
MAIN CASE

Proposal: New access road.

Location: Hope Hall Hope Hall Stud Brinkley Road Dullingham Newmarket Suffolk

Applicant: Mr & Mrs S Dudley

Agent: Januarys Consultant

Reference No: 11/00192/FUL

Case Officer: Lucie Turnell

Parish: Dullingham
Ward: Dullingham Villages
Ward Councillor/s: Councillor Anthea Davidson

Date Received: 24 February 2011 Expiry Date: 21 April 2011

[K328]

1.0 EXECUTIVE SUMMARY

- 1.1 This application seeks consent for the creation of an access from Dullingham Ley to provide a second vehicular access to Hope Hall Stud. The Highways Authority has recommended minor amendments to the access arrangement and the provision of passing places in order to make the scheme acceptable. These improvements have been agreed by the applicant.
- 1.2 The application is recommended for approval.
- 1.3 A site visit has been arranged for 11:40am prior to the meeting.**

2.0 THE APPLICATION

- 2.1 The stud is currently served by one vehicular access from Brinkley Road. The proposal is to create a second access to the east of the site from Dullingham Ley to serve the 'secure working stud operations' with the residents and clients continuing to use the Brinkley Road entrance. The access would be 6m wide for a distance of 18m to accommodate an HGV clear of the main road whilst waiting in front of the security gates.

3.0 **THE APPLICANT'S CASE**

3.1 The applicant's case is presented within the Supporting Planning Statement dated Feb 2011 and Rutherfords Highway Statement dated Feb 2011. Both documents can be viewed in the case file or online via the following link [11/00192/FUL | New access road. | Hope Hall Hope Hall Stud Brinkley Road Dullingham Newmarket Suffolk CB8 9UW](#)

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The site lies to the south of Dullingham, in an area defined as open countryside.

4.2 The proposed access is to the east of the site at Dullingham Ley, which is a minor road. There has been an access at this point used by farm vehicles serving fields on the eastern side of the applicant's land holding, up until 2003.

5.0 **PLANNING HISTORY**

5.1

90/00827/OUT	NEW STUD FARM	Approved	2000
02/01097/FUL	Variation of conditions 1 and removal of condition 2 of planning permission E/0827/90/O	Approved	15.04.2003
02/01098/RMA	Racehorse stud farm & 4No dwellings	Approved	28.04.2003

6.0 **REPLIES TO CONSULTATIONS**

6.1 Highways – Dullingham Ley is a minor road, which in general, is too narrow to allow 2 vehicles to pass. The road is required to be improved between the proposed access and the junction with Stetchworth Road to make the proposal acceptable.

6.2 Neighbours – A site notice has been displayed and 23 letters of representations have been received from 18 addresses. Copies of the letters can be viewed in the casefile and at the committee meeting. In summary, the following points have been raised; -:

- The first application was granted with no access allowed from Dullingham Ley;
- Only certain parts of the road are capable of allowing 2 cars to pass;
- Increasingly concerned about the volume of traffic;
- Significant impact on the whole village:
- Increased heavy traffic to the detriment of pedestrians/cyclists;
- Query the width of the road as described by Rutherfords;
- Access required to divert HGV traffic away from the owner's front door.
- Road is already in poor condition
- Horse boxes etc passing the school would be a hazard

- Passing bays would need to be large and frequent to solve the problem
- Lane used for walking, cycling and riding, often by children
- Lane is treacherous in winter
- Inconvenient to residents when road is blocked
- Verges already being used for traffic

- 6.3 Ward Councillor – Hope Hall Stud had asked for an access onto this lane in the original application and this was refused due to the unsuitability of this lane. Nothing has changed since and so assume the recommendation on this application will again be to refuse.
- 6.4 Dullingham Parish Council – Recommends refusal for the following reasons: -
- Dullingham Ley is not wide enough or strong enough to take the increases and type of traffic that is proposed
 - Winter weather conditions have and will make access to this site more restricted than the alternative existing point
 - A second access will reduce security
 - A condition of planning prohibits the building of a second access point
- 6.5 Stetchworth Parish Council – Asks that in determining the application consideration is given of the effect that the approval would have on the neighbouring parishes.
- 6.6 Rights of Way & Access Team – Concern that the new vehicular access would join the vehicular highway adjacent to Public Footpath no 9. The applicant should be aware of the points of law. If approved, it should be subject to adequate segregation at the shared junction and signage.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 **East Cambridgeshire Core Strategy 2009**

S6 Transport impact

EC7 Horse Racing

8.0 **PLANNING COMMENTS**

- 8.1 The site history dates back to the original outline application in 1990 for which planning permission was finally granted in 2000 following lengthy s106 negotiations.
- 8.2 Initially the application proposed a second access from Dullingham Ley. The Highways Authority did not object to this access but suggested improvements to bring it up to an acceptable standard. However, Members raised concerns and the application was subsequently approved without the second access.
- 8.3 The reserved matters application followed in 2003 and sought to relocate the main stable yard from the centre to the east of the site, adjacent to Dullingham Ley to minimise its visual impact.

- 8.4 The applicant claims that the access is required for the following reasons: -
- Health & safety of horses, if for any reason the single access is blocked;
 - Avoidance of possible accident
 - The single access is not practical due to the relocation of the main stable yard
 - Access through the site is difficult in winter weather
 - Desirable to separate stud traffic from owners
 - Unusual for a stud of this size (40 hectares) to only have 1 access
 - Desire to keep working yard separate from residential area
 - More appropriate for vehicles to enter via a level access rather than steeply sloping ground.
- 8.5 The application has raised a significant amount of local concern due to the potential impact of increased HGV activity in the Ley. Concerns centre mostly on the suitability of the highway, the safety of other highway users, including walkers using the network of footpaths, and the impact on the character of the area and residential amenity. Policy S6 provides guidance with regards to development that generates a transport impact and the key criteria relevant to this proposal states that: -
- Development proposals shall be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality.*
- 8.6 **Impact on the local highway network**
The Planning Statement confirms that it is likely that the maximum level of movement through the new access in the busy season (October to March) would be 8 to 10 movements per day, including staff movements. Heavier vehicles will on average be an every other day or third day during the busiest periods.
- 8.7 The LHA has confirmed that they have no objection to the application from a highway perspective. This is subject to highway improvements including the provision of passing places in two locations (18 Cross Green & 1 Cross Green) and an extension to the junction to serve as an additional passing place. The latest drawing (Drg. RD1049/1b) has been revised to show an acceptable access arrangement and the construction of the passing places would be a condition of consent.
- 8.8 The proposed access is at the point of a former field access that was used up to 2003. Prior to its closure it was used by farm vehicles serving fields on the eastern side of the applicant's land holding. However, the stud gained permission on the basis of no vehicular access off Dullingham Ley, which has remained the position since the stud opened in 2006. Given the comments of the LHA, the proposed improvements, the fact that the site has been used as a previous point of access and the relatively low number of vehicles anticipated to use this route it is considered that there is capacity on the local highway network and that the site can be provided without detriment to highway safety.
- 8.9 **Impact on the amenity, character or appearance of the locality**
The Ley is used for access by other equine enterprises and is therefore an established route for HGVs. This application is not raising the issue of the principle of its suitability for HGVs. The consideration is whether this additional access and subsequent increase in traffic would be so significant to have a detrimental impact on

the character of the area. The number of vehicles appears to be relatively low, as outlined above, and would be concentrated between October to March. The full details are outlined in the applicant's Planning Statement. It is considered that the impact of this number of vehicles, over and above, the existing traffic movements would have little impact on the character of the Ley. The location of the access itself has caused some concern from the Countryside Access Team. The 'disquiet' that has been expressed concerns the potential loss of amenity as the network of footpaths and bridleways include the Ley within that green network. However, as the Ley already accommodates HGVs, it is considered that the same amenity can be retained through careful signage etc, in accordance with their advice, to ensure that Dullingham Ley continues to act as an important link to the public rights of way network.

8.10 Conclusion

The stud was originally approved on the basis that the principle of such equine use was appropriate in this rural location. That premise remains the same in the current Core Strategy, which recognises the location of such facilities in the villages and countryside around Newmarket and the necessity for their support and protection. This stud therefore continues to be considered an appropriate rural activity and it must therefore also be accepted that activities/businesses considered appropriate in rural areas must be allowed to meet their essential operational requirements. There is no reason, neither in terms of impact on the highway nor the amenity/character of the area, to justify refusal of the application.

9.0 **RECOMMENDATION - Approve**

- 1 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 1 REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 2 Prior to the access being brought into use the gate set-back, surface water drainage, access width, radii and widened carriageway to north of the access is to be laid out as per the approved plan.
- 2 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 3 Prior to the access being brought into use, passing places shall be completed at locations A and B as required by the LHA. Construction shall be in accordance with the LHA specification.
- 3 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
4. Prior to the access being brought into use details of adequate segregation at the shared junction and signage are submitted to the LPA for consultation with the LHA and shall be implemented and retained in accordance with the approved plans.

4 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
This casefile and those referred to above.	Lucie Turnell Room No. 011 The Grange Ely	Lucie Turnell Team Leader Development Control 01353 665555 lucie.turnell@eastcambs.gov.uk