

RAPLEYS

Summary Proof of Evidence of
Ian Robert Clarke BA (Hons) DipTP MSc MRTPI

SANDOWN PARK RACECOURSE, PORTSMOUTH ROAD, ESHER KT10 9AJ

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1 QUALIFICATIONS AND EXPERIENCE

1.1 My name is Robert Clarke. I am a chartered town planner (MRTPI).

2 INTRODUCTION AND CONTEXT

2.1 This case concerns the provision of essential improvements and enhancements to Sandown Park, as funded by supporting residential development. The proposal will not proceed if the cost of the development fails to be funded by the net proceeds of the facilitating development. Put simply, the proposal comprises a comprehensive and sustainable package of interlinked development to deliver a long-term masterplan for Sandown Park.

2.2 There are no alternative sources of funding, which are available, beyond the development package before this Inquiry.

2.3 This package will bring about a transformational change to the racecourse, and thereby sustain an appropriate use within the Green Belt, whilst bringing significant planning benefits.

3 PLANNING POLICY

3.1 It should be noted that:

- There is a presumption in favour of sustainable development, as embraced by the proposals;
- There is recognition of the benefits of Sandown Park to the Borough in the Local Development Plan, and an aspiration for a new hotel at the racecourse;
- Planning policy at national and local level makes allowance for development in the Green Belt, if it is “appropriate” or very special circumstances arise;
- There is provision for development to deliver lower levels of affordable housing, than cited in local policy, on grounds of viability, and
- The proposals address - and meet - the policy requirements relating to transport, character and appearance, ecology/biodiversity and other detailed development management considerations, as cited in the reasons for refusal.

3.2 The proposals are consistent with the Development Plan and relevant supplementary documents.

4 CHARACTER AND APPEARANCE (REASONS 1 AND 2)

4.1 The decision notice cites character issues in reason for refusal 1 (as related to prominence) and 2.

4.2 The development will not be unduly prominent.

4.3 On reason 2, there is no suggestion - beyond the proposed residential and hotel development - that any other components of the appeal proposals are deemed to be unacceptable in terms of character and appearance.

4.4 This matter is principally addressed in the evidence of Mr Connolley. He confirms that the appeal proposals are appropriate to the character and appearance of the area. I agree with his expert opinion.

4.5 The siting of the appeal proposals are not unduly sensitive in planning policy terms, as relating to any on-site designations which may influence considerations of character and appearance:

they do not contain any listed buildings, conservation areas (save for access to Site 1), sit in landscapes of value, encompass defined ecological/wildlife areas, nor lie within any protected viewing corridors.

4.6 On procedural matters:

- The level of information, in support of the appealed application, was agreed with Officers prior to submission, and
- The Officers' report found that the sites would likely be able to accommodate the envisaged development quantum in a satisfactory manner relative to their surroundings.

4.7 The appeal proposals are acceptable.

5 PLANNING OBLIGATIONS (REASONS 3, 4 AND 5)

5.1 The undertaking/agreement, to be submitted before this Inquiry, addresses these reasons for refusal and meets the relevant tests.

6 APPROPRIATENESS (REASON 1)

6.1 There is no dispute, between the principal parties in this case, that the proposed development of Sites A, C, E1, E2 and F, alongside the bell mouth accesses, will constitute appropriate development in the Green Belt.

6.2 On the disputed sites, it should be noted that:

- As the planning application is a single package of development to provide appropriate facilities (in connection with the existing use of Sandown Park) for outdoor sport and outdoor recreation, paragraph 145(b) would apply in principle when looked at as a comprehensive whole, and
- The large majority of the sites are previously developed land (in whole or part), and as such paragraph 145(g) would also trigger, in this case, in respect of Sites 1, 2, 3, 4, 5, B and D (not least as they are wholly or partially developed), particularly as the scheme, as a whole, will secure affordable housing (with Site D further benefitting from 146b).

6.3 It is, of course, accepted that there are caveats to the application of the cited paragraphs within the NPPF.

6.4 The appellant's evidence demonstrates that these provisions are met.

6.5 Consequently, the proposals do not constitute inappropriate development.

7 THE EFFECTS OF THE PROPOSAL ON THE GREEN BELT (REASON 1)

7.1 In this case, it is the appellant's position that visual considerations should be afforded little, or no, weight (although the matter is addressed in the evidence of Mr Connolly, who finds the scheme to be acceptable in this respect: a view separately shared by me). Rather, the decision must be driven by spatial considerations, but even if visual matters are considered relevant to the openness of the Green Belt here, the scheme is acceptable in terms of Green Belt policy and there is no harm to openness of the Green Belt or its purposes.

7.2 In any event, it must be recognised that the local authority's evidence base, and its Statement of Case, finds (in respect of the Green Purposes, NPPF134):

- Two purposes (d/e) are not relevant within Elmbridge;

- The proposals will not conflict with Purpose c);
- Sandown Park and Site 3 are only deemed to be performing strongly relative to purpose b) (which the appellant questions in earlier submissions), whereas
- Site 4 should be considered for removal from the Green Belt.

7.3 My findings indicate that:

- All the sites lie within one settlement (Esher) and are distant to Thames Ditton and Greater London: they cannot lead to any merging of towns or settlements (purpose b) therefore (or, for that matter, check the unrestricted sprawl of Greater London - purpose a);
- Even if this was not the case (an issue addressed in response to earlier Council requests in the context of available Arup work at the time of EDP's Green Belt review), all of the development sites on the south side periphery of the racecourse lie between existing built form and the Grandstand in Esher and, further, respect established building lines: Site 3 on the northern periphery redevelops and extends existing housing, also within Esher. The so-called 'gap' - as existing - will be maintained across the racecourse;
- Again, if it is accepted (contrary to my view) that land to the north of the racecourse is part of Greater London and therefore outside Esher, the only element of the development (in the context of Arup's findings on Site 4) that could possibly contribute to sprawl (or the coalescence of Esher with Thames Ditton) is Site 3 as all of the other development sites are to the south of the racecourse. However, even in this scenario, the development will not offend purpose a), as - inter alia - it already comprises built floor-space and, in Arup's view, does little to prevent sprawl;
- The development proposed on the centre of the racecourse is either agreed to be appropriate development (Site C) or lays grasscrete (or similar) for the existing use as car parking without any harm to openness, and
- The Racecourse is not in the Countryside (purpose c).

7.4 As a result, the development will not harm the openness of the Green Belt, nor the purposes for including land within it.

8 ALLEGED OTHER HARM AND OTHER CONSIDERATIONS (REASON 1)

TRANSPORT

8.1 The local highway authority has raised no objections to the proposals. Further, the evidence of Mr Lewin confirms that the proposed development is acceptable in transport terms.

AIR QUALITY

8.2 The air quality statement confirms that there are no matters being raised in this case which tell against the development. Rather, the statement advises that there are likely to be benefits accruing from the development, in air quality terms.

MARKET AND AFFORDABLE HOUSING

8.3 The Local Authority cannot demonstrate a five-year land supply - the deficit is substantial. It is also failing to meet its affordable housing targets. The proposals, in this context, maximise the residential yield from the development (and are permissible, based on the Appellant's case, in the Green Belt) and contribute a minimum of 64 units on-site, where delivery has been well below target for some time.

8.4 That aside, the evidence of Mr Fell on affordable housing and viability/deliverability, advocates the appropriate method and approach in this case. I agree, as the proposals must be viewed as a comprehensive whole and in the context of the deliverability of the key

objective: namely, to secure transformational racecourse improvements/enhancements (and, in this context, the provision of 64 affordable homes, contrary to the Council's view, should be seen as a significant benefit).

HERITAGE

- 8.5 The submitted statement - from EDP - confirms that there will be no adverse impact to designated and non-designated heritage assets as a result of the development and obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy will be met. The proposal will bring positive enhancements in heritage terms.

NOISE AND RESIDENTIAL AMENITY

- 8.6 The appellant's acoustic statement confirms that the proposals are acceptable in noise terms.

ECOLOGY AND ARBORICULTURE

- 8.7 Statements are before the Inquiry. They confirm that the proposals bring significant benefits and should be supported.

OTHER

- 8.8 The proposals appropriately address flooding and water management issues and, further, are able to accommodate considerations relative to climate change.

9 PLANNING BENEFITS AND VERY SPECIAL CIRCUMSTANCES (REASON 1 AND GENERALLY)

- 9.1 In this case, the planning benefits:

- Should be recognised as matters further telling in favour of granting planning permission, should the Inspector agree with the Appellant relative to the "appropriateness" of the development, or
- If the proposal is found by the Inspector to amount to inappropriate development, would represent very special circumstances that clearly outweigh any harm by reason of inappropriateness, or any other harm.

- 9.2 In summary, the benefits are extensive, and should be given individually and cumulatively significant weight and include:

- The unique benefits from transformation of the Racecourse at Sandown Park;
- Economic benefits;
- Social benefits, and
- Environmental benefits.

10 MATTERS RAISED BY RULE 6 PARTY/PUBLIC COMMENTS

- 10.1 There is no evidence, before the Inquiry, which tells against the development from this party.

- 10.2 The matters raised in public comments have all been addressed by the appellant's application and appeal submissions.

11 PLANNING BALANCE AND CONCLUSIONS

- 11.1 The appeal scheme constitutes sustainable appropriate development in the Green Belt and satisfies all other relevant policy matters. It is in accordance with the Development Plan.

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- 11.2 However, should the proposal be found to conflict with the Development Plan, the Council cannot demonstrate a five-year housing land supply and therefore paragraph 11(d) of the Framework applies.
- 11.3 The proposal will not harm, but rather bring significant benefits to Elmbridge as well as the region and support a nationally important horseracing venue. The urgent need for the racecourse transformation should carry significant weight. The housing benefits, overall, should also be afforded significant weight. The hotel should also be acknowledged as a significant benefit delivering Development Plan policy. Similarly, the economic, community/family, heritage, landscape/ecology and highway benefits are all to be given significant weight.
- 11.4 These benefits are extensive and, individually or cumulatively, should be afforded significant weight, amount to very special circumstances and clearly outweigh any harm to the Green Belt by reason of inappropriateness and any other harm (should this be found in this case); therefore very special circumstances exist to justify the development in accordance with Government policy. The planning balance also firmly lies in favour of the grant of planning permission to outweigh any alleged conflict with the Development Plan.