

Downs House Walton Road Epsom Surrey KT18 5ND

Racehorse training yard redevelopment

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| Ward: | Woodcote Ward; |
| Contact: | John Robinson Planning officer |

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P9AHRGGYK1F00>

2 Summary

- 2.1 This application seeks permission for the regeneration and redevelopment of a historically important training yard on the Epsom Downs, adjoining the racecourse. The applicant has made the case that the benefits to the Epsom racing community are significant and the appropriately designed proposals would ensure the future viability of this important training yard.
- 2.2 It is considered that appropriate evidence has been provided to demonstrate that any potential harm to the Green Belt by reason of inappropriateness, and any other harm, has been clearly outweighed by the justification detailed in the report below.
- 2.3 **The application is therefore recommended for APPROVAL.**
- 2.4 As the grant of permission would involve a "departure" from the development plan any resolution to approve would need to be referred to the Secretary of State (SoS) who may decide to determine the application under call-in powers

3 Site description

- 3.1 The Downs House racing yard is located some 2km south of Epsom, immediately adjacent to the southern boundary of the Epsom race track. The site falls within the Green Belt

- 3.2 The site covers approximately 4.29ha and includes a detached house, The Eclipse Barn (Grade II listed), a two-storey building known as The Bothy and a training yard comprising 44 stables together with ancillary paddocks and horse exercise areas.
- 3.3 Downs House is surrounded on all sides by mature woodland, and access to the site is via Walton Road which runs across the Downs from Rubbing House car park close to the racecourse grandstands. From here an access road runs southeast across the centre of the racecourse to the application site.

4 Proposal

- 4.1 This application seeks permission for the regeneration and redevelopment of the training yard. The key components of the proposed detailed planning application are summarised as follows:
- The demolition of stable buildings 1, 2 3 and 4 (as detailed on Drawing No. 2055_06); and the erection of:
 - U-shaped stable building to be sited to the south of the Eclipse Barn, comprising 58 loose boxes (each measuring 4.15m x 4.15m);
 - a storage barn (24.55m x 8.4m) with a ridge height above ground level of 5.5m. to be sited to the west of Eclipse Barn and to provide for the storage of hay, bedding, tractors and other machinery;
 - a building (30m x 13.75m) incorporating an equine pool, constructed in brick/painted blockwork plinth with external timber cladding and cement fibre roof with a ridge height above ground level of between 5.6m and 6.9m. adjoining the storage barn above;
 - two isolation stables and feed store to adjoin the pool barn (11.4m x 3.8m), constructed in brick/painted blockwork plinth with external timber cladding and cement fibre roof. The ridge height would be 3.8m relative to the adjacent ground level.
 - collecting ring (11m²) within the U-shaped stable building area;
 - wash boxes and horse roll area (26.5m x 3.65m);
 - all-weather turn out (55m x 30m);
 - covered, ten horse, horsecwalker (16m diameter); It would have external timber cladding, a metal profiled roof (colour: Juniper) and a ridge height of 3.85m, relative to adjacent ground levels.
 - covered manure/trailer area (10.5m x 7.4m);
 - 250m all-weather canter track with perimeter PVC race rail

- two dwellings for trainers; and
- two units of accommodation to provide for a total of eight workers.

In addition to the above, twelve separate paddocks (timber post and rail fenced) are to be created on the land to provide turnout for the racehorses. The Eclipse Barn is to be retained and renovated (not as part of this application) in consultation with Historic England.

- 4.2 The existing access track would be widened to allow improved access for larger vehicles such as horseboxes. Visitor parking would be located adjacent to the site entrance opposite Downs House (proposed site manager residence).
- 4.3 Grooms and Trainers accommodation would be located close to the existing dwelling and would be in the form of 2 detached houses and a pair of two-storey semi-detached dwellings of traditional design, set around a landscaped courtyard. These would be constructed in facing brickwork with a natural slate roof. The ridge height of these buildings would be 8.2m and 8.1m respectively.
- 4.4 The proposed stable yard would be located centrally on the footprint of the existing stables. The main stable building would be in the form of an “American Barn” set around a central courtyard. This would be constructed in brick/painted blockwork plinth with external timber cladding and cement fibre roof. The ridge height would be 7.35m above ground level. The barns would have a central aisle with stables along either side. To the South of the stable yard will be the wash bay building, this provides 4 wash bays and 2 horse rolls
- 4.5 Outdoor training facilities would be located directly to the South and West of the proposed stables and accessed via a network of horse walks.
- 4.6 Car parking for staff and visitors will be located close to the site access road and proposed trainers and groom’s accommodation

5 Comments from third parties

- 5.1 The application was advertised by means of a press and site notice and letters of notification to 42 neighbouring properties. To date (23.09.2018) 3 letters of support and no letters of objection have been received.

6 Consultations

- 6.1 Tree Officer: No objection, subject to conditions.
- 6.2 Highways: No objection.
- 6.3 Surrey CC (SuDS): No objection, subject to conditions.

6.4 Surrey CC (Archaeology): Given that any Heritage Assets that may be present are only likely to be of local or regional significance, I do not recommend that it is necessary for the archaeological work to be undertaken in advance of any planning permission but would recommend that securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, an appropriate condition should be attached to any planning permission granted.

6.5 Contaminated Land Officer: No comments

6.6 Natural England: No comments

7 Relevant planning history

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|---|----------|
| 16/00833/FLH | 29.11.2016 | Ground floor front and rear extension and replacement windows throughout. | GRANTED |

8 Planning Policy

National Policy Planning Framework (NPPF) 2018

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| Chapter 6 Para 84 | Building a strong, competitive economy |
| Chapter 9 Para 108 – 111 | Promoting sustainable transport |
| Chapter 12 Para 127-130 | Achieving well-designed places |
| Chapter 13:Para 143-146 | Protecting Green Belt Land |
| Chapter 15 Para 170-177 | Conserving and enhancing the natural environment |

Core Strategy 2007

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|-------------|-----------------------------------|
| Policy CS2 | Green Belt |
| Policy CS3 | Biodiversity |
| Policy CS5 | Built Environment |
| Policy CS6 | Sustainability in New Development |
| Policy CS9 | Affordable Housing |
| Policy CS16 | Highways |

Development Management Policies Document November 2015

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|--------------|---|
| Policy DM3 | Replacement and extensions of Buildings in the Green Belt |
| Policy DM4 | Bio-Diversity and New Development |
| Policy DM5 | Trees and Landscape |
| Policy DM9 | Townscape Character and Local Distinctiveness |
| Policy DM8 | Heritage Assets |
| Policy DM10 | Design Requirements for New Developments |
| Policy DM11 | Housing Density |
| Policy DM12 | Housing Standards |
| Policy DM21 | Meeting Local Housing Needs |
| Policy DM 26 | Equestrian-Related Development in the Green Belt |
| Policy DM37 | Parking Standards |

9 Planning considerations

Green Belt Policy

- 9.1 The site is within the Metropolitan Green Belt, where Policy DM3 and DM26 applies. In the Green Belt “inappropriate” development is considered harmful to the Green Belt, and should only be accepted in very special circumstances.
- 9.2 Whilst there is a general presumption against “inappropriate development” in the Green Belt, some development is acceptable in the Green Belt, and this is set out in paragraph 145 and 146 of the NPPF.

- 9.3 All other development is considered “inappropriate” development and therefore planning permission should be refused unless “very special circumstances” exist.
- 9.4 Paragraph 144 of the NPPF states that 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 arising from the proposal, is clearly outweighed by other considerations”.
- 9.5 The application proposals for the redevelopment of the equestrian racing yard do not fall within any of the identified exceptions provided at paragraphs 145 or 146 of the NPPF or at Development Management Policy DM3.
- 9.6 There is scope under Policy DM3 to provide for replacement buildings in the Green Belt as being not inappropriate development. However, the replacement building must not be materially larger than the existing building. The current development in the yard extends to a total floor area of 1,894m² and the proposed development would extend to more than 4,082m². It is evident that the proposed development is materially larger than the existing development and, therefore, the proposals are development in the Green Belt that need to demonstrate the Very Special Circumstances necessary to overcome the harm in Green Belt terms.
- 9.7 Policy DM26 of the DMPD, which deals with equestrian related development in the Green Belt states that
- “..applicants will be expected to justify any proposal with reference to very special circumstances which clearly outweigh 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, is clearly outweighed by other considerations.”
- 9.8 Supporting paragraphs to this policy clearly identify that where new buildings associated with racehorse training establishments constitute inappropriate development in the Green Belt, a balancing exercise must be undertaken to assess the proposals against harm to the Green Belt.
- 9.9 The test set out is one of ‘essential need for the buildings’ and it is identified that the applicant will be expected to demonstrate that:
- “(i) they will help sustain the horse racing industry in the Borough;
- (ii) their size is commensurate with the established needs of the enterprise; and
- (iii) the need could not be met by the refurbishment or replacement of a building that already exists on the site.”

- 9.10 It is therefore considered that the proposed scheme could only be justified if very special circumstances that outweigh the harm to the Green Belt can be clearly demonstrated.
- 9.11 The applicant has put forward a forceful argument for the essential need for the development and has sought to demonstrate the very special circumstances. The applicants justification is summarised in the following paragraphs:

Applicants Statement of Need

- 9.12 The current facilities at The Downs House are no longer suitable to meet the complex needs of a modern racehorse training yard, this has resulted in the site being left vacant for many years and buildings falling into a state of disrepair. In order to bring this site back into everyday use as Epsom's premier racehorse training yard, as was its intended use, investment is needed to remove obsolete buildings which are no longer fit for purpose and essential training facilities must be constructed which reflect modern training/working methods. If the new racehorse training yard is to be economically viable the number of stables will also need to be increased revenue from which will help to secure the future of the site.
- 9.13 The existing stables at Downs House were constructed in the early 1900's, they replaced stables which were originally constructed back in 1841. Racehorse training has advanced considerably over the last 100 years with the design of stable yards now playing a key role in the health and welfare of horses and staff. The existing stables at Downs House are small and no longer conform to current guidelines, their construction and layout offers little protection from the elements, stable boxes also suffer from poor levels of natural light and inadequate cross flow of natural ventilation. The yard currently has no quarantine facilities, all-weather training facilities, or staff welfare facilities and has limited storage for hay, feed, tack, rugs, vehicles and machinery. The existing stable capacity at Downs House is also too small to operate a viable racehorse training business. It is highly unlikely that the current yard could be used for its intended purpose even if the existing stables were to be replaced. In order for this important site to have any future in the racehorse industry, it is essential that the new facilities are designed to operate effectively and profitably.

- 9.14 It is the applicant's intention to reintroduce racehorse training to the site but this cannot be achieved without significant improvements to stabling and the provision of dedicated training and staff facilities. The proposed development which has been designed to comply with British Horseracing Authority guidelines will see marked improvements to stabling and the introduction of a Canter Track, All-Weather Turn-Out Area, Covered Horsewalker and Equine Therapy Pool. The scheme will also introduce key worker accommodation and staff welfare facilities allowing The Downs House site to operate as an independent self-contained facility which is extremely important considering the sites unique position at the centre of Epsom Racecourse.
- 9.15 New stabling has been designed in the form of American Barns, this is considered to be the most economical use of space on site. The stable barns will allow staff to work undercover and will significantly improve horse welfare with high levels of natural light and ventilation. Individual stable boxes have been increased in size to comply with current guidelines, storage areas for tack, feed, rugs and stable yard offices have been provided within the stable barns which will lead to more efficient yard management. Wash boxes, Isolation stables, and covered manure storage have been provided as part of the redevelopment, these are essential facilities which are currently not provided at the site. A purpose built hay/vehicle/machinery store has also been provided close to the stable yard entrance with dedicated service yard and horsebox parking area. The number and size of these equestrian facilities is commensurate with the number of stables required to provide a sustainable business model.
- 9.16 . The proposed equine pool would provide a specialist facility for this important training yard. Equine swimming is now considered to be essential both for the rehabilitation of horses but also to aid in general fitness as swimming provides a real workout through resistance training for a sound horse. It is evident that redevelopment is essential and inevitable

Applicants Very Special Circumstances

- 9.17 The site has a significant place in the history of horse racing. The legendary 'Eclipse' was trained here in the 1770s by Dennis O'Kelly – Eclipse is the thoroughbred from whom 80% of today's bloodstock is believed to have been descended.
- 9.18 The Downs House training yard was purchased by the applicant from EEBC through a tender process. The proposals advanced at that time, and accepted by the EEBC, clearly detailed plans to create a new yard and to undertake significant refurbishment/redevelopment of the facilities. The proposals advanced as part of the tender process are broadly similar to those now advanced within this application. In order to meet the applicant's obligations in relation to the successful tender for the property, the redevelopment of the yard is essential.

- 9.19 A restrictive covenant was imposed at the time of purchase which restricts the use of Downs House and the racehorse training yard. The covenants restrict that the property (Downs House and the yard area) shall not be used for any purpose other than as a racehorse training establishment and associated residence, and for no other purpose whatsoever.
- 9.20 The Vision of Epsom, a collaborative project led by the Jockey Club in partnership with the Epsom Downs Racecourse, the British Horseracing Association, the University of Surrey and the Council, identifies that securing planning permission for the development of Downs House is core to reversing the decline in racehorse training in Epsom.
- 9.21 It is the only yard in Epsom that would benefit from off-road access for horses to the gallops and training facilities
- 9.22 The viability of the yard relies wholly on the availability of increased stable numbers and additional equestrian facilities. Without this, it would not be possible to operate a viable and sustainable enterprise at the Downs House yard.
- 9.23 The existing facilities are in very poor order, do not meet the requirements of a modern training yard and are not capable of refurbishment.
- 9.24 The proposed yard redevelopment would generate jobs for more than twenty people, providing opportunities for both workers living locally and across a wider area.
- 9.25 The accommodation for trainers is essential to allow the development of the yard. The trainers must live on site to oversee both the welfare of the horses and staff to ensure that their welfare requirements are met and that the various regulations and legislation of staff is adhered to.
- 9.26 The need to provide sufficient housing for workers is essential to the development of Downs House, both in terms of welfare for the racehorses and due to the lack of affordable housing in the area. The accommodation for workers is essential, both in terms of the needs of the training yard but also in consideration of the lack of suitable, affordable and available housing in the area. This is an issue which has been core to the demise in recent years of the racing industry in Epsom.
- 9.27 The Downs House training yard was purchased by the applicant from the Council through a tender process. The applicant contends that the proposals advanced as part of the tender process are broadly similar to those now advanced within this application and that in order to meet the applicant's obligations in relation to the successful tender for the property, the redevelopment of the yard is essential. While the "obligations" are recognised, limited weight has been given to these "obligations" as contributing towards 'very special circumstances' to justify inappropriate development in the Green Belt, given that the scale of the development could be materially reduced.

Greenbelt Conclusion

- 9.28 In view of the above, it is therefore considered that whilst the proposed scheme represents development in the greenbelt, having regard to the tests set out in the NPPF, the harm by reason of inappropriateness is, in this case, outweighed by the benefits of securing substantive heritage, and economic benefits in the long term and this would be in the wider public interest.
- 9.29 In conclusion, on Green Belt Policy, it is therefore considered that the submitted evidence to justify building within the Green Belt, in the form as proposed, outweighs the principle of inappropriateness and would therefore constitute very special circumstances. The application is therefore in accordance with Policy DM26 and Core Strategy Policy CS2.

Landscape Impact

- 9.30 The application is supported by a Visual Impact Assessment report. The principal aim of the LVIA is to consider the predicted landscape and visual impact of the proposed development on the site and its surroundings in order to provide a sound basis for formulating landscape proposals for this development.
- 9.31 The report concludes the following in terms of Landscape and Visual effects:

Landscape Effects

- 9.32 The overall landscape effect is deemed to be “Negligible” due to the spatially self-contained nature of the site and the limited physical impacts associated with the proposed development. In addition the reinstatement of the stables, a land use entirely compatible with its location would serve to further reinforce the existing landscape character of Epsom Downs as the long established equestrian activity is a key component of this.
- 9.33 There would be only one “Slight Adverse to Negligible” visual effect recorded for View point P5 (at intersection of cycle route and permissive path looking south-west) due to the diagonal view into the site along the entrance drive to the proposed car park and its adjoining buildings. Over the long term the proposed tree and shrub planting (refer to Trees/Landscaping below) would serve to partly screen (especially during the summer months) some of these elements with the visual effect potentially being reduced to “Negligible” over a period of approximately ten years.

Visual Effects

- 9.34 Negligible visual effects were determined for all the remaining viewpoints due to the screening / filtering function of the vegetation on the site boundary and in the adjoining area of woodland to the west, as well as in several instances the distance from the site.
- 9.35 Although the increase in built volume exceeds the 30% threshold stipulated in Policy DM3, as a maximum on green belt land, this development is deemed to have no associated significant adverse landscape or visual effects and there is some potential for beneficial effects associated with the bringing back into use an existing derelict site.
- 9.36 Officers concur with the conclusions raised in this report and according it is considered that the proposed scheme would comply with Policy DM26 and DM10.

Visual amenity/Impact on Listed Building/Design/Layout

- 9.37 Chapter 12 of the NPPF refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 9.38 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 9.39 Policy DM10 (Design Requirements for New Development (Including House Extensions) of the Development Management Policies Document states that development proposals will be required to incorporate principles of good design. Development proposals should (inter alia) be adaptable and sustainability designed, subject to aesthetic considerations and incorporate the principles of safe design to reduce the risk of fear of crime.
- 9.40 The applicant's approach to the design and layout of the proposed scheme is detailed in a Design and Access statement submitted in support of the application.
- 9.41 Grooms and Trainers accommodation have been located close to the existing dwelling and will be in the form of 3 two-storey buildings of traditional design / construction set around a landscaped courtyard.
- 9.42 The proposed stable yard would be located centrally on the footprint of the existing stables. The main stable building would be in the form of an American Barn set around a central courtyard. To the south of the stable yard will be the wash bay building.
- 9.43 Outdoor training facilities (all weather turn out area, horse walker, all-weather track) would be located directly to the south and west of the proposed stables and would be accessed via a network of horse walks.
- 9.44 A service yard including dedicated horse box parking areas would be located directly north of the stables. An equine pool would also be provided and this building together with the adjoining storage barn and isolation stables would form a physical break between the stable yard and the trainers and groom's accommodation to the north.

- 9.45 The position of these buildings would align with that of the Eclipse Barn, the scale of which would be reflected by the design of the new buildings in this area of the site. Although the present level of development is intensified, the new built form would not intrude into any important views to or from the designated heritage assets in the vicinity, and the aesthetic of the wider site would not be materially harmed.
- 9.46 The design, scale, massing and appearance are acceptable and it is concluded that the proposal would not have a harmful impact on the setting of the listed main clubhouse building or on the visual amenity of the wider area. The proposed scheme would therefore comply with para 127 of the NPPF and Policy DM8 and DM10

Residential Amenity

- 9.47 Policy DM10 requires development to have regard to the amenities of occupants and neighbours, in terms of privacy, outlook, sunlight/daylight, noise and disturbance.
- 9.48 The application site is largely enclosed by established vegetation and trees and as the nearest residential properties are around 200m to the south, no planning objections are raised with regard to neighbour amenity.

Housing Space Standards

- 9.49 Policy DM12 states that all new housing developments are required to comply with external and internal space standards. The required internal space standards are outlined in the Nationally Described Space Standard technical guidance (2015) Supporting text to Policy DM12 states that adequate external private amenity space needs to be provided for each unit.
- 9.50 The proposed trainers accommodation, each with a Gross Internal Area of 205m² would comply with the requirement for a 4 bed room (8 bed space) house (124m²). Each groom's bedroom would also comply with the min requirement for a single bedroom (1 bedspace) of at least 7.5m².
- 9.51 Amenity space for each trainers dwelling would meet policy requiring for private amenity space of 70m². The groom's accommodation would have access to communal outdoor space to the rear of the building.

Access/Parking

- 9.52 Paragraph 108 of the NPPF sets out that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 9.53 Paragraph 109 states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.54 The application is supported by a Transport Statement.
- 9.55 Currently access to Downs House is via a vehicular track which runs across the centre of the racecourse before turning west and following the line of the racetrack, eventually coming to a crossing point on the racetrack which leads into the site. The existing access track would be widened to allow improved access for larger vehicles such as horseboxes etc. Visitor parking would be located adjacent to the site entrance opposite Downs House (proposed site manager residence).

- 9.56 Access for service vehicles including tractors and horseboxes would be provided by the main site access road. This road would terminate at the service yard to the North of the stables.
- 9.57 Refuse collection is undertaken every Friday morning and the refuse bins are wheeled across the racetrack by staff to the road on the other side of the facility and emptied there, as per the refuse collection for the other facilities at the racecourse. Therefore there would be no need for refuse vehicles to access the proposed facility.
- 9.58 14 car parking spaces and cycle storage for 8 bicycles would be provided for staff, including residential staff, and visitors and will be located close to the site access road and the staff accommodation premises. Parking provision for 3 horse boxes would also be provided within the site.
- 9.59 The proposed facility would employ around 18 full time staff (based on a ratio of 3:1 horses to grooms) in addition to 2 trainers and their partners. These employees would live in the accommodation being provided on site. In addition it is likely that the facility would employ between 5 and 7 part time staff that would need to travel to and from the site on a daily basis. Due to the nature of the proposed facility it is envisaged that the part time staff would be expected to work at the site between 06:00 and 12:00 and as no staff transport would be provided they would have to make their own travel arrangements to and from the facility.
- 9.60 In support of the proposed parking provision the applicants submit that on average the maximum number of staff on site at any one time would be 14, with peak times being 6am-12pm each day. This would only be the case if the yard is at full capacity. The staff car park needs would be a fraction of this, say 2 cars per trainer and 6/7 cars for full/part time staff. A horse owner might visit 2 or 3 times a year, which would mean a maximum of 5 visitors a week, no more than 1 or 2 a day for 2 hours at a time (probably in the morning). The farrier and a vet would park in the stable yard and would visit 3 times a week usually mid-afternoon when part time staff have left.
- 9.61 The Transport Statement concludes that is not anticipated that the proposed redevelopment will see a significant increase in the type and number of vehicles visiting the site. The provision of on-site staff accommodation would significantly reduce the number of staff trips to and from the site and the site storage areas would reduce the requirement for delivery vehicles. With regards to feed, hay and bedding deliveries it is anticipated that this would occur once a week each by a small commercial vehicle and would therefore not result in a material impact on the local road network. Horse travel would be limited to attending race meetings and the proposed facility would alleviate the need for horses to use or cross public highways, which is considered to be a significant safety benefit.

- 9.62 The proposed scheme would therefore comply with Policy CS16, DM37 and para 108-109 of the NPPF

Trees and Landscape

- 9.63 Chapter 15 of the NPPF concerns the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.
- 9.64 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):
- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
 - Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.
- 9.65 The proposals are supported by an Arboriculture Method Statement and Tree Survey as well as a Landscape Strategy which has been designed to mitigate the visual impact of the proposals in the wider landscape.
- 9.66 As referenced in the LVIA report, a Pre-Development Report (in accordance with BS. 5837:2012) based on a site visit carried out in July 2017 has been submitted. This emphasised the trees in the perimeter belt and woodland that surrounds the site had "seen little or no management" and were in desperate need of maintenance: "there are dozens of dead, dying and dangerous trees, mostly covered in Ivy".
- 9.67 A group of three visually significant Horse Chestnut (*Aesculus hippocastanum*) trees adjacent to the north-west corner of Downs House have been identified for removal mainly due to a poor history of pruning, limb failure and the presence of decay fungi. Apart from the felling of the Horse Chestnut trees, site clearance is generally limited to the scrub / young tree saplings that surround the existing derelict stable buildings and small areas on the periphery of the site.
- 9.68 The Landscape Strategy proposes the following:
- Establishment of native species understorey shrubs (including Yew where this can be located out of the reach of browsing horses) on section of northern boundary east of site entrance;
 - remnant hedgerow in north-eastern part of site is to be laid

- planting of new boundary hedgerow around periphery of Downs House garden as shelter for birds and other wildlife;
- planting of standard oaks either side of the site entrance in order to provide future replacements for the adjacent mature stand of sycamores ;
- planting of lime trees either side of the entrance drive as replacements for the felled horse chestnuts and to enhance the setting of Downs House;
- planting of low shrubs around staff car park (and in other incidental areas) that are a recognised source of nectar for butterflies (see indicative species in table below) or of value to bats (see list in Appendix B);
- establishment of an area of calcareous grassland around the periphery of the site as habitat for the Small Blue butterfly

9.69 The above measures would be secured by an appropriate condition should planning permission be granted

9.70 It is therefore concluded that the proposed scheme would comply with Chapter 15, para 170 of the NPPF and Policy DM5 Trees and Landscape.

Housing Provision

9.71 Policy DM21 - Meeting Local Housing Needs states that planning permission for specialised accommodation will be granted subject to the application documentation including clear and robust evidence that demonstrates that there is a need for the new accommodation

9.72 The applicants submit that the need to provide sufficient housing for workers is essential to the development of Downs House, both in terms of welfare for the racehorses and due to the lack of affordable housing in the area. Furthermore, it is only through the ready availability of the necessary facilities to support this racehorse training yard, that the significant investment required to bring the yard back to active use, can be justified.

9.73 They further submit that the accommodation for workers is essential, both in terms of the needs of the training yard but also in consideration of the lack of suitable and available housing in the area. (A matter which has been core to the demise in recent years of the racing industry in Epsom)

9.74 There are no other properties in the area which are suitable and available to provide accommodation for workers to meet the welfare requirements of the horses. Sufficient workers must live on site to meet those identified welfare requirements; and the proposed facilities are essential to enable the yard to operate successfully.

- 9.75 The applicants state that similarly, good quality accommodation for the trainers is essential to support the establishment of a quality training yard. It is the industry norm that trainers would expect to be living on site to enable them to oversee all activities, keep an eye on both staff and horses and to be available outside of office hours to meet with owners and authorities. If this facility was not available it would severely limit the functionality of the unit and, subsequently, the desirability of the facilities which would then undermine the applicant's ability to attract quality trainers to Downs House. The accommodation would be restricted to workers and would not be able to be rented or sold to third parties. This would be secured by an appropriate condition if planning permission is granted
- 9.76 It is therefore concluded that the need and quantum of the proposed accommodation has been adequately demonstrated in accordance with Policy DM21

Biodiversity/Ecology

- 9.77 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 9.78 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.79 Policy CS3 (Biodiversity and Nature Conservation Areas) of the Core Strategy (2007) sets out that the biodiversity of Epsom and Ewell will be conserved and enhanced through the support for measures which meet the objectives of National and Local biodiversity action plans in terms of species and habitat. Development that would harm Grade 3 Sites of Nature Conservation Interests (SNCIs) will not be permitted unless suitable measures are put in place and it has been demonstrated that the benefits of a development would outweigh the harm caused.
- 9.80 The application site is adjacent to the Epsom Downs SNCI. Whilst there are no SSSI's within 1km of the site, the site does fall within a Natural England SSSI Impact Risk Zone (IRZ). Natural England have raised no objections to the proposed scheme.
- 9.81 The application is supported by an Updated Bat Preliminary Roost Assessment and Updated Preliminary Ecological Appraisal.

- 9.82 Whilst the Bat Survey revealed that buildings on site were assessed as being negligible suitability for bat roosting, it recommended the erection of bat boxes in trees around the site and inclusion of bat friendly planting in areas that will be landscaped so that a satisfactory ecological outcome is secured.
- 9.83 The Ecological Appraisal recommends the creation of a 5m minimum width corridor along the boundary with the SNCI as a buffer zone and a movement corridor for reptiles, as well as a number of precautionary measures which should be taken with regard to amphibians, breeding birds and other mammals, as well as recommendations for biodiversity enhancement within the site. These measures will be secured by an appropriate condition.
- 9.84 Whilst the proposal would not have a negative effect on European protected species, Officers consider that the proposed development would meet the licensing criteria (the '3 legal tests') of Natural England to make sure that:
- The activity is for a certain purpose, for example it's in the public interest to build a new racehorse training yard
 - There's no satisfactory alternative that will cause less harm to the species
 - The activity doesn't harm the long-term conservation status of the species
- 9.85 The proposal is therefore considered to enhance the ecological value of the site, in conformity with National Planning Policy, Policy CS3 and Policy DM4

Sustainability

- 9.86 Core Strategy policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.
- 9.87 The application is supported by an Energy/Sustainability Report. The report demonstrates that the proposal is capable of achieving a sustainable design through adhering to a series of sustainability criteria, further details of which are highlighted as part of the report.
- 9.88 An appropriate planning condition is recommended, should the proposal be acceptable, to secure their inclusion.

Community Infrastructure Levy

- 9.89 The proposal would be CIL liable

10 Conclusion

- 10.1 The development as proposed would enable this historic, flagship yard to return to productive management. The proposals would create a viable and sustainable racing yard for the future. It is considered that clear evidence has been provided to demonstrate that any potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by the justification detailed in the above report. The benefits to the Epsom racing community and the wider economy are significant and these well-considered and appropriately designed proposals should be supported to ensure the future viability of this important training yard.
- 10.2 The size and type of proposed accommodation would be in line with affordable housing standards designed to meet the specific needs of the staff living/working on site in accordance with Policy DM21 of the Development Management Policies Document 2015 and Policy CS9 of the Core Strategy 2007
- 10.3 The proposals would incorporate all the principles of good design in accordance with Chapter 12 of the NPPF and Policy DM 10 of the Development Management Policies Document 2015
- 10.4 The proposals are recommended for approval on this basis.

11 Recommendation

- 11.1 **Refer to the Secretary of State with a recommendation to grant planning permission subject to the following conditions:-**

Conditions):

- (1) **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005

- (2) **The development hereby permitted shall be carried out in accordance with the following approved plans:**

| | | |
|-------------|-----------|--------------------------------|
| 2055 | 01 | Site Location Plan |
| 2055 | 02 | Existing Site Plan |
| 2055 | 03 | Existing Site Sections |
| 2055 | 04 | Existing Building Plans |

| | | |
|------|-----|---|
| 2055 | 05 | Existing Building Elevations |
| 2055 | 06 | Demolition Plan |
| 2055 | 07F | Proposed Site Plan |
| 2055 | 08C | Proposed Site Sections |
| 2055 | 09A | Proposed Stable Yard Plans |
| 2055 | 10A | Proposed Stable Yard Elevations |
| 2055 | 11B | Proposed Trainers Accommodation Units 1 & 2 |
| 2055 | 12B | Proposed Grooms Accommodation Units 1 & 2 |
| 2055 | 13 | Proposed Ancillary Building Plans & Elevations Sheet 1 |
| 2055 | 14 | Proposed Ancillary Building Plans & Elevations Sheet 2 / Fence, Gate & Rail Details |

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).

- (3) Prior to the commencement of development, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (4) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years , have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core

Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (5) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in for a maximum of 24 cars and a minimum of 8 bicycles to be parked securely in accordance with the approved plans for vehicles / cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.**

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (6) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:**

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+30% allowance for climate change) storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield Qbar discharge rate (as per the SuDS pro-forma or otherwise as agreed by the LPA).

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

- (7) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

- (8) A minimum 5m headline of long grasses, tall ruderal vegetation and scrub must be left around the periphery of the site (as shown shaded green on proposed site plan 2055-07 Rev F) to create graded edge habitat into the dense scrub and woodland habits that form the site boundary with the SNCI.

Reason: To minimise risk to reptiles and to create a movement corridor in accordance with Policy DM4

- (9) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development in accordance with Policy CS6 of the Core Strategy (2007).

- (10) No development shall take place until details and location of the installation of bat and bird boxes to enhance the biodiversity interest of the site have been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

Reason: To enhance biodiversity and nature habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (11) No development, demolition pursuant to the permission granted, or alterations to buildings, shall take place until details indicating how suitable provision will be made for protected species and their habitats have been submitted to and approved by the Local Planning Authority in writing and such provision shall be made before development commences and thereafter be retained and maintained in accordance with the approved details.**

Reason: To safeguard the ecology and biodiversity of the area in accordance with policy DM4 of the Development Management Policies 2015.

- (12) The development hereby approved shall be carried out in accordance with the protection, mitigation and enhancement measures detailed in the ecological assessment prepared by the Surrey Wildlife Trust, dated June 2016 prior to the first occupation of the development. The approved measures shall thereafter be maintained in perpetuity.**

Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (13) The occupation of the dwellings/accommodation hereby permitted shall be limited to a person solely or mainly working in the training/keeping/breeding of horses.**

Reason: The site is in an area where residential development would not normally be permitted and permission is only granted because of the essential needs of a bona fide established equestrian enterprise, and to protect the openness of the Metropolitan Green Belt in accordance with Policies CS2 and CS5 of the Core Strategy 2007 and Policies DM10 and DM26 of the Development Management Policies 2015.

- (14) The landscaping shall be carried out in accordance with the landscape strategy proposals detailed on page 10 and 11 in the Landscape Strategy prepared by Design with Nature, dated January 2018 prior to the first occupation of the development. The approved measures shall thereafter be maintained in perpetuity.**

Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (15) No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of**

works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (16) No development shall take place until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (17) No development shall commence until a Construction Transport Management Plan, to include

details of:

(a) parking for vehicles of site personnel, operatives and visitors

(b) programme of works (including measures for any traffic management

(c) HGV deliveries and hours of operation

(d) vehicle routing

(e) measures to prevent the deposit of materials on the highway

(f) no HGV movements to or from the site shall take place between the hours of 8.10 and 9.10 am and 15.15 and 16.15 pm nor shall the contractor permit any HGVs associated with the

development at the site to be laid up, waiting, in Langley Vale Road, B290 Ashley Road and Rosebery Road during these times (g) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (18) The development hereby approved shall not be first occupied / opened for trading unless and until the following facilities have been provided in accordance with the approved plans for:**

(a) The secure and covered parking of bicycles within the development site

(b) Provision of Electric Vehicle Charge Point on the development site, as part of the increased parking being sought

(c) Information to be provided to staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling routes

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable transport modes In accordance with Section 9 “Promoting Sustainable Transport “ in the National Planning Policy Framework 2018

- (19) No development shall take place, including demolition, until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.**

Reason: The site is of archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development as required by Policy DM8 of the Development Management Policy Document 2018

- (20) No construction work shall be carried out in such a manner as to be audible at the site boundary before 08.00 hours or after 18:00 hours Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.**

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.

Informatives:

- (1)** In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- (2)** This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development.

You will receive more information regarding the CIL in due course.

More information and the charging schedule are available online:

<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14,frameless.htm?NRMODE=Published>

- (3)** Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
- (4)** The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (5)** The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

- (6) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage**