

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(5)	19/00225/COMIND Greenham Parish Council.	3 May 2019 (Extended to 3 October 2019)	Erection of a three storey extension to the front elevation of The Lodge to provide additional rooms. Newbury Racecourse, Racecourse Road Newbury Racecourse – Applicant

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00225/COMIND>

Recommendation Summary: **The Head of Development & Planning be authorised to GRANT conditional planning permission subject to completion of a Section 106 legal agreement.**

Ward Member(s): Councillor Phil Barnett
Councillor Billy Drummond
Councillor Erik Pattenden

Reason for Committee determination: The Council has received 10 letters of objection.

Committee Site Visit: 27th June 2019.

Contact Officer Details	
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1. Relevant Site History

09/00971/OUTMAJ: Outline planning permission for redevelopment of racecourse to [inter alia] the new hostel. Permitted April 2010.

11/00723/RESMAJ: Western area - erection of 421 dwellings with associated works and access. Approved October 2011.

11/01505/RESMAJ: Erection of 123 bedroom hotel, hostel, nursery, offices, refurbishment of stables and access. Permitted November 2011.

14/03109/OUTMAJ: Application to vary the original outline consent to allow up to 250 dwellings to be constructed prior to opening of bridge (most recent permission for entire site). Permitted February 2016.

15/03152/COMIND: Change of use of hostel (Sui generis) as a hotel (C1) for up to 305 days per year for a temporary period of up to 3 years. Permitted March 2016.

2. Publicity of Application

Site notice displayed 12 February 2019. Expired 06 March 2019.

3. Consultations and Representations

Greenham Parish Council

Object.

Objection: If extension is allowed GPC are concerned that this would take away any land, available for a community centre, which was part of the original Racecourse planning application.

Newbury Town Council (adjacent Town Council)

Objection / comment: This building was intended as a facility for racing staff on Race Days. This application will more than double its size and result in its full use throughout the year, which will greatly increase the disturbance to the 25 or so local residents located at about 20 metres distant. The 120-bed hotel intended in the Racecourse planning consent, to be located near the Stands and so without these disadvantages, should be respected, and the lodge should not be adopted as a substitute for it. Examples of other dual-function lodges at Racecourses quoted by the applicant (York and Chester) are located remotely from residential accommodation.

Highways

I refer to my previous response dated February 25th 2019 and the response the applicant's agent Catherine Tyler from March 11th 2019 [case officer's note, the email concerned was received 4th March 2019]. I have also viewed objection letters submitted.

As stated previously, pages 6 of the TS provides detail of car parking surveys that were undertaken on October 25th and 26th 2018 that represented conditions on a race day and a non - race day. On a non - race day there is a significant amount of surplus car parking available. However on race days, there is much less of a surplus. The TS then states that should the parking on the grass and gravel areas be managed more efficiently. However I do not consider that this is possible to secure. I am therefore concerned that there will not be sufficient levels of car parking on race days. Can more be done to resolve this issue?

In response, the applicants agent has stated that the “NRC already has a very effective parking management strategy in place, which is managed by a third party contractor and this ensures that available formal and informal parking areas are maximised as necessary...It is important to note that as the car park is managed by NRC, there is some flexibility as to how efficiently the car park is managed (i.e. how close cars park to each other etc), and as noted within the TA, on the race day observed, the current car park has the potential to accommodate up to 310 cars. It is in NRC interest to ensure that parking is managed appropriately and for the parking areas to operate efficiently. The TA notes that the peak demand for parking resulted in the equivalent of 36 vacant spaces on the race day observed. On that basis, a reduction of 16 car parking spaces as a result of the proposed development would still leave capacity for up to 20 vacant spaces available on a race day (which could be utilised if required, through the management of the car park on that day)”.

I consider that a 20 car parking margin is of concern for such a large facility. However there is no evidence to suggest that there will be a shortfall in parking overall or that any shortfall will be extensive enough to raise objection.

The applicant’s agent then discusses sustainability issues and the areas accessibility to the train station, bus services etc. I do concur with this, but I also consider that that the majority of clientele will travel to the hotel by car. However as stated previously, page 13 of the TS details expected traffic levels that will arrive via Hambridge Road only. I have no concerns regarding traffic levels. Little or no increase is expected via Stroud Green. Some clientele could be dropped off near the hotel via Stroud Green, but I think numbers will be limited.

The proposal will need to comply with the Council’s Cycle and Motorcycle Advice and Standards for New Development November 2014. Will the hotel also have electric car charging points?

In conclusion, I have some concerns, but they are not sufficient to raise an objection. Conditions recommended requiring construction method statement, cycle storage, electric charging point details and parking provision.

Environmental Health	No objections. Recommends conditions restricting plant and construction noise and limiting hours of work during construction.
Drainage engineer (SuDS)	Comments awaited pending consideration of additional drainage calculations.
Thames Water	No objections on foul water infrastructure or surface water infrastructure; advise that there are mains crossing the site and building should not be on top of these; no objections on water network capacity.
Archaeologist	No objections.
Public representations	11 letters of objection received to the application. The following

material planning considerations have been raised:

- Overlooking and noise impacts on neighbouring residential properties;
- Increase in levels of noise associated with lodge building;
- Concerns regarding overlooking of nearby children's nursery;
- Increase in traffic movements and parking requirements;
- Concerns regarding the level of available accommodation for stable staff during race meetings;
- Existing consent for a 123 bedroom hotel to the east of the site;
- No sequential assessment of need for 2 hotels on the site in a non town centre location;
- Lack of development of approved 123 bedroom hotel would alter the appearance of the "heart space" of the racecourse development;
- Use is incompatible with residential use;
- Proposed works do not support the racehorse industry so are contrary to Policy CS12.
- High level of hotel accommodation in Newbury town centre;
- Visual impact of car park overflow area;
- Contrary to Policy CS12 as does not support the racehorse industry.

The following matters that are not material planning considerations in this application have also been raised:

- Compliance with racehorse industry rules and standards;
 - Impact of proposed works on property prices;
 - Level of parking provision approved under planning permissions for residential development;
 - No consideration of alternative uses for the lodge building if superfluous to need
- Other matters raised in objections**
- Concerns regarding display of site notice;
 - Application should be determined alongside change of use application

4. Policy Considerations

The following policies and documents are relevant to consideration of this planning application:

Policy

- The National Planning Policy Framework;
- The West Berkshire Local Plan Core Strategy (2006-2026) 2012: Policies ADPP1,ADPP2, CS2, CS5, CS9, CS11, CS12, CS13, CS14
- The West Berkshire District Local Plan (1991-2006) Saved Policies 2007: Policies OVS6, TRANS1
- The West Berkshire Housing Site Allocations Development Plan Document: Policy P1 (Electric car charging points).

Documents

- The West Berkshire Quality Design Supplementary Planning Document (2006), in particular Part 2: Residential Development;
- Sustainable Drainage Systems (SuDS) Supplementary Planning Document (SPD) 2018

5. Description of development.

- 5.1 The application site comprises the present 36 bed hostel stable staff hostel at the Racecourse which was completed a number of years ago. It formed an integral component of one of the principal reserved matters applications pursuant to the original outline consent granted by the Council in 2010 for the comprehensive redevelopment of the whole racecourse site. The hostel building was, until recently operating under a temporary consent (15/03152/COMIND). This use has been retained pending the determination of an accompanying application for permanent change of use of the building to hotel, reference 18/03340/COMIND.
- 5.2 It is important for the Committee to note that another component of that permission was the erection of a 123 bedroom hotel to the east of this application site, adjacent the central residential area, presently under construction. This hotel has not yet been commenced, but remains extant in perpetuity, by reason of the part authorised implementation of the 11/01505/RESMAJ application. At the present time the applicants have elected not to commence the hotel for commercial reasons. As part of the justification for the current proposals to extend the lodge and permanently change its use to hotel the applicant has offered to enter into a legal agreement with the Council preventing the development of the consented 123 bed hotel.
- 5.3 The proposed works are for the erection of a three storey extension to the existing lodge for use to provide 40 additional hotel bedrooms. Parking would be retained in an undercroft area. Access to the site is secured from the recently completed bridge to the east, and non-residential access across the site to the west is now understood to be restricted by the imposition of bollards in this location.

6. Consideration of the scheme.

The following matters are relevant to the consideration of this application:

- Principle of development;
- Design and impact on the character and appearance of the surrounding area;
- The impact on neighbouring residential amenity;
- Parking provision and traffic impacts;
- Drainage and Sustainable Drainage

6.1 Principle of change of use

- 6.1.1 Matters of the principle of the use of the site to provide hotel accommodation have been discussed in detail in the accompanying report for planning permission 18/03340/COMIND, and it is not considered necessary to re-iterate this discussion for the current report. The matters of principle to be discussed herein are the use of the land for development of an extension and the increase in number of bedrooms. In this respect your officer notes that the site falls within land in use for existing commercial purposes associated with leisure and tourism. As such the principle of further commercial development of the site is considered by officers to be acceptable for purposes of supporting these commercial uses. It is noted that objections have raised concerns in respect of the contribution made to the racehorse industry. However, officers consider that the racehorse industry as it is present at Newbury racecourse must be supported by a range of ancillary businesses. This justification was accepted in granting permission for a 123 bedroom hotel on the site, and remains the case under the present application. The same arguments in respect of seeking to prevent an overprovision of hotel accommodation that relate to the application for permanent change of use of the lodge also relate to this application, and it is officer's view that in the absence of a sequential test to demonstrate the level of need for hotel accommodation it is appropriate to secure a section 106 legal agreement or other suitable measures that prohibit development of the previously approved 123 bedroom hotel. Subject to such an

agreement being reached, the level of provision proposed in both this application for extensions and the accompanying application for change of use falls considerably below the level of extant, consented hotel accommodation, and with the “fall-back” position of the extant consent in place officers consider that the level of provision is acceptable in principle.

6.2 Design and impact on the character and appearance of the surrounding area

6.2.1 The application site falls within the existing apron of development within Newbury racecourse. A mixture of uses surround the site, including both commercial uses and residential uses. The land proposed for development of the extension currently forms part of the overspill parking area, and has little visual amenity. The existing lodge building, although typical for modern commercial development, is of an attractive design that is in keeping with nearby built form both in terms of character of elevation and choice of materials. The proposed works have been designed with an eye to visual continuity, borrowing from the elevations of the existing building in terms of design and detail to bring about a visually sympathetic and consistent extension. While having a substantial footprint the proposed works will sit within a complex consisting of similarly large buildings, and within the open area of the existing car park where its visual imposition will be subsumed into its backdrop. It is therefore your officer’s view that the proposed works will provide a high quality and sympathetic design in keeping with the pattern and character of surrounding built form, consistent with the requirements of Policies CS14 and CS19 and the NPPF.

6.3 The impact on neighbouring residential amenity

6.3.1 Objections to this application raise concerns with the use of the building as a hotel and its impact on nearby residential properties to the south. While the proposed works are located such as to raise no significant concern in respect of overlooking impacts on the amenity of nearby residential occupants, concerns arising from noise regarding the increased use of the site are noted. Nevertheless, this is a commercial site which is focussed around business within the horseracing industry, including its leisure and tourism aspects, under which such associated activities might be expected to emerge as part of the ongoing development of the site. Location of hotel accommodation alongside residential is not uncommon and the two uses are generally considered compatible in planning terms, subject to sufficient controls being imposed on the hotel use. In this case it is noted that the concerns relating to noise relate principally to the existing aspects of the lodge, with the proposed extension located further away from the residential development to the south. The environmental health officer has considered both this and the accompanying application for change of use and has recommended, inter alia, a noise management plan be provided for the lodge to administer in terms of those activities that might reasonably be expected to cause disruption to residential amenity. While it is noted that concerns are raised in respect of antisocial behaviour, this is not a planning matter and could as easily be associated with residential as hotel development. However, management of guests in terms of use of the outside areas of the lodge, for example, is a reasonable expectation in terms of addressing identified noise. Other controls are recommended on the change of use permission in respect of external lighting on the site, and those are considered to relate to the lodge in particular so are not recommended on this application. However, controls on construction noise and plant such as air conditioning are reasonable to impose in the interests of amenity of nearby occupants.

6.3.2 Objections note concerns with respect to the orientation and proximity of the exterior areas of the Rocking Horse Nursery to the proposed hotel extension. Officers note that in respect of security the nursery has raised no objection to this application. Neither is the relationship a particularly close one, with the proposed extension more than 50 metres from the rear fence of the nursery. Furthermore, the proposed works would be a greater distance from the exterior areas of the nursery than a number of north facing windows in the existing

lodge, which has been in use as a hotel for the last 3 years. In light of these considerations officers are not of the view that the proposed extensions would be located such as to raise significant concerns in respect of security.

6.4 Parking provision and traffic impacts

6.4.1 The highways officer has made a comprehensive review of the proposed works. While he has stated that the increase in use of the hotel raises some concerns in respect of the increase in parking need, he has nevertheless concluded that the site can accommodate a sufficient level of parking and that the proposed works will not result in such a level of increase in traffic as to result in any detrimental impact on the local highways network.

6.5 Drainage and SuDS

6.5.1 At the time of writing the drainage engineer was in the process of considering additional drainage calculations to inform design of drainage and SuDS for the site. It is anticipated, without prejudice to any objection subsequently lodged, that the site is capable of providing adequate drainage and mitigation through appropriately designed sustainable drainage measures. However, an update will be provided to the Committee on the update sheet following receipt of further comments from the drainage officer.

6.5.2 It is noted that Thames Water have raised concerns regarding the location of drainage mains on the site. It is considered likely by officers that these relate to the access rather than the area proposed for the extension. However, this is an impact that the developer will need to investigate and address prior to commencement of development and is a matter of concern for the developer and statutory undertaker to address rather than being the proper remit of planning. If planning permission is granted but practical construction concerns prevent development from being undertaken this is a matter outside of planning control.

6.6 Other matters

6.6.1 Community centre

Greenham Parish Council have raised concerns in respect of a community centre originally proposed as part of the outline permission for the racecourse development for this location. However, officers note that subsequent permissions including the most recent permissions for the site include this land as car parking and do not show a community centre building in this location. Should such a building be proposed in the future there are alternative locations (such as that of the extant hotel consent where it could be located).

6.6.2 Publicity

Concerns were raised in one objection with respect to the site notice for this application. Your officer confirms that he conducted a visit to the site on the 12th February 2019 at which time a site notice was posted on a lamp post adjacent to the car park access. This had an expiry date of 6th March 2019.

7. Conclusion.

7.1 The proposed works are considered to allow new hotel accommodation in an existing commercial site and in a location that would relate it well to existing and surrounding built form. The works are considered to be of a type and nature that would support the leisure and tourism aspect of the racecourse business, and subject to the extant consent for the 123 bedroom hotel being agreed not to be developed and this being secured via a section

106 legal agreement, are considered to be of an amount that would be consistent with the likely level of commercial justification. Such associated impacts on neighbouring amenity and parking and traffic generation are considered to be adequately addressed by the recommended conditions and consequently officers support this planning application.

8. Recommendation.

The Head of Development & Planning be authorised to GRANT planning Permission, subject to the conditions set out at section 8.1 below and to an acceptable section 106 legal agreement or other means of securing that the 123 bedroom hotel consent is not constructed being agreed by officers.

OR

In the event that a section 106 agreement or other means of securing that the 123 bedroom hotel consent is not constructed is not agreed within 3 months of the date of the Committee resolution or such other period as to be agreed by the Development Control Manager, that the Head of Development & Planning be authorised to REFUSE planning permission for the reason set out at section 8.2 below.

8.1 CONDITIONS.

1. Three years for commencement

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 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. Approved drawings

The development hereby approved shall take place in accordance with the following approved drawings:
SK20, SK23, SK27, SK28, SK29, SK30, SK33, SK34, SK35, SK36, SK37.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Materials

The external materials to be used in the approved extensions shall match those used in the existing lodge and shown on the approved drawings.

Reason: In the interests of visual amenity in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

4. Construction management plan

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development

- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (if any)
- (e) Wheel washing facilities
- (f) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (g) HGV haul routes
- (h) the control of noise
- (i) the control of dust, smell and other effluvia;
- (j) the proposed method of piling for foundations (if any);
- (k) hours during the construction when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policies OVS6 and TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5. Parking in accordance with drawings

The development hereby approved shall not be occupied until the parking has been provided in accordance with the approved drawings. The parking area shall thereafter be retained and kept available for the parking of motor vehicles.

Reason: In order to ensure that the site is provided with sufficient parking in accordance with the NPPF, Policies CS13 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy TRANS1 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

6. Cycle storage

The development hereby approved shall not be occupied until details of motorcycle parking and cycle storage to be provided on the site have been submitted and approved under a formal discharge of conditions application. The development shall not be occupied until the motorcycle parking and cycle storage have been provided in accordance with the approved details. The motorcycle parking and cycle storage shall be retained and kept available for the parking of cycles and motorcycles thereafter.

Reason: To ensure that the site is provided with sufficient storage for cycles and motorcycles to reduce reliance on the private motor car in accordance with the NPPF and Policies CS13 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

7. Electric vehicle charging points

The approved extensions shall not be occupied until details of electric vehicle charging points have been submitted and approved under a formal discharge of conditions application. The electric charging points shall be installed in accordance with the approved details and shall be retained for charging electric vehicles thereafter.

Reason: In order to facilitate the increased use of electric vehicles in order to reduce reliance on other fuel sources and in order to provide a sustainable form of development in accordance with the requirements of the NPPF and Policy P1 of the West Berkshire Housing Site Allocations DPD (2017).

8. BREEAM

The extension hereby approved shall not be taken into use until a post construction review demonstrating that the extension has achieved a BREEAM “Excellent” standard of construction has been submitted and approved under a formal discharge of conditions application.

Reason: In order to meet with the requirement for sustainable construction in accordance with the NPPF and Policies CS14 and CS15 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

9. Hours of construction work

No work relating to the development hereby approved, including works of preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or public holiday.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

10. Noise from mechanical plant

The sound rating level (established in accordance with BS4142:2014) of any plant, machinery and equipment installed or operated in connection with this permission, shall not exceed, at any time, the prevailing background sound level at the nearest residential or noise sensitive property.

Reason: In the interests of amenity of residential occupants and hotel guests in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

11. Drainage/SuDS

To be confirmed on update sheet following receipt of drainage officer’s comments.

8.2 Refusal reason

The application is not accompanied by sufficient information or a sequential test to demonstrate that it would result in provision of hotel accommodation (a town centre use) in an appropriate location and at a justified amount. Furthermore, due to the extant consent for a 123 bedroom hotel on the racecourse site the proposed works would result in an over-provision of hotel accommodation in this location without justification of local need. The proposed works are therefore contrary to the requirements of paragraph 84 of the National Planning Policy Framework and Policy CS9 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012, requiring that proposals for new business development should not conflict with existing uses.