EG/90/05 & AL/112/05

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	New stable complex and lorry park, new public house/restaurant and 40 bed hotel with associated car parking and landscaping Fontwell Park Racecourse, Fontwell Avenue, Fontwell

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is to construct a new public house/restaurant, a 40-bed hotel and to provide a new modern complex of stabling facilities with new lorry park adjacent. The new stable complex would comprise 90 stables with in addition 4no. bedding stores, 4no. wash down areas, 4no. wash down boxes, 24no. tack/kit lockers, muck store, a groundsman's store, a canteen male and female toilets. A veterinary treatment facility is also proposed and a security office would be provided adjacent to the entrance to the stabling complex. All stables would be single storey in height. It is essential that a new lorry park is provided adjacent to the new stables so that horses may be securely and safely loaded and unloaded. The lorry park would not require a hard surface but the existing grass would be retained. The public house would be a "Vintage Inn" which would be 2 storey in height at the front with single storey at the rear. Its design would incorporate a mixture of materials including reclaimed bricks, painted render and weatherboard cladding with a thatched and pantile roof. The hotel would be 2 storeys in height although with the eaves line lowered to be in line with the centre of the first floor windows. A variety of materials would be used including render, brick and cladding with a pantile roof.
SITE AREA	1.6 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	Existing mature trees to the northern boundary and along boundary with Fontwell Avenue.
BOUNDARY TREATMENT	Mainly trees and shrubs with low fencing.
SITE CHARACTERISTICS	Fontwell Park Racecourse. The proposed public house/hotel is at the northern end of the site which is presently used as a lorry park and by some of the existing stabling facilities. The site is largely open with grass and loose gravel surfaces. The proposed stables and lorry park area is mainly a grassed area used for car parking.
CHARACTER OF LOCALITY	The site lies within a rural area although there are some residences at the south east corner of the racecourse on the other side of Fontwell Avenue. The site is bounded by the A29 to the east and the A27 trunk road to the north. Fontwell Village lies to the north east.

EG/90/05 & AL/112/05

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	There is an extensive history of planning applications relating to this site, the most recent being:	
AL/69/03	New access from Fontwell Avenue.	Approved Conditionally 8/1/04
EG/104/04	Single storey side extension and conservatory to owners/trainers bar.	Approved Conditionally 3/12/04
EG/53/05	Extension to garden bar. 20m x 20m marquee.	Approved Conditionally 15/8/05

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldingbourne Parish Council	Objects as contrary to the Development Plan and would increase number of vehicles using the access onto A29, close to the Fontwell roundabout, and would be detrimental to road safety.
Eastergate Parish Council	Supports application but has the following reservations: • concerned with accuracy of traffic flows data but realise Highways Agency and County Highways will comment on this. • there has been an increase in the number of music concerts held in recent months which generate noise complaints. • there are now open air cinema events to be held. • applicant's use 55 bus service as sustainability support reason. The bus service has been withdrawn. The Parish Council does not object to the hotel, public house and the improvements to racecourse stabling facilities but object to other unneighbourly events that are noise generating, in particular open air amplified music events.
Other Groups	None
2 letters of objection	• No need for new pub/restaurant, hotel or extra parking. • Would be detrimental increase in traffic • Unneighbourly to existing residents. • Late night noise.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Planning Officer	Awaited
County Highways	No objections subject to improved facilities for pedestrians crossing A29.
Highways Agency	No objection - It is considered that the additional traffic and therefore the likely impact of the development particularly during the AM peak [worst peak] scenario is likely to be comparatively minimal.

EG/90/05 & AL/112/05

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Environment Agency	No objections in principle.
Southern Water	No objection in principle. No development or tree planting should be within 3 metres of the public sewer. All existing infrastructure should be protected during the course of construction works.
Police	No comment
Environmental Health	No comments
Landscapes	Awaited
Economic Regeneration	Awaited

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Class 'A' Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC2, NE8, NE12, NE17, CH1, DEV1
Arun District Local Plan : GEN1, GEN3, GEN4, GEN7, GEN9, GEN32, DEV35, DEV8

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas
PPG13 - Transport
PPG21 - Tourism
PPG24 - Planning and Noise

POLICY COMMENTARY

The above policies combine to give the development control criteria against which applications of this nature will be judged. The application was advertised as a Departure from the Development Plan as it is new buildings outside the built up area. However, it could be argued that as the planning unit is a Use Class D2 racecourse that these proposed uses are ancillary to the main use and are complimentary.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

No objections have been raised to the proposals on highway safety grounds by the appropriate highway agencies. It is not considered that there will be any adverse effect on the visual or residential amenities of neighbours. The nearest neighbours are a considerable distance away. Environmental Health have no objections to the proposal on the grounds of noise. The other uses carried out on the

EG/90/05 & AL/112/05

COMMENT ON REPRESENTATIONS RECEIVED

site like pop concerts/drive-in movies are within the same Use Class and do not require planning permission. It would be unreasonable from a planning point of view to restrict these uses continuing at the site.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that the proposals for the public house and hotel are new buildings in the countryside and do not conform with policy GEN3 of the Arun District Local Plan. The proposal for the stables and lorry park are not considered to conflict with policy.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. The racecourse is a Use Class D2 use and it is not unusual to have associated/ancillary facilities of bars and accommodation. In fact, there are already a number of bars on the site. The proposals could be all related to the use of the site which is for leisure/tourism purposes.

CONCLUSIONS

The site lies outside the built up area as defined in the Arun District Local Plan where new buildings are not usually permitted unless they are for agriculture/forestry purposes.

However, policy DEV35 indicates that new tourism development for appropriate small scale extensions to existing facilities which do not detract from the character of their surroundings may be permitted. Policy DEV8 also indicates that planning permission may be granted outside the built up area to local firms subject to a number of criteria.

The proposals for the public house and hotel can be considered as being ancillary to the main use of the site as a racecourse and complimentary facilities. The design of the public house is varied in its use of materials, and is similar to that constructed at the Oystercatcher at Climping. The hotel has been redesigned to compliment the public house and also be more in keeping with the character of the rural area.

The existing stables do not meet the Jockey Club standards and if new stables are not constructed by May 2006 Fontwell Park will not be licensed to hold race meetings. The new stable complex is acceptable in visual terms and will not adversely effect the character of the area. The existing stable complex and lorry park is also poorly located within Fontwell Park so that horses, jockeys and horse related traffic, including frequent lorry movements on race days, compromises the safety of race-goers using the car park area.

It is therefore recommended that the application be approved subject to the conditions set out overleaf.

EASTERGATE EG/90/05/

New stable complex and lorry park, new public house/restaurant and 40 bed hotel with associated car parking and landscaping (Departure from Development Plan) & DUAL PARISH with AL/112/05

Fontwell Park Racecourse
Fontwell Avenue
Fontwell

RECOMMENDATION

Approve Conditions

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason:To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 The buildings shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

EASTERGATE EG/90/05/

4 The use of any land for car parking shall not be commenced until it has been laid out, surfaced and drained and such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

5 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

7 No development shall be carried out until all buildings and structures existing on the application site and indicated to be demolished on the submitted plans have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

8 The development shall not proceed until details of the proposed surface water drainage and means of disposal have been submitted and approved by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN9 of the Arun District Local Plan.

9 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings susceptable to oil contamination shall be passed through an oil seperator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor. On going maintenance of the interceptor shall be provided in accordance with the manufacturers instructions.

Reason: In order to prevent pollution of the water environment in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

10 Only clean uncontaminated roof water shall discharge direct to soakaway via a sealed drainage system (capable of preventing accidental/unauthorised discharge of contaminated liquid into the soakaway) without passing through either trapped gulleys or interceptors.

Reason: In order to prevent pollution of the water environment in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

11 Development shall not be commenced on the public house or hotel until details (including all the necessary calculations) of the diversion of the public sewer crossing the site has been agreed in writing by the local planning authority and these works undertaken.

Reason: To ensure that the proposed development does not affect the capacity of the existing drainage in accordance with policy GEN9 of the Arun District Local Plan.

12 The use of the hotel or public house shall not commence until details of improved pedestrian facilities across the A29 have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details before occupation of the buildings.

Reason: In the interests of pedestrian safety in accordance with policy NE17 of the West Sussex Structure Plan.

13 This permission relates to the original plans and amended plans submitted on 31st October and 8th November and not to all the plans originally submitted.

Reason: For the avoidance of doubt and because the scheme for the hotel as originally submitted was unacceptable to the Local Planning Authority.

14 INFORMATIVE

The applicant should note the following comments from Southern Water :-

No development or new tree planting should be located within 3 metres either side of the centre line of the public sewer.

All existing infrastructure shall be protected during the course of construction works and Southern Water should be informed of these measures.

A formal application for connection to the public sewerage system is required in order to service this development. To intiate a sewer capacity check to identify the appropriate connection point for the development, contact Southern Water's Network Development Team (Wastewater) based in Otterbourne, Hampshire.

REPORT UPDATE

Application No :	EG/90/05 & AL/112/05
Agenda Page No :	134

Reason for the Update/Changes

- Conditions
- Late Considerations

In the Description of Application it is stated that the new lorry park would not require a hard surface. However, the applicants have amended this to a crushed stone finish.

Condition 7 of the Recommendations should be amended to read:-

"No development of the public house or hotel shall be carried out....."

Officer Comment :

Condition 7 is amended in order to allow the existing stables to remain while the new stables are constructed.

Notes : Changes to recommendations, conditions and/or reasons for refusal will always be accompanied by a new replacement recommendation sheet.