateness” is to review the package as a whole. This assessment is carried out later in this section.

8.4 However, before considering this the local authority have requested that each site be considered individually, as if they were to be developed in isolation (notwithstanding that, evidently, that they will not).

INDIVIDUAL SITE ASSESSMENTS

8.5 At the local authority’s request, the merits of each site are reviewed on Table 1, in Appendix 2 of this document.

8.6 This table considers each site in terms of:

- Size;
- Existing Land Use;
- Proposed Land Use;
- Whether the site is previously developed land;
- Affordable provision;
- The change in footprint, floorspace and volume of development on each site as a result of the proposals;
- The impact of the developing each site on the openness of the Green Belt (feeding on analysis by EDP which, understandably, concentrates on the “purpose” of preventing towns from merging with one another), and
- A conclusion as to whether - in isolation and balancing spatial/visual considerations - the proposal on each site would be considered appropriate development.

8.7 The analysis/table confirms that, in terms of a balance of spatial/visual considerations, development on nine of the sites (reflecting 87% of the combined area of all nine sites) will not cause harm and is therefore “appropriate development” in the Green Belt. In other words, these development sites are not inappropriate in Green Belt terms (and, thereby, do not necessitate the need to demonstrate very special circumstances). Of the other sites, it should also be noted that they continue to perform the key function, locally, of maintaining gaps between settlements and thereby ensuring that there is no coalescence of “urban areas”.

SCHEME AS A WHOLE

8.8 Notwithstanding the above, evidently the nine sites are not being developed in isolation. Instead, they are part of a broader package of enhancements to the racecourse and its outdoor recreational offer, and supporting development. In this respect, it is relevant to consider the scheme as a whole, and whether - in this context - it is “appropriate development” overall.

8.9 The following should be recognised:

- The racecourse, when considered as a whole, is previously developed land, where both infill development and redevelopment are accepted in principle.
- The overwhelming aspect, of the whole scheme, falls as “appropriate development”, as per the individual site assessments.
- The existing use of the racecourse site is for outdoor recreation, with some residential units and a childrens’ nursery. The primary use is recognised - in principle - as a permissible activity in the Green Belt.
- The proposed development seeks to underscore the continuing use of the racecourse and which is not only a supportable activity in the Green Belt, but its continued operation is key to ensuring that the Green Belt is maintained in this location (albeit it is accepted that the level of residential development will increase, and the new units will be independently occupied).
- The proposal will bring forward affordable (and market) housing to meet an identified local need.
- The development will - notwithstanding that a discrete number of sites within the overall scheme are classed as inappropriate development if they had been pursued in isolation - continue to contribute to the key, local, Green Belt purpose, arising from the Arup review, of maintaining gaps between settlements and thereby ensuring that there will be no coalescence arising from the proposal.

8.10 On this basis, the scheme as a whole is appropriate development within the Green Belt.

SUMMARY

8.11 The site-by-site analysis considers the change in footprint, floorspace and volume of development on each of the sites, and impact on openness in spatial/visual terms. Notwithstanding that it is recognised that there will be a change in the quantum of built form on the majority of the sites, in all other respects the table indicates that development on nine of the eleven sites is appropriate development. In any event, all sites will continue to perform the key local role, of the Green Belt, to prevent the coalescence of settlements (through the maintenance of “visual gaps”). As such, there will be no harm and as such the proposals will preserve the openness of the Green Belt.

8.12 Therefore, when viewed as a whole, the scheme proposals must be recognised as appropriate development within the Green Belt, particularly as they will bring the provision of affordable housing (for which the test as to whether development is appropriate in the Green Belt is “substantial harm”).

9 VERY SPECIAL CIRCUMSTANCES

9.1 The previous section demonstrates that the proposal is appropriate development, in the context of paragraph 145 of the NPPF, and as such the application does not need to demonstrate very special circumstances. However, even if this were not the case (should the local authority require specific justification relative to the development on two of the sites that, if development were promoted in isolation, would be inappropriate development), a range of very special circumstances arise.

9.2 These very special circumstances are substantial, positive planning benefits which would in combination clearly outweigh any harm to the Green Belt as a result of inappropriateness, and any other harm resulting from the proposal, and can be summarised thus:

- The overwhelming and pressing need to support the racecourse, in the context of ensuring that the planning benefits generated by the site continue, and its future secured;
- Other planning benefits that the scheme proposals would generate, in the context of the three objectives of sustainable development set out in the NPPF, and
- The delivery of the committed hotel development and its ongoing use, and the substantial planning benefits this will bring to the area, in particular economic benefits.

THE NEED TO SUPPORT THE RACECOURSE

9.3 As confirmed in section 2 of this report, the racecourse bestows major and wide-ranging benefits to Esher, Elmbridge and the surrounding sub-region across all three objectives of sustainable development. Further, outdoor recreation and sport is recognised, in principle, as an appropriate use in the Green Belt, and the continued use of the racecourse is key to protecting it in this area. Therefore the future of the racecourse must be supported by the planning system in principle.

9.4 However, the facilities are out-of-date and deteriorating, and require extensive refurbishment and improvement. This work is necessary to bring the site to modern standards and avoid its decline as a racecourse. In this context, and as set out in detail in Section 4, the fundamental objective of the proposals is to foster and secure Sandown Park's long term future (as a nationally renowned major sporting, cultural and economic asset) by addressing its current deficiencies and enhancing the overall offer.

9.5 In this context, the scheme proposals are a carefully considered solution that balances:

- The delivery of enhancements for which there is an overwhelming and pressing need, and
- An appropriate level of facilitating development that does not go beyond what is absolutely necessary to support the enhancements (whilst also delivering an element of affordable housing, for which there is also a pressing, identified need).

9.6 In this context, the scheme proposals are of national interest, and will assist in promoting British horse-racing nationwide and its heritage in Esher, given Sandown Park's presence at this location since 1875, and thereby supporting its future.

ECONOMIC BENEFITS

9.7 As set out previously in this statement, the proposal will secure the future of a major source of economic activity in Elmbridge, especially Esher and its town centre. In addition, the proposed enhancements of the Racecourse and new facilities will generate additional induced employment and jobs for the Borough (during the construction and, beyond this, in the operational phases).

9.8 Further, the improvements of Sandown Park will contribute to the economic wellbeing of Esher Town Centre through spin off benefits. In particular:

- One of the aims of the improvement works is to increase average spend by customers, and this additional available revenue will also benefit the town centre, and
- The hotel will encourage visitors to stay longer in the area, thereby encouraging higher use of the services and spend within the town centre, not least at restaurants and drinking establishments.

9.9 As such, the proposals will increase economic activity in the town centre, support local businesses and increase employment.

SOCIAL BENEFITS

New community facilities

9.10 In addition to the above, the proposal will supplement the Borough's important community/leisure assets through enhancements of the existing offer and new uses, such as the upgraded nursery building and the proposed family-focused leisure and recreational area.

9.11 In terms of the former, the upgraded facility will be a substantial investment, producing a modern and high quality nursery for the local community.

9.12 In terms of the leisure and recreational area, it will provide not only facilities for families during race meetings, but also be open to the community/general public on non-race days, providing:

- Outdoor play;
- Cycle facilities, on the remodelled kart track;
- A soft-play facility, and
- Ancillary café facilities.

9.13 In this respect, the facility will provide a high-quality venue for local families to bring their children for a range of recreational activities, and a large part of it will be offered to the community free of charge.

Interpretation boards

9.14 To highlight the history, historic assets and heritage of the racecourse, and to enhance public interest and appreciation of the site, a network of interpretation boards will be installed.

Integration between town centre and railway station

9.15 Building on the site's location between Esher Town Centre and its railway station, the proposal will help Sandown Park integrate with Esher Town Centre and enhance connectivity between the Racecourse site and the train station via improvements to existing pedestrian links.

9.16 The proposal will also include substantial public realm enhancement on the development sites close to the Town Centre. These enhancements will contribute significantly to the vitality and attractiveness of Esher Town Centre.

Meeting housing needs generally

9.17 Overall, the proposal will deliver a total of circa 318 new residential units which will make a significant contributing towards the Borough's OAN. The local authority's latest published position relative to housing land supply (Elmbridge's Annual Monitoring Report 2016-2017,

published in March 2018) confirms that the local authority does not have a five year housing land supply.

9.18 Further, this shortfall was reviewed in detail in the appeal decision for the land east of Weylands house, and the Inspector found that the level of deliverable supply was in the region of merely 2.65 years, and that there was little prospect of a significant improvement in supply in the short term in the absence of the appeal scheme (for which the appeal was dismissed).

9.19 Although it is recognised that an unmet housing need will not, in of itself, outweigh any harm to the Green Belt. Nevertheless, bringing forward much needed housing is a key consideration as part of an overall balance, and it is noted that - in the case of the land east of Weylands House, the Inspector (and Secretary of State) attached significant weight to the benefit of housing delivery.

Contribution towards affordable housing for which there is a local community need

9.20 There is a substantial identified need for affordable housing at the local level, with latest housing evidence base confirming that across the last six monitoring years, EBC is - on average -failing to meet its Local Plan target of 77 affordable homes per annum. The current SHMA shows a need for 332 affordable homes per annum.

9.21 The provision of affordable housing from the proposed development (15%) will make a measurable contribution to the Borough's affordable housing requirements that is appropriate in terms of the balance between established need, viability and the need for ensuring that the quantum of development in the Green Belt is no more than is required in order to support the necessary improvements to the racecourse.

ENVIRONMENTAL BENEFITS

The site's sustainable location

9.22 As set out in Section 2, the racecourse links Esher town centre with its railway station. Further, it is accessible to a range of transport options, including walking, cycling, bus, train and others. As a result, and notwithstanding the policy considerations reviewed in this report relative to the Green Belt, it is a location that national and local policy would normally direct development to.

Ecology

9.23 An ecological management plan will be drawn for the entire racecourse site, beyond the individual development sites and any enhancements required as a result of their development. This plan to be implemented by the grounds team, with the aim of managing the racecourse in a manner tailored to maximising biodiversity value.

9.24 In addition, it is proposed to implement additional bat and bird boxes around the racecourse site, to be reviewed and detailed in a "Wider Site Enhancement Plan". Further, it is proposed that additional native woody hedgerows be established, where possible.

9.25 In this respect, the ecological enhancements proposed go well beyond what would be necessary to support the development.

Heritage

9.26 The following enhancements to heritage assets are proposed, that go beyond what would be necessary to support the development:

- A contribution to the enhancement of the listed Traveller's Rest, and
- Installation of bollards to the listed racecourse gates.

THE EXISTING, PARTIALLY IMPLEMENTED, PLANNING PERMISSION FOR A HOTEL

9.27 Planning permission has already been granted for a hotel at the racecourse on Site A, and this was partially implemented and can be completed at any time. However, on wider consideration of the development needs of the site, a more appropriate location for the hotel is on Site B, on the grounds that:

- Site B has a much better relationship with the racetrack and grandstand, both in functional and physical terms, and
- The “freeing up” of Site A allows for the improvements to the stables, hostel and other supporting racecourse facilities currently envisaged on the site.

9.28 This proposal will ensure the delivery of this hotel, albeit in a different location within the racecourse site, and will bring forward substantial economic benefits to the area (not least employment, as set out above). This matter should therefore carry significant weight in favour of the proposal in any planning balance.

PLANNING BALANCE

9.29 In this context, even if the development was not “appropriate development” in the context of paragraph 145 of the NPPF, contrary to the above contentions and thesis, and the resulting harm to the Green Belt needed to be balanced by very special circumstances, the above matters would, in combination, amount to very special circumstances and substantial planning benefits which would clearly outweigh any alleged harm by reason of inappropriateness together with other harm and have overwhelming weight in favour of granting planning permission.

10 CONCLUSIONS

- 10.1 In terms of planning policy, the site lies within London’s metropolitan Green Belt, and this statement considers the relevant planning considerations arising from this designation.
- 10.2 Before reviewing these matters in detail, the rationale of the proposal must be recognised. The racecourse is an essential outdoor sports, leisure and community facility and generates substantial, and across-the-board planning benefits for Esher, Elmbridge and further afield. It should, therefore, be supported by the planning system.
- 10.3 However, for the reasons set out in this report, the current facilities are out of date, deteriorating, less than fully utilised, in need of substantial renovation and modernisation to be fully fit for purpose, and major capitally intensive works are required in order to secure the site’s long term viability. To ensure that these works are successful, the following principles must be adhered to:
- Any improvements must be very high quality as a bare minimum, and should aim for excellence as standard.
 - Any major capital improvements must pay for themselves.
- 10.4 The consequence of not carrying out the works, or not carrying them out properly would be substantial harm in planning terms for the Borough and more broadly, and be contrary to the principles of the planning system as set out in the NPPF.
- 10.5 All reasonable alternative approaches to development have been considered, but have been found lacking, there is no reasonable alternative to the development sought by this planning application and this, in itself, would be a very special circumstance telling in favour of the proposal regardless of “appropriateness” of the development, in the context of paragraph 145 of the NPPF.
- 10.6 Turning to more detailed matters, a key consideration is the physical context of the site. Although lying in the Green Belt, it and links Esher town centre with its railway station. Further, it is accessible to a range of transport options, including walking, cycling, bus, train and others. As a result, and notwithstanding the policy considerations reviewed in this report relative to the Green Belt, it is a location that national and local policy would normally direct development to.
- 10.7 In policy terms, within the Green Belt most development is considered inappropriate development, and inappropriate development should only be granted planning permission in very special circumstances. However, there are caveated exceptions to this principle, and appropriate development in the Green Belt can include development relating to outdoor recreation (which is further defined as including horse related development in the Development Plan) and the redevelopment of previously developed land, particularly relative to proposals that would meet an identified local need for affordable housing.
- 10.8 Further, the local authority’s evidence base pertaining to the Green Belt recognises that - within the site’s wider strategic area - change could be accommodated without causing further harm to the integrity of the Green Belt, and the primary contribution that the Racecourse site makes to the Green Belt is in preventing neighbouring towns from merging into one another.
- 10.9 Openness is a key matter for review relative to development in the Green Belt, both in terms of assessing whether it is “appropriate development” in the context of paragraph 145 of the NPPF, and in the balance as to whether very special circumstances exist that would outweigh any harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. Case law and appeal decisions indicate that, in general terms, openness is the absence of built development. However, when assessing the extent of a

site's openness, it is relevant to consider how built up it is at present, and openness has a spatial/visual dimension.

- 10.10 When assessing the implications of development on the preservation of the openness of the Green Belt (relative to development for outdoor recreational uses), development cannot preserve the openness of the Green Belt if it causes harm to the Green Belt. However, in certain circumstances, new buildings in the Green Belt may not have an impact (and therefore may not cause harm) to the openness of the Green Belt if the site is previously developed. Further, the land use of a new building (for example, buildings in use to support outdoor sport and recreation) can outweigh any harm caused by its visual and spatial impact. In addition, when assessing harm, spatial and visual impact should be assessed, and the latter can ameliorate the former.
- 10.11 Further, when considering the contribution that the site currently makes to the purposes of including land within the Green Belt, it is clear that the central part of the racecourse contributes the most, and the racecourse's ongoing operation is key to protecting and maintaining the Green Belt. Conversely, the fringes of the site currently contribute least to the reasons for including land within the Green Belt.
- 10.12 Therefore, in the context of paragraph 145 of the NPPF, and its reference to appropriate development within the Green Belt, the proposal has been considered on both a site-by-site basis (as requested by the local authority) and as a whole. Further, and again as requested by the local authority, the development has been assessed against spatial/visual considerations. However, given that large parts of the racecourse are already substantially built-out, and therefore are not "open" at present, the latter consideration (particularly in terms of preventing the coalescence of existing settlements) is most pertinent.
- 10.13 The site-by-site analysis indicates that there is a mix of appropriate and inappropriate development included within the proposal, albeit it is clearly balanced towards appropriate development. Taken as a whole, the proposal also is able to be regarded as appropriate development within the Green Belt, as it falls into the types of development identified as exceptions to inappropriate development in the Green Belt, as described in paragraph 145 of the NPPF.
- 10.14 Notwithstanding this, even if the development was not "appropriate development" in the Green Belt (in terms of paragraph 145 of the NPPF), in any event a range of substantial positive benefits would arise from the proposal which would amount to very special circumstances which would outweigh any harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, in any planning balance applied. These include the following matters:
- The overwhelming and pressing need to support the racecourse, in the context of ensuring that the substantial planning benefits generated by the site continue, and for its future to be secured;
 - Other substantial planning benefits that the scheme proposals would generate, in the context of the three objectives of sustainable development set out in the NPPF, and
 - The delivery of the committed hotel development and its ongoing use, and the substantial planning benefits this will bring to the area, in particular economic benefits.
- 10.15 In any balance therefore, even if the development fell outside that described in paragraph 145 of the NPPF, the cumulative effect of the above matters would clearly outweigh any weight applied as a result of harm to Green Belt openness, notwithstanding that it is recognised that any weight would be significant.

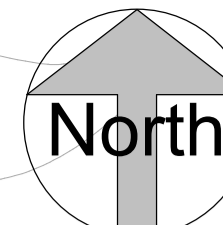
10.16 In conclusion, therefore, the proposal is in accordance with Green Belt planning policy as it is either:

- Appropriate development in the context of paragraph 145 of the NPPF, or
- If it were inappropriate development, the substantial positive planning benefits of the proposal would, in combination, be very special circumstances that would clearly outweigh any harm to the Green Belt as a result of inappropriateness, and any other harm resulting from the proposal.

10.17 As such, the local authority should support it in principle.

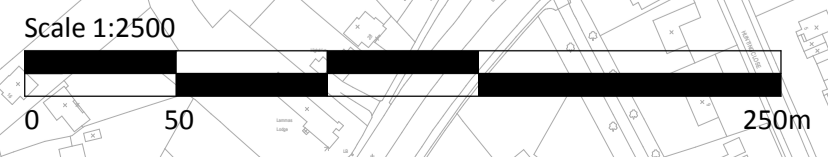
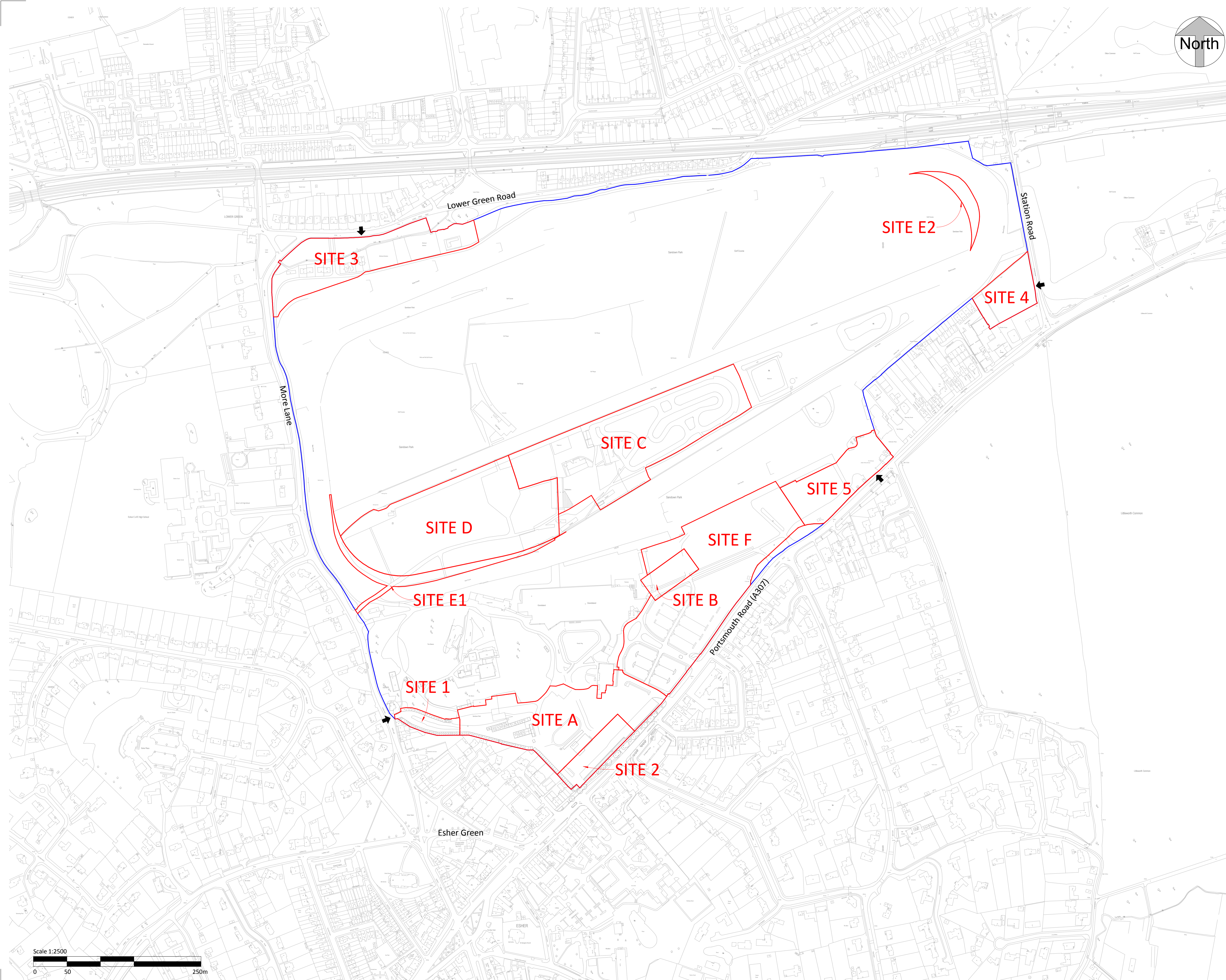
Appendix 01

SITE LOCATION PLAN



Figured dimensions only are to be used. All dimensions to be checked onsite. Differences between drawings and between drawings and specification or bills of quantities to be reported to the PRC Group. For Planning purposes, drawings can be scaled using the scale bar. © The copyright of the drawings and designs contained therein remains vested in the PRC Group.

Revisions:	Drawn / Chkd:	Date:
• Issued for planning	AS/MC	18/02/19



Preliminary Issue

Client:
Jockey Club Racecourses Ltd



Project:
Sandown Park

24 Church St. West,
Woking, Surrey,
GU21 6HT
01483 494 350

Drawing Title:
Location Plan

Scale @ A1:	Checked by:	Date:
1 : 2500	MC	01.02.2019
Job No:	Stage_Drawing No:	Rev:
11071	PL_001	*

Issue Status:	Construction <input type="checkbox"/>	Information <input type="checkbox"/>	Tender <input type="checkbox"/>	Preliminary <input checked="" type="checkbox"/>	Approval <input type="checkbox"/>
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Appendix 02

TABLE 1 - APPROPRIATE DEVELOPMENT IN THE GREEN BELT

Sandown Park Racecourse, Portsmouth Road, Esher

Green Belt Planning Statement - Table 1: Appropriate¹ Development in the Green Belt

Site	Site Area (ha)	Existing Land Use	Proposed Land Use	Previously Developed Land	Indicative change in built form on site (existing/proposed)	Impact on Openness – Spatial/Visual	Appropriateness ¹ of Development
A	2.27	Outdoor Recreation Operational area and facilities for the racecourse including stable blocks, pre-parade ring and enclosures and hardstanding areas	Outdoor Recreation Operational area and facilities for the racecourse including stable blocks, pre-parade ring and enclosures and hardstanding areas	Yes – site accommodates permanent structures and associated fixed surface infrastructure within the curtilage of the racecourse	Footprint (m ²) 1,899/2,500 Floor area (m ²) 1,927/2,900 Volume (m ³) 4,800/8,900 *Excludes existing Sandown Park Lodge which is located on the boundary with Site 2 (see below)	Development proposed would not change the perception of openness within the Racecourse overall, nor would it reduce the perceived “essential gap” between Esher and developed land to the north of the Racecourse.	Appropriate ¹ . Appropriate outdoor recreation facility. There would be an increase in built form within the Site. However, it is a previously developed site located to the south-west of the existing Grandstand which separates it from the main areas of the Racecourse. The proposals, being of an appropriate land use, would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.
B	0.3	Outdoor Recreation Predominantly an area of hardstanding serving the racecourse	Hotel (to serve outdoor recreation) A hotel, albeit to meet a site specific need generated by the racecourse	Yes – site accommodates fixed surface infrastructure associated within the curtilage of the racecourse	Footprint (m ²) 0/1,700 Floor area (m ²) 0/6,997 Volume (m ³) 0/27,950	The site is located adjacent to the existing Grandstand. Development in this location would not lead to the perceived coalescence of settlements, albeit reducing the location very slightly from which views of the northern boundary of the Racecourse can be seen from Portsmouth Road. As such, the perceived “essential gap” between Esher and developed land to the north of the Racecourse would remain.	Appropriate ¹ . Supporting appropriate outdoor recreation facility. There would be an increase in built form within the Site. However, it is a previously developed site being well-related to existing built context. While development of the site would restrict views to the northern boundary of the Racecourse to a degree, it would not lead to the perceived coalescence of settlements. Further, the proposals represent a relocation of a hotel that already benefits from an implementable planning permission. The proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.

Footnotes:

1. “Appropriate”/“Inappropriate” as identified in Paragraph 145 and 146 of the National Planning Policy Framework 2019

Site	Site Area (ha)	Existing Land Use	Proposed Land Use	Previously Developed Land	Indicative change in built form on site (existing/proposed)	Impact on Openness – Spatial/Visual	Appropriateness ¹ of Development
C	3.6	Outdoor Recreation A kart track, hard surfaced parking area and associated permanent structures	Outdoor Recreation A family/community zone	Yes – site accommodates permanent structures and fixed surface infrastructure	Footprint (m ²) 1,065/700 Floor area (m ²) 1,065/700 Volume (m ³) 3,000/2,500	Given the scale of the development proposed, being similar to that of the existing built context, with the beneficial effect of replacing large areas of hard-standing with surfacing with a softer aesthetic, namely Grasscrete or similar, there would not be a material increase in built form within the central areas of the racecourse from that of the existing baseline.	Appropriate ¹ . Appropriate outdoor recreation facility. Reduction in built form within the Site. The proposed development would largely be seen to replace existing built form, including the replacement of a large area of hardstanding in the form of an existing go-kart track. The site is considered previously developed land and the proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.
D	4.2	Outdoor Recreation A hard surfaced parking area serving the golf centre to the north, and grassed area used for parking during race meetings (and, as such, in the curtilage of the racecourse)	Outdoor Recreation An improved car parking facility to serve outdoor recreational activities within the larger racecourse site	In part – the hard-surfaced area is fixed surface infrastructure in the curtilage of the golf centre	Footprint (m ²) 0/0 Floor area (m ²) 0/0 Volume (m ³) 0/0	Given the scale of the development proposed, being similar to that of the existing built context, with the beneficial effect of replacing large areas of hard-standing with surfacing with a softer aesthetic, namely Grasscrete or similar, there would not be a material increase in built form within the central areas of the racecourse from that of the existing baseline.	Appropriate ¹ . Appropriate outdoor recreation facility. No built form proposed. The proposed development would largely be seen to replace existing built form, including the replacement of a large area of hardstanding. The site is considered previously developed land and the proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.
E	0.68	Outdoor Recreation Divided into two parts. Site E1 is currently used as part of the overflow car parking on race days. E2 is adjacent to the golf course. Both areas are grassed, and in the immediate setting of the racetrack	Outdoor Recreation Both parts of Site E will become part of the racetrack, as a result of track widening	No	Footprint (m ²) 0/0 Floor area (m ²) 0/0 Volume (m ³) 0/0	Given the nature of the development proposed, being similar to that of the existing built context, there would not be a material increase in built form within the central areas of the Racecourse from that of the existing baseline.	Appropriate ¹ . Appropriate outdoor recreation facility. The proposed development would extend the existing race track. The site is not previously developed land and no built form is proposed, therefore, the proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.

Footnotes:

1. “Appropriate”/“Inappropriate” as identified in Paragraph 145 and 146 of the National Planning Policy Framework 2019

Site	Site Area (ha)	Existing Land Use	Proposed Land Use	Previously Developed Land	Indicative change in built form on site (existing/proposed)	Impact on Openness – Spatial/Visual	Appropriateness ¹ of Development
F	3.68	Outdoor Recreation Mainly a formal and semi-formal parking area in the use, and curtilage of, the racecourse. Part of the site is also used as the broadcasting compound on race days	Outdoor Recreation An improved car parking facility to serve the racecourse, including relocation of the existing broadcasting compound and turnstiles. A new ring main unit will also be installed (however, given its use and scale, it will be de minimus in the context of the proposal)	Yes	Footprint (m ²) 0/3 Floor area (m ²) 0/3 Volume (m ³) 0/9	Development proposed would not change the perception of openness within the Racecourse overall, nor would it reduce the perceived 'essential gap' between Esher and developed land to the north of the Racecourse.	Appropriate ¹ . Appropriate outdoor recreation facility. A previously developed site located to the south-east of the existing Grandstand. The proposals, being of an appropriate land use, would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.
1	0.24	Outdoor Recreation Existing overflow stables and vehicular access to the racecourse	Residential Circa 15 residential units Will contribute to provision of affordable housing (at Site 2)	Yes – site accommodates permanent structures and associated fixed surface infrastructure within the curtilage of the racecourse	Footprint (m ²) 540/660 Floor area (m ²) 540/1,200 Volume (m ³) 2,200/5,300	Development proposed would not change the perception of openness within the Racecourse overall, nor would it reduce the perceived "essential gap" between Esher and developed land to the north of the Racecourse.	Appropriate ¹ . Redevelopment of previously developed land/contributing to affordable housing (at site 2). There would be an increase in built form within the Site. However, it is a previously developed site located to the south-west of the existing Grandstand which separates it from the main areas of the Racecourse. The proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.

Footnotes:

1. "Appropriate"/"Inappropriate" as identified in Paragraph 145 and 146 of the National Planning Policy Framework 2019

Site	Site Area (ha)	Existing Land Use	Proposed Land Use	Previously Developed Land	Indicative change in built form on site (existing/proposed)	Impact on Openness – Spatial/Visual	Appropriateness ¹ of Development
2	0.42	Outdoor Recreation The lodge and other structures, and parking and access for the racecourse	Residential Circa 49 residential affordable units Will provide affordable housing for local community needs	Yes – site accommodates permanent structures and associated fixed surface infrastructure within the curtilage of the racecourse Further, planning permission was granted for a hotel on the site in 2011, and this was partially implemented and can be completed at any time	Footprint (m ²) 469*/(1,188)/3,400 Floor area (m ²) 932*/(4,058)/6,336 Volume (m ³) 2,800/(11,200)/18,100 Figures (in brackets) refer to extant hotel consent on site *Includes Sandown Park Lodge which is located on the boundary with Site 2	The site is well-related to the urban context or Esher. Development proposed would not change the perception of openness within the Racecourse overall, nor would it reduce the perceived “essential gap” between Esher and developed land to the north of the Racecourse.	Appropriate ¹ . Affordable housing for local community needs/redevelopment of previously developed land. There would be an increase in built form within the Site. However, it is a previously developed site located to the south-west of the existing Grandstand which separates it from the main areas of the Racecourse. Further, the site is subject to an implementable planning permission for a hotel. The proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.
3	0.42	Outdoor Recreation/Residential Existing accommodation for racecourse staff and car parking, access to the racecourse	Residential Circa 114 residential units Will contribute to provision of affordable housing (at Site 2)	Yes – site accommodates permanent structures providing residential accommodation and associated fixed surface infrastructure within the curtilage of the racecourse	Footprint (m ²) 199/4,050 Floor area (m ²) 586/9,450 Volume (m ³) 1,750/33,750	Due to the increased intervisibility with the nearest ‘settlement edge’, namely the perceived northern built context of Esher being formed by the Grandstand, there would be a degree of a reduction in the sense of openness within the Racecourse. However, with the retention of a gap of approximately 480m, the Racecourse’s function in providing an “essential gap between settlements” would remain.	Inappropriate ¹ . There would be an increase in built form within the Site. However, it is a previously developed site with some separation from the existing built context by mature landscape features. Proposed development would have a greater impact on openness to that of the existing built context. Overall, the proposals are considered inappropriate in spatial/visual terms.

Footnotes:

1. “Appropriate”/“Inappropriate” as identified in Paragraph 145 and 146 of the National Planning Policy Framework 2019

Site	Site Area (ha)	Existing Land Use	Proposed Land Use	Previously Developed Land	Indicative change in built form on site (existing/proposed)	Impact on Openness – Spatial/Visual	Appropriateness ¹ of Development
4	0.5	Outdoor Recreation This site is within the curtilage of the racecourse, but does not accommodate any permanent structures or fixed surface infrastructure	Residential Circa 72 residential units Will contribute to provision of affordable housing (at Site 2)	No	Footprint (m ²) 0/1,500 Floor area (m ²) 0/8,454 Volume (m ³) 0/30,050	Site adjoins an existing perceived settlement edge and is not divorced from it. The presence of mature landscape features on its northern boundary creates a soft settlement edge. The site itself, located to the south of these mature landscape features, does not contribute to the perceived separation between settlements and development of it would not change the perception of openness within the wider setting.	Inappropriate ¹ . There would be an increase in built form within the Site. Although the site is well-related to existing built context and does not contribute to the perceived separation between settlements, it is not previously developed land and would be considered new building in the Green Belt. However, overall, the proposals would not harm the openness of the Green Belt and the function of the Racecourse as an 'essential gap between settlements'. Overall, the proposals are considered appropriate in spatial/visual terms.
5	0.94	Children's Nursery/Outdoor Recreation Occupied by a children's nursery, a coach park for the racecourse and the locally listed Toll House	Children's Nursery/Residential Re-provision of existing nursery facility and circa 68 residential units Will contribute to provision of affordable housing (at Site 2)	Yes – site accommodates permanent structures, including a children's nursery, as well as associated fixed surface infrastructure within the curtilage of the racecourse	Footprint (m ²) 323/2,150 Floor area (m ²) 397 / 559 5,743 Volume (m ³) 1,200/8,150	Site adjoins an existing perceived settlement edge and is not divorced from it. The presence of mature landscape features on its northern boundary creates a soft settlement edge. The site itself, located to the south of these mature landscape features, does not contribute to the perceived separation between settlements and development of it would not change the perception of openness within the wider setting.	Appropriate ¹ . Redevelopment of previously developed land/contributing to affordable housing (at site 2). There would be an increase in built form within the Site. However, it is a previously developed site being well-related to existing built context and does not contribute to the perceived separation between settlements. The proposals would not harm the openness of the Green Belt. Overall, the proposals are considered appropriate in spatial/visual terms.

Footnotes:

1. "Appropriate"/"Inappropriate" as identified in Paragraph 145 and 146 of the National Planning Policy Framework 2019