

Our Ref: 3248

Your Ref: 18/01435/OUM

Mr Andrew Phillips
Planning Team Leader
East Cambridgeshire District Council
The Grange
Nutholt Lane
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CB7 4EE

18th July 2019

Application 18/01435/OUM - Land East of Clare House Stables, Stetchworth Road, Dullingham. Proposal for up to 41 new homes to include 12 new affordable dwellings, 250sqm commercial units (Class B1a office, Class D1 community uses), accessible bungalows, over 55's bungalows and public open spaces with public footpaths/cycle ways

Dear Mr Phillips,

On behalf of our client, Dullingham Parish Council, we write regarding the above planning application.

The Parish Council have already objected to the application and their comments contained within the responses dated 2th November 2018 and 17th December 2018 still remain valid considerations.

The parish council have considered the Horse Racing Industry Impact Assessment by Lichfields regarding the impact this development would have on the horse racing industry (HRI) and find it fails to address a number of points. Consequently, it has not been demonstrated that the proposed development is unlikely to result in an adverse impact on the long term viability of the HRI as a whole.

Policy EMP6 of ECLP recognises the importance of the HRI to the local economy, and states that it is important that development does not have an adverse impact on the industry. Development which harms the long-term viability of operational studs and other racing facilities, or the racing industry as a whole, will be resisted.

Equine development is broadly supported in the development plan however paragraph 5.6.3 of ECLP notes that wherever possible existing buildings should be re-used to avoid the cumulative impact of horse-related activities and associated buildings as this can have an adverse impact on the character and appearance of rural areas.

The loss of existing equine development to other uses should therefore be accompanied by robust evidence to demonstrate that an existing site is no longer viable. The submitted information is not considered to sufficiently demonstrate the site is no longer viable for equine use, as such the proposal fails to comply with Policy EMP6 of the East Cambridgeshire Local Plan (ECLP) therefore it should be refused.

The parish council wish to address matters of concern in relation to the Lichfields report which, where possible, are set out below in the order presented within the report.



Paragraph 2.3 and 2.4 - The table provided and the supporting comments provide clear evidence that the site is entirely viable for a number of different uses supporting the key equine industry in the local area as well as nationally and internationally. The parish council are of the understanding that the site was also used after 2003 until approximately 2008 as a breaking and pre training yard. There is no mention of this in the report.

Since 2008 the site has not been used commercially. The parish council believe there is clear demand for equine development and facilities that support the HRI in the locality and therefore fail to understand how this site cannot be viable. The illustration at figure 2.1 clearly demonstrates how the land operated for many years as a viable working yard seemingly up to 2008. No evidence is submitted with the report to explain why the site ceased its commercial operations and no evidence has been submitted to demonstrate it was no longer viable as a commercial interest. It is understood the current tenants are private and have been leasing the site since 2014. The report does not include any evidence of commercial marketing prior to the tenancy to demonstrate it is no longer a viable as a commercial operation.

Paragraph 2.5 - The parish council consider the current use should be given limited weight bearing in mind the occupants are tenants for private equine use of the land.

Paragraph 2.9 - As is quite clear from the history provided the site is currently in private use but it was clearly, as the report highlights, formerly used commercially for many years and there do not appear to be any viability grounds to prevent its future use as a facility to support the HRI.

Paragraph 3.1 - The report does not provide any evidence to demonstrate the site was purchased in 2008 with the intention of continuing the commercial use. As is demonstrated by the Lichfields report the site was purchased in 2008 and remained vacant until the current tenancy began in 2014. What was the reason for purchasing a viable commercial operation and allowing it to decline for 6 years?

Paragraph 3.10 - The parish council question the content of the report. To compare the site with those within Newmarket and the pre-eminent studs and other yards displays a lack of understanding of the industry, its component parts and divisions. Many industries are made up from specialists working to different scales and specialisations but this does not make any of them less important, they have to be seen as a whole.

To suggest that needs can be met by a reduced number of establishments' takes no account of the costs and/or charges, available capacity and as was seen with the equine flu outbreak the need for diversification and separation of businesses for disease control.

Paragraph 3.15.1 - The site on land East of Brinkley Road, Dullingham was approved on 16th May 2019 and allowed because of a shortfall of suitable HRI sites. The application was assessed on the basis that the submission information demonstrated the potential business enterprise, which included the construction of 20 stables and associated ancillary buildings, is likely to be successful and would support the existing equine and HRI. This clearly shows that the loss of Clare House Stables will likely have an adverse impact on the industry as whole as there is a clear demand for such facilities in the area to the extent that new business are flourishing.

Paragraph 3.25.1. The land has not been in HRI use since 2008 - however the Lichfields report does not fully explain why it has not been in use since this time and does not demonstrate the business was unviable and could not continue as a HRI facility from 2008 to date.

Paragraph 3.25.3. If the site could, theoretically, revert to a HRI facility with more land than other HRI developments in the area, the application should be accompanied by marketing evidence to demonstrate it is no longer a viable proposition. Paragraph 5.6.3 of ECLP refers to equine development and states:

“Wherever possible existing buildings should be reused”

Paragraph 3.25.6. This cannot be assumed to be the case as facilities are sometimes shared between different places if one is lacking in space.



Paragraph 3.26 - This loss of the site is adding to the lack of available facilities and reducing business and employment opportunities in a growing and vital industry. Clearly this is the case given the recently approved development for new stables and facilities at Brinkley Road.

Section 4 - The Lichfields report states in a number of areas how the HRI grew until 2008 and then, following a short decline, has shown continued growth. It should be noted that, while no direct link is made in the report, this is the time that Clare House discontinued operations following its purchase.

The parish council agree that the industry has and hopefully will continue to grow, but it is not possible to show the extra benefit that could be made had Clare House been operational since 2008.

Paragraph 4.17 - The fact that the industry is growing serves to demonstrate exactly why this development should be prevented as this facility could and should play a key part in the local economy.

Paragraph 4.18 - The existence of another business expanding is no justification for the development of Clare House Stables for housing, on the contrary it clearly demonstrates the viability of facilities related to the HRI and shows clearly why this site should be retained.

Paragraph 4.19-22 - Again the Lichfield report is quite clear that this is a thriving industry which is critical to the local economy in particular and could provide direct employment and support other related industry.

Paragraph 4.23-25 - The Lichfield report does indeed clearly show the importance of the HRI in the local economy hence the need to include a safeguarding policy within all past and current local plans.

The report goes on to state how the remaining part of the site could still be used in the HRI. This simply reinforces the fundamental recognition of the importance and potential viability of this site for use within the HRI.

For the reasons outlined above the Lichfield report does not demonstrate that the proposed development is unlikely to have an adverse impact on the operational use of an existing site within the HRI because:

- Whilst the site has been vacant since 2008 no evidence has been submitted to demonstrate the site is no longer viable for use in the HRI;
- No evidence has been submitted to demonstrate the site has been marketed for use in the HRI over the period of time between 2008 to 2014;
- No evidence has been submitted to demonstrate there is an oversupply of HRI facilities within the locality as such the Clare House stables would be unviable;

The applicant has failed to demonstrate the proposed development would not have an adverse impact on the long-term viability of operational studs and other racing facilities, or the racing industry as a whole.

The application is therefore contrary to Policy DMP6 of the East Cambridgeshire Local Plan and should be refused.

National Planning Policy Framework paragraph 11 explains at sub-paragraph d) that where a local authority cannot demonstrate a five year supply of deliverable housing sites, as is the case in East Cambridgeshire, those local policies which are most important for determining applications for housing development are deemed 'out of date' and planning permission is to be granted for housing proposals unless



i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Given the above, the limited benefits of the does not significantly and demonstrably outweigh this harm.

I trust the above comments will be taken into account and that you will inform me of the likely recommendation in due course.

Yours sincerely

FOR AND ON BEHALF OF WOODS HARDWICK PLANNING

Samantha Boyd MSc MRTPI
Associate

