

THE RURAL PLANNING --- PRACTICE



**OBJECTION TO PLANNING APPLICATION
SWALCLIFFE PARK EQUESTRIAN – 14/01762**



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1. Introduction

- 1.1. This is the third attempt by Swalcliffe Park Equestrian (SPE) to achieve planning permission for a change of use of agricultural land to a mixed use of agriculture and equestrian for its training and competition activities. This poorly detailed application applies for events and schooling for up to 50 riders on 365 days of the year with larger events of up to 250 riders for 28 days of the year. It is an intensive equestrian use.
- 1.2. This objection is made on behalf of local residents, Mrs Michelle Boycott of Swalcliffe House, Grange Lane, Swalcliffe, Mr and Mrs Marc Vandamme of Partway, Main Street, Swalcliffe, and Mr and Mrs Robin Grimston of Elm Farm, Main Street, Swalcliffe, all of whom live immediately next door to the application site.
- 1.3. This report should be read in conjunction with the separately submitted Transport Critique by Allen Rollings and commentary on legal points by Shoosmiths, Solicitors. Appended to this document at Appendix 1 are the Technical Notes on noise generation dated 14 August 2014 by Walter Beak Mason in relation to the previous application (14/00801) and the Landscape Report by Portus and Whitton (Appendix 2) for the first application (13/01295) which contains useful comments on the landscape character.
- 1.4. The Objectors have tolerated the escalating activities of SPE since increased focus was placed on the site by Richard Taylor in 2010 and thereafter. The contention that the site has been used since "*early to mid-2000*" is incorrect. This point, with supporting aerial photographs, is referred to later. Events with over six hundred competitors over a three day period have included the British Riding Club Championships in 2013 and 2014. These events and other larger events have impacted significantly on the Objectors' and local peoples' amenity in terms of traffic, noise, and general disturbance. At a wider level, SPE activities have an adverse impact on the landscape designated an Area of High Landscape Value and setting of the Conservation Areas of Swalcliffe and Sibford Ferris.
- 1.5. The activities of SPE continue to go on unchecked by the Local Planning Authority (LPA). For example, a gateway and hardened bell mouth providing access to events has been constructed onto Main Street and, despite the LPA inspecting the site and agreeing it was a breach no further action appears to have been taken. Two other accesses, one from Main Street and the other from Grange Lane do not have planning permission either.
- 1.6. This latest application lacks information especially with regard to the use of the site for events. We are at a loss to understand why the LPA will not take its own advice from a specialist in equestrian business.
- 1.7. This Objection provides a summary of points and then considers the Application and Planning Statement paragraph by paragraph.

2. Summary

- The application does not meet planning policies AG5, C7, C8, C10, C13, R2, EN40, and TR7 of the Cherwell Local Plan. Policy EMP 7 and EMP 11 of the Non Statutory Local Plan are breached, as is policy ESD 13 of the emerging Local Plan - Submission. Core Planning Principles and Paragraph 32, 109 and 123 of the National Planning Policy Framework are not met either. The policy is commented upon in more detail later.
- Despite the agent's assertions in Paragraphs 43 and 44 of the Planning Statement, there has been no attempt by the applicants to discuss the current application with the Objectors.
- The Highway Report (Critique) submitted on behalf of the Objectors includes counts relating to the large events taken on three occasions (October 2013, March 2014 and August 2014). The counts show a significant increase in traffic on Main Street with a severe impact on the days when competitions are held. The applicants' Transport Assessment only provides analysis of one event on 21 September 2014 and there is no clear information as to where the counters were placed.
- The increased traffic also impacts on the Village of Tadmerton, Swalcliffe and Sibford Ferris. The proposed lorry routeing is likely to adversely affect Sibford Ferris where the centre of the village is effectively one way as the result of residents' parking.
- The "Vehicle Survey" on page 30 of the Transport Assessment submitted as part of the application is revealing. Is it acceptable in this location for SPE to be accessed by four HGV and sixty four 7.5 ton lorries in a day, plus a thirty six small (3.5 ton) lorries and 170 cars, vans and trailers? Notwithstanding this, Mr Rollings questions at page 15 of his Critique that this figure is not correct and is far too low if the traffic count figures are taken into account.
- The Transport Assessment only analyses the numbers of vehicle movements involved in day to day training and conveniently omits the numbers taking part in events.
- The Transport Assessment is completely incorrect at Page 13 paragraph 8 to say "These riders are largely eventers, therefore will need to be travelling to other venues to train in show jumps and dressage." This statement suggests the engineer does not understand the activities taking place or the sport of eventing. Swalcliffe provides training in show jumping, cross country and dressage. The document also ignores traffic generated by spectators, tractors and trainers.
- There was a highway objection from the Oxfordshire Highways Officer to the previous application 14/00801 based on the frequency of competitions for up to 50 horses which is exactly what is proposed now using the three unauthorized accesses, one of which requires access from Grange Lane.
- The activities of SPE generate noise in an area identified as tranquil. The Walker Beak Mason Report dated 14 August 2014 comments on the impact of an event in August 2014 and makes the point there is significant increase in noise from traffic and tannoy announcements. The applicants' noise report where tannoy announcements, whistles, car horns and traffic noise are identified as "*typical of a rural environment*" is ridiculous.
- The application fails to apply to regularise the permanent jumps including steps, three water complexes, sunken road, ditches and many others, or provide storage for surplus

jumps and equipment and Judges' boxes.

- The jumps and other paraphernalia including the Judges' boxes and the parking of vehicles erode the landscape value of the Ironstone Downs Area of High Landscape Value and setting of Swalcliffe and Sibford Ferris Conservation Areas. No attempt has been made to mitigate this despite the comments of the landscape officer in relation to the previous application where she stated "*I am concerned that this will be the first of a series of applications to extend the use little by little.*"
- The application provides no information on the viability of the existing business and how it will benefit financially from the planning permission.
- The planning documents fail to address how the "*events with under 50 riders*" or "*28 days of larger competitions will be managed*" particularly with reference to parking. These events could include the use of a public address system and trading vans to the detriment of the landscape and amenity of those living nearby.
- There is no physical connection between the equestrian fields and the car park and no physical demarcation between the area for "28 day" use area and the remainder of the site.
- The application potentially allows events or training for up to 50 riders every day of the year as well as the 28 days of "*larger competitions*". The application does not explain whether allocation of days for larger competitions includes setting up and taking down or just the events themselves.
- Many riders have more than one horse so the restriction should be on the number of horses, not riders.

3. The Application Form

- 3.1. The form under the heading "*Description of the Proposal*" claims the change of use has not started **but the application is retrospective**. The site history makes the point most of the existing facility has no planning permission and the attitude of the applicants seems to be that planning law does not apply to them.
- 3.2. Under the heading "*Pedestrian & Vehicle Access, Roads and Rights of Way*" the application is to provide a "*new or altered access from the public highway*". The application deals with the access to the extended car park but fails to address the access for competitions which appears to be the two accesses, already modified without permission, onto Main Street and the unauthorized access from Grange Lane.
- 3.3. The section on "*Vehicle Parking*" does not address the vehicle parking for the events despite the fact it is requesting planning permission for these events.
- 3.4. The section on "*Foul Sewage and Trade Effluent*" does not address the fact, that with the level of access for training and competition, provision of foul drainage will be necessary and it is likely in future that other facilities such as permanent lavatories will be needed.
- 3.5. "*Employment*" - the application does not address why two extra part time staff amounting to less than one full time person will be required, or why five full time staff are already employed. It is assumed this includes members of the Taylor family who also have other business interests.
- 3.6. "*Hours of Opening*" - this question is left unanswered. The last application stated hours of use to be from 8am to 8pm. This omission is most unsatisfactory.

4. Planning Statement
(The numbers cross refer to the annotated paragraphs of the Statement)

Background

- 4.1. Attached as Appendix 3 is an extract from SPE's website headed "*Facility Hire*". The planning history of the site shows that the commercial use of the existing 20 x 60m floodlit outdoor arena has never been granted planning permission. The lunge pen with "Martin Collins" surface has no planning permission and neither does the existing car park.
- 4.2. The cross country course described as "*150 cross country fences varying from 40 centimetres to 1 metre 10 centimetres including ditches, three water complexes, sunken road, steps, banks and a quarry*". Many of these are permanent fences, none of which have planning permission.
- 4.3. These examples illustrate the disdainful view taken by the applicants of the planning process, a view apparently endorsed by the LPA.
- 6** The equestrian activities were not established "*early to mid-2000*". The aerial photographs (2006, 2009 and 2010) attached as Appendix 4 to this statement make the point very clearly. The comment that the land is "*former agricultural land*" is disputed.
- 7** There are three water complexes, not two. The application does not explain the access, location or management of the "*temporary car parking*" for events.
- 8** The reference to "*up to 250 riders*" for the larger events provides no information as to how the events are to be managed.
- 9** The Planning Statement uses an event in June 2012 as an example. This seems perverse after two further season's use.
- 19-20** There is a contradiction here. Paragraph 19 suggests the applicants still propose to rely on Permitted Development Rights.
- 21** The alleged reduction in activity is not substantiated and is not achieved by the submitted planning application which seeks authorisation for a significant increase in numbers.

5. Site Description

- 5.1. The "red line" uses an unidentified boundary on the ground to show land to be used for the larger equestrian events for "*no more than 28 days per annum.*"
 - 5.2. These events are likely to be during the summer so potentially this means a "larger event" every weekend for seven months (based on one event each weekend) or every weekend over 3.5 months if both weekend days are utilised. This is an horrific prospect especially as the application appears to be applying for smaller events of under 50 riders on the shaded area which can take place on an unlimited basis.
- 12** The plans do not show how the permanent car park is linked to the fields for equestrian use.
- 13** The statement refers to Wykham (a house close to the site) but fails to identify the proximity of Parkway, Swalcliffe House and Elm Farm.

6. Application Proposals

14 and 15

The previous application 14/00801 potentially agreed to the schooling activity but required planning applications to cover the events. On the basis Swalcliffe is the responsible operator the agent suggests surely this is a sensible approach and gives the LPA control over events and their frequency and management?

The site is currently used for a lower level of affiliated competition, but it is likely the Taylor Family will wish to grow the business, probably adding higher level competitions. The site as presented is too small for its current and potential future uses.

16 & 17

We contend the applicants knew only too well that the planning permission was required but chose to ignore the point.

22 The access to the expanded car park encourages the use of Grange Lane, a small gated road. The existing car park does not have planning permission.

23 In view of the AHLV landscape designation, landscape proposals should inform part of the application. The LPA is referred to the comments of its Landscape Officer relating to the previous applications and the lack of a detailed planting plan. The cumulative impact of the development including the equestrian paraphernalia and lorry parking is highly unsatisfactory.

**7. Planning Policy
Paragraphs 26-42**

**Cherwell Local Plan (1996)
Saved Policy AG-5 'Development Involving Horses'**

7.1. The policy states:

Proposals for Horse Related Development will normally be permitted provided:

- (i) the proposal would not have an adverse effect on the character and appearance of the countryside;
- (ii) the proposal would not be detrimental to the amenity of neighbouring properties; and
- (iii) the proposal complies with other policies in the plan.

7.2. Whilst acknowledging it is a permissive policy this objection clearly demonstrates that this development does (i) have an adverse effect on the character of the countryside and (ii) is detrimental to the amenity of neighbouring properties and (iii) many other policies in the plan are breached.

7.3. The proposal also conflicts with other policies in the plan which include C8, Sporadic Development in the Countryside and C10 which relates to Scale of Development Compatible with a Rural Location.

7.4. Policy R2 relates to new sporting and recreation facilities in the countryside and makes the point that the "*establishment of such activities should not be detrimental to the rural environment*".

C7 Landscape Conservation and EN40 Conservation Areas

7.5. It is contended that the development harms the topography and character of the landscape. This is also contrary to paragraph 109 of the National Planning Policy Framework. The proposals affect the setting of the Swalcliffe Conservation Area.

7.6. The Portus & Whitton report concluded the equestrian use does impact adversely on the landscape and there is the added damage and cumulative impact of the nearby anaerobic digester. The value of the landscape and its parkland quality has been damaged by the intensification of the equestrian use and its impact on rural tranquility and unspoilt pastoral quality.

7.7. The use, particularly the events, introduces a high level of non-agricultural elements which can be seen from the Bloxham Road near Lodge Farm and from the Gated Road on the edge of Tadmarton Heath. These small lanes are used by walkers and are a key component of the footpath network and the views into the site are extensive.

7.8. The landscape is further eroded by the degraded roadside verges.

7.9. Once again, the proposal for the extension of the car park is without level information, or consideration of the impact on surface drainage which is a problem in this section of Park Lane.

No mitigation is proposed.

C13

7.10. This policy relates to Areas of High Landscape Value and requires careful control of the scale and type of developments to protect the character of the Areas. This is clearly breached.

TR7

7.11. This policy states that development that would regularly attract large commercial vehicles or large numbers of users onto unsuitable minor roads will not normally be permitted. The Transport Statement clearly shows that this policy is breached.

Cherwell Non Statutory Local Plan

7.12. Policy EMP 7 refers to Farm Diversifications and sets out that they:

- (i) Are of a type, size or scale appropriate to their rural location
- (ii) Will not cause harm to the character and appearance of the countryside in terms of its landscape, ecological historic or amenity value
- (iii) Will not involve the permanent loss of best and most versatile land
- (iv) Will not lead to a conflict between established agricultural interests and other land uses
- (v) Reuse existing rural buildings where available
- (vi) Will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.

7.13. This development fails tests (i), (ii), (iv) and (vi) of the policy.

7.14. Policy EMP11 refers specifically to Development Involving Horses and endorses development provided it does not have an adverse effect on the character and appearance of the countryside and that the proposal is not detrimental to the amenity of neighbouring property.

7.15. It is argued that this proposal by SPE fails on both counts.

Emerging Local Plan

- 7.16. Policy ESD13 covers local landscape protection and enhancement. Paragraph B249 lists Ironstone ridges and valleys as a key landform and landscape feature. The policy sets out that proposals will not be permitted if they would:
- (i) "cause undue visual intrusion into the open countryside";
 - (ii) "be inconsistent with local character"; and
 - (iii) "impact on areas judged to have a high level of tranquility".
- 7.17. In response to this (i) no Visual Impact Assessment has been submitted with this application, (ii) it is contended there is significant damage to the landscape and (iii) the proposal impacts unacceptably on an area with a high level of tranquility.

National Planning Policy Framework March 2012 (NPPF)

- 7.18. The NPPF recognises the three pillars of sustainable development, economic, social and environmental. It recognises the intrinsic beauty of the countryside and the need for vibrant communities. In section 3 the NPPF supports economic growth in rural areas to create jobs and prosperity. It also supports farm diversification. It does not support enterprises that detract significantly from the amenity of neighbourhoods.
- 7.19. The Core Planning Principles set out that local people should be able to influence their local surroundings and *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
- 7.20. The proposed development of the site significantly detracts from the amenity of the area.
- 7.21. This particular proposal generates little in the way of extra employment. No business plan is presented to show how this *"diversification"* will enhance Taylor Farm's or SPE's income.
- 7.22. Section 4 of the NPPF which promotes sustainable transport paragraph 32 sets out the requirement for a Transport Statement where significant amounts of movement area proposed. The policy requires *"safe and suitable access to the site can be achieved for all people"*. It is felt that the cumulative impacts of this development have not been properly assessed and the impacts are potentially severe contrary to paragraph 32 of the NPPF.
- 7.23. The lanes in the vicinity of the application site are used for a variety of recreational uses. The proposed car park is too small. The horse related traffic will detract from the enjoyment of the area by users of existing bridle paths, walkers and cyclists.
- 7.24. The proposals conflict with Paragraph 109 of the NPPF which requires that *"the planning system should serve to protect and enhance valued landscapes"*.
- 7.25. The proposals also conflict with Paragraph 123 of the NPPF which states planning decisions should *"protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason"*.

8. Conclusion

- 8.1. The application is woefully inadequate in terms of clarity as to use, or how the competitions are to be managed.
- 8.2. Based on the submitted information the application will allow competition and schooling for a maximum of 50 riders (and probably more horses) for 365 days a year with 28 days of "larger competitions".
- 8.3. The Objectors have taken the trouble to substantiate their objections in terms of noise, traffic and landscape.
- 8.4. The applicants have dealt insufficiently with the highway impact and provided no information about landscape impact.
- 8.5. The proposals impact significantly on the Objectors' amenity.
- 8.6. There is also the cumulative visual and traffic impact of the equestrian use and the anaerobic digester.
- 8.7. The legal points raised by Shoosmiths are of considerable importance.
- 8.8. The application breaches local and national policy and should be refused.

APPENDIX 1

Technical Note

Prepared by: **Matthew Sweet** Date: **14 August 2014**
Project **Swalcliffe Park Equestrian Events** Ref: **4214**
For: **Partway House, Elm Farm, Swalcliffe House Residents** Page: **1 of 13**
Subject: **Noise Levels Observed During Visits on 22 September 2013 and 1 August 2014**

This Technical Note details the findings of measured noise levels and observations during visits to the area around Swalcliffe Park on Sunday 22 September 2013 and Friday 01 August 2014. Details of noise units are presented in Appendix 1 of this Technical Note.

Summary

In September 2013, WBM received instructions to visit the site on Sunday 22 September 2013, to obtain noise measurements at positions near to selected dwellings and to return on Sunday 29 September 2013 to measure noise levels during an equestrian event. Following these visits a Technical Note was prepared (reference 4214, dated 21 October 2013) setting out the findings of these noise surveys.

WBM was approached in July 2014 and requested by Mrs Vandamme of Partway House to undertake a repeat noise survey on Friday 01 August 2014 at the start of the National Riding School 3 Day Event taking place at Swalcliffe Equestrian Centre.

A visit was undertaken on Friday 01 August 2014 between about 07:00 and 12:00 hours and attended sample measurements were undertaken at 6 positions. The measurement positions used were identical or similar to those used for the survey on 22 September 2013. The weather during the survey period was dry, cloudy, 15 to 18°C, with a wind speed of about 1 to 2 m/s at the noise measurement positions and estimated to be from the SW.

The overall impression from the attended measurements on Friday 01 August 2014 was that noise levels due to the activity at Swalcliffe Equestrian Park were increasingly evident throughout the survey. In particular, the use of a site wide tannoy system was clearly audible and intelligible at all of the three dwellings close to the event site.

The noise of the equestrian event was noted as significant at all the dwellings surveyed, especially with regard to the tannoy announcements. The observations and comments taken during the event are notably different to those observations made when no event was taking place. With regard to the measured noise levels, by comparing the levels measured when the equestrian event was occurring with those taken without an event was occurring, it can be seen that for the majority of the measurements the noise levels during the event were higher. In particular the $L_{Aeq,T}$ levels for every measurement with the equestrian event occurring increased by between 1 and 8 dB(A) and the background ($L_{A90,T}$) for every measurement increased by up to 10 dBA over the measured level when there was no event activity.

Friday 01 August 2014 Measured Noise Levels and Observations

The noise survey details are presented in Appendix 2 and the complete results and comments are presented in Appendix 3. The measurement positions are described and shown on plans in Appendix 4. The noise survey results from Friday 01 August 2014 are summarised below.

The measurement positions used for the survey work in September 2013 were adopted for the survey on 01 August 2014, although positions 2 and 8 were moved for the recent survey and these are indicated as 2a and 8a, and no measurements were taken at position 7. For 8a the selected measurement position was in a first floor sitting room rather than in the second floor bedroom. For 2a the selected position was in the rear garden of Partway House close to the dressage activity in the adjacent field, rather than at the front of the house close to the road.

The observations / comments presented below are the noted activity associated with the National Riding School 3 Day Event. Shown in brackets in the table are the levels measured at the appropriate positions for the noise survey on Sunday 22 September 2013 when no equestrian event was taking place.

Measurement Position	Time	dB L _{Aeq,T}	dB L _{Amax,F}	dB L _{A10,T}	dB L _{A90,T}	Observations / Comments Abbreviated from Appendix 3
Position 8a - Elm Farm 1st floor (inside)	07:14 – 07:29	41	59	44	30	Horse boxes arriving. Horse noises. Vehicle movements in field. Brief tannoy system test.
Position 3 - Elm Farm Front Garden	07:37 – 07:52	47 (46)	71 (65)	50 (44)	37 (28)	Horsebox movements. Voices in field. Horse noises. Dog barks. Some activity from horse-shoeing business next door.
Position 5 - Swalcliffe House by courts	08:49 – 09:04	49 (44)	69 (58)	47 (48)	35 (32)	Horse noises. Voices in field. Generator noise in distance.
Position 2a - Partway House in garden	09:22 – 09:37	45	60	48	41	Dressage in field. Voices. Distant tannoy. Horse noises. Applause. Occasional bell or car horn.
Position 5 - Swalcliffe House by courts	09:51 – 10:06	46 (44)	68 (58)	48 (48)	37 (32)	Horse noises. Activity and voices. Tannoy for show-jumping with tone sounding.
Position 6 - Swalcliffe House by patio	10:08 – 10:23	44 (39)	67 (55)	45 (42)	35 (31)	Tannoy clearly audible with voice and tone every 2 minutes. Horse noises. Voices in field.
Position 8a - Elm Farm 1st floor (inside)	10:36 – 10:44	47	64	48	36	Wide area tannoy clearly audible inside dwelling. Announcements for show-jumping.
Position 3 - Elm Farm Front Garden	10:46 – 11:01	47 (46)	64 (65)	50 (44)	38 (28)	Wide area tannoy system loud and clearly distinguishable. Show-jumping announcements. Horse noises. Horse boxes arriving.
Position 1 - Partway House by pool	11:07 – 11:20	45 (37)	58 (54)	48 (40)	39 (32)	Wide area for cross-country racing. Show-jumping announcements. Car horn from dressage arena. Whistles used by cross country judges.
Position 6 - Swalcliffe House by patio	11:37 – 11:52	46 (39)	67 (55)	49 (42)	37 (31)	Commentary for cross country broadcast on site wide tannoy.

By comparing the levels measured on 01 August 2014 when the equestrian event was occurring with those taken on 22 September 2013 when no event was occurring, it can be seen that for the majority of the measurements the noise levels during the event were higher. In particular the $L_{Aeq,T}$ levels for every measurement with the equestrian event occurring increased by between 1 and 8 dB(A) and the background ($L_{A90,T}$) for every measurement increased by up to 10 dBA over the measured level when there was no event activity.

The following table is taken from WBM Technical Note dated 21 October 2013 and sets out the observations and comments made during the survey on Sunday 22 September 2013 when no activity was occurring at the Equestrian Park.

Measurement Location	Time	Observations / Comments
Position 1 - Partway House by pool	10:58-11:13	Distant road traffic, birdsong, slight wind movement in trees, distant farm animals, distant aircraft
Position 2 - Partway House by road	11:16-11:31	Few local vehicles, cars on B4035, bird calls / birdsong, slight wind movement in trees
Position 3 - Elm Farm front lawn	11:40-11:55	Few local cars, distant aircraft, slight wind movement in trees
Position 4 - Elm Farm rear of garage	11:59-12:14	Few cars on local road, distant road traffic, slight wind movement in trees
Position 5 - Swalcliffe House by court	12:25-12:40	Birdsong dominant, slight wind movement in trees, few local cars, distant aircraft and traffic
Position 6 - Swalcliffe House on patio	12:43-12:58	Slight wind movement in trees, light aircraft, distant traffic, birdsong, voices in field

The comments are indicative of the rural nature of the environment, with no significant noise sources noted other than occasional local vehicle movements on the roads. In contrast, the observations made during the equestrian event on Friday 01 August 2014 highlight the added noise sources that the event introduced into the local environment, such as vehicles on the event ground, voices and horse noises, bells and car horns, and announcements and commentary with the site wide tannoy system.

The overall impression from the attended measurements on Friday 01 August 2014 was that noise due to the activity at Swalcliffe Equestrian Park was increasingly evident throughout the survey.

During the initial measurements at positions 8a and 3, the movement of horse boxes on Main Street, turning into the field used for the 3 day event, and parking up on the field were most notable. Attended measurements were made inside a sitting room at first floor level at Elm Farm, which had a view over the field where vehicles and horse boxes were located. For these measurements the window was open. During the sample measurements, passing cars and horse boxes were marked on a noise level verses time trace, which has not been presented in this report. For the first sample measurements carried out at 07:14 hours there were 7 horse boxes noted traveling on Main Street and entering the event site and the maximum noise levels from these horse boxes were noted at between 48 and 55 dB $L_{Amax, F}$ inside the sitting room. During the same period there were 6 car movements on Main Street inside the sitting room were noted as between 43 to 56 dB $L_{Amax, F}$.

Activity and the associated noise in the field increased as contestants started the dressage, show-jumping and cross country events.

For the dressage event which occurred in the field closest to Partway House, bells and car horns were sounded regularly as part of the event. The show-jumping appeared to occur in the centre of the field and had an associated tannoy system to announce the next rider and sounded a distinctive tone to indicate the start of the round. The cross country appeared to take place to the south and southeast of Partway House. For this event a site wide tannoy system was used to announce the next rider starting the course and comment on the event. Also at Partway House whistles were noted as being used by the course judges. At Position 1, noise from the equestrian event was noted from the west, south and east of the position.

The site wide tannoy system was used after 10:30 hours and it was noted at all the dwellings that the announcements with the site wide tannoy were clear and intelligible. In particular the maximum noise levels at Swalcliffe House (positions 5 and 6) have increased notably and at this property noise from activity at the event site and the tannoy system were significant. It was noted during the survey that there were two sets of tannoy speakers on poles close to this property.

Matthew Sweet
Consultant

(This document has been generated electronically and therefore bears no signature)

Appendix 1

Noise Units

The following section describes some of the parameters that are used to quantify noise.

Decibels dB

Noise levels are measured in decibels. The decibel is the logarithmic ratio of the sound pressure to a reference pressure (2×10^{-5} Pascals). The decibel scale gives a reasonable approximation to the human perception of relative loudness. In terms of human hearing, audible sounds range from the threshold of hearing (0 dB) to the threshold of pain (140 dB).

A-weighted Decibels dB(A)

The 'A'-weighting filter emulates human hearing response for low levels of sound. The filter network is incorporated electronically into sound level meters. Sound pressure levels measured using an 'A'-weighting filter have units of dB(A) which is a single figure value to represent the overall noise level for the entire frequency range.

A change of 3 dB(A) is the smallest change in noise level that is perceptible under normal listening conditions. A change of 10 dB(A) corresponds to a doubling or halving of loudness of the sound. The background noise level in a quiet bedroom may be around 20 –30 dB(A); normal speech conversation around 60 dB(A) at 1 m; noise from a very busy road around 70-80 dB(A) at 10m; the level near a pneumatic drill around 100 dB(A).

Façade Noise Level

Façade noise measurements are those undertaken near to reflective surfaces such as walls, usually at a distance of 1m from the surface. Façade noise levels at 1m from a reflective surface are normally around 3 dB greater than those obtained under freefield conditions.

Freefield Noise Level

Freefield noise measurements are those undertaken away from any reflective surfaces other than the ground

Frequency Hz

The frequency of a noise is the number of pressure variations per second, and relates to the "pitch" of the sound. Hertz (Hz) is the unit of frequency and is the same as cycles per second. Normal, healthy human hearing can detect sounds from around 20 Hz to 20 kHz.

Octave and Third-Octave Bands

Two frequencies are said to be an octave apart if the frequency of one is twice the frequency of the other. The octave bandwidth increases as the centre frequency increases. Each bandwidth is 70% of the band centre frequency.

Two frequencies are said to be a third-octave apart if the frequency of one is 1.26 times the other. The third octave bandwidth is 23% of the band centre frequency.

There are recognised octave band and third octave band centre frequencies. The octave or third-octave band sound pressure level is determined from the energy of the sound which falls within the boundaries of that particular octave of third octave band.

Appendix 1 (continued)

Equivalent Continuous Sound Pressure Level $L_{Aeq,T}$

The 'A'-weighted equivalent continuous sound pressure level $L_{Aeq,T}$, is a notional steady level which has the same acoustic energy as the actual fluctuating noise over the same time period T . The $L_{Aeq,T}$ unit is dominated by higher noise levels, for example, the $L_{Aeq,T}$ average of two equal time periods at, for example, 70 dB(A) and 50 dB(A) is not 60 dB(A) but 67 dB(A).

The $L_{Aeq,T}$ is the chosen unit of BS 7445-1:2003 "Description and Measurement of Environmental noise".

Maximum Sound Pressure Level L_{Amax}

The L_{Amax} value describes the overall maximum 'A'-weighted sound pressure level over the measurement interval. Maximum levels are measured with either a fast or slow time weighted, denoted as $L_{Amax,f}$ or $L_{Amax,s}$ respectively.

Sound Exposure Level L_{AE} or SEL

The sound exposure level is a notional level which contains the same acoustic energy in 1 second as a varying 'A'-weighted noise level over a given period of time. It is normally used to quantify short duration noise events such as aircraft flyover or train passes.

Statistical Parameters L_N

In order to cover the time variability aspects, noise can be analysed into various statistical parameters, i.e. the sound level which is exceeded for $N\%$ of the time. The most commonly used are the $L_{A01,T}$, $L_{A10,T}$ and the $L_{A90,T}$.

$L_{A01,T}$ is the 'A'-weighted level exceeded for 1% of the time interval T and is often used to give an indication of the upper maximum level of a fluctuating noise signal.

$L_{A10,T}$ is the 'A'-weighted level exceeded for 10% of the time interval T and is often used to describe road traffic noise. It gives an indication of the upper level of a fluctuating noise signal. For high volumes of continuous traffic, the $L_{A10,T}$ unit is typically 2–3 dB(A) above the $L_{Aeq,T}$ value over the same period.

$L_{A90,T}$ is the 'A'-weighted level exceeded for 90% of the time interval T , and is often used to describe the underlying background noise level. It is defined in British Standard 4142 as the background noise unit and is used for establishing the reference against which industrial noises are assessed.

Appendix 2

Instrumentation and Calibration

Date and Positions of Survey

Friday 01 August 2014.

Vicinity of Swalcliffe Park

The external noise survey positions are shown in Appendix 4 and were all free field.

Surveys carried out by

Matthew Sweet

Weather Conditions

Friday 01 August 2014 Dry, cloudy, 15 to 18°C, wind 1 to 2 m/s, SW

Instrumentation used (Serial Number)

Norsonic 140 Sound Level Meter (1403138)
Norsonic 1251 Calibrator (31991)

Calibration

The sensitivity of the meter was verified on site immediately before and after the survey. The measured calibration levels were as follows:

Survey Position	Start Cal	End Cal
Friday 01 August 2014	113.8 dB(A)	113.7 dB(A)

The meter and calibrator are tested monthly against a Brüel and Kjær Pistonphone, type 4220 (serial number 375806) and a Norsonic Calibrator, type 1253 (serial number 22906) with UKAS approved laboratory certificate of calibration.

Appendix 3

Noise Survey Results

Friday 01 August 2014

Measurement Position	Time	dB L_{Aeq, T}	dB L_{Amax, F}	dB L_{A10, T}	dB L_{A90, T}	Observations / Comments
Position 8a - Elm Farm 1st floor	07:14 – 07:29	41	59	44	30	Horse boxes arriving and turning into field entrance to south. Horse noises. Vehicle movements and engine noise in field. Brief tannoy system test.
Position 3 - Elm Farm Front Garden	07:37 – 07:52	47	71	50	37	Horsebox movements on road and in field. Voices in field. Horse noises. Gentle breeze in trees. Occasional vehicle movement on street. One passing aircraft. Dog barks. Some activity from barns next door (horse-shoeing business), with car engine idling at end of sample.
Position 5 - Swalcliffe House by courts	08:49 – 09:04	49	69	47	35	Occasional vehicle movement on lane. Horse noises. Gentle breeze in trees. Aircraft. Voices in field. Constant generator noise in distance. Birdsong. Passing tractor.
Position 2a - Partway House in garden	09:22 – 09:37	45	60	48	41	Dressage in field to west of garden. Voices. Distant tannoy announcements. Horse noises. Applause. Occasional bell or car horn used by dressage judges. Wind in trees. Local vehicle traffic. Aircraft.
Position 5 - Swalcliffe House by courts	09:51 – 10:06	46	68	48	37	Horse noises. General activity and voices. Occasional vehicle on lane. Tractor in field. Tannoy announcements for show-jumping are audible but barely intelligible, a tone also sounded for each rider.
Position 5 - Swalcliffe House by patio	10:08 – 10:23	44	67	45	35	Tannoy announcements clearly audible with voice and tone noted every 2 minutes. Horse noises. Occasional passing car on lane. Voices in field. Aircraft. Birdsong. Breeze in trees.

Appendix 3 (continued)

Measurement Position	Time	dB <small>L_{Aeq, T}</small>	dB <small>L_{Amax, F}</small>	dB <small>L_{A10, T}</small>	dB <small>L_{A90, T}</small>	Observations / Comments
Position 8a - Elm Farm 1st floor	10:36 – 10:44	47	64	48	36	Announcement using site wide tannoy clearly audible inside dwelling. Announcements for show-jumping are audible but barely intelligible. Occasional passing cars
Position 3 - Elm Farm Front Garden	10:46 – 11:01	47	64	50	38	Announcement using site wide tannoy system loud and clearly distinguishable. Show-jumping announcements distinguishable and intelligible at times. Horse noises. Horse boxes turning into field entrance. Passing vehicles.
Position 1 - Partway House by pool	11:07 – 11:20	45	58	48	39	Wide area announcements for cross-country racing clearly audible to south and west of property. Also show-jumping announcements to west and occasional car horn sounding from dressage arena to west. Whistles used by cross country judges also noted to east. Aircraft. Breeze in trees.
Position 5 - Swalcliffe House by patio	11:37 – 11:52	46	67	49	37	Commentary for cross country broadcast on site wide tannoy system and clearly audible and intelligible at property. Occasional vehicle movement on lane.

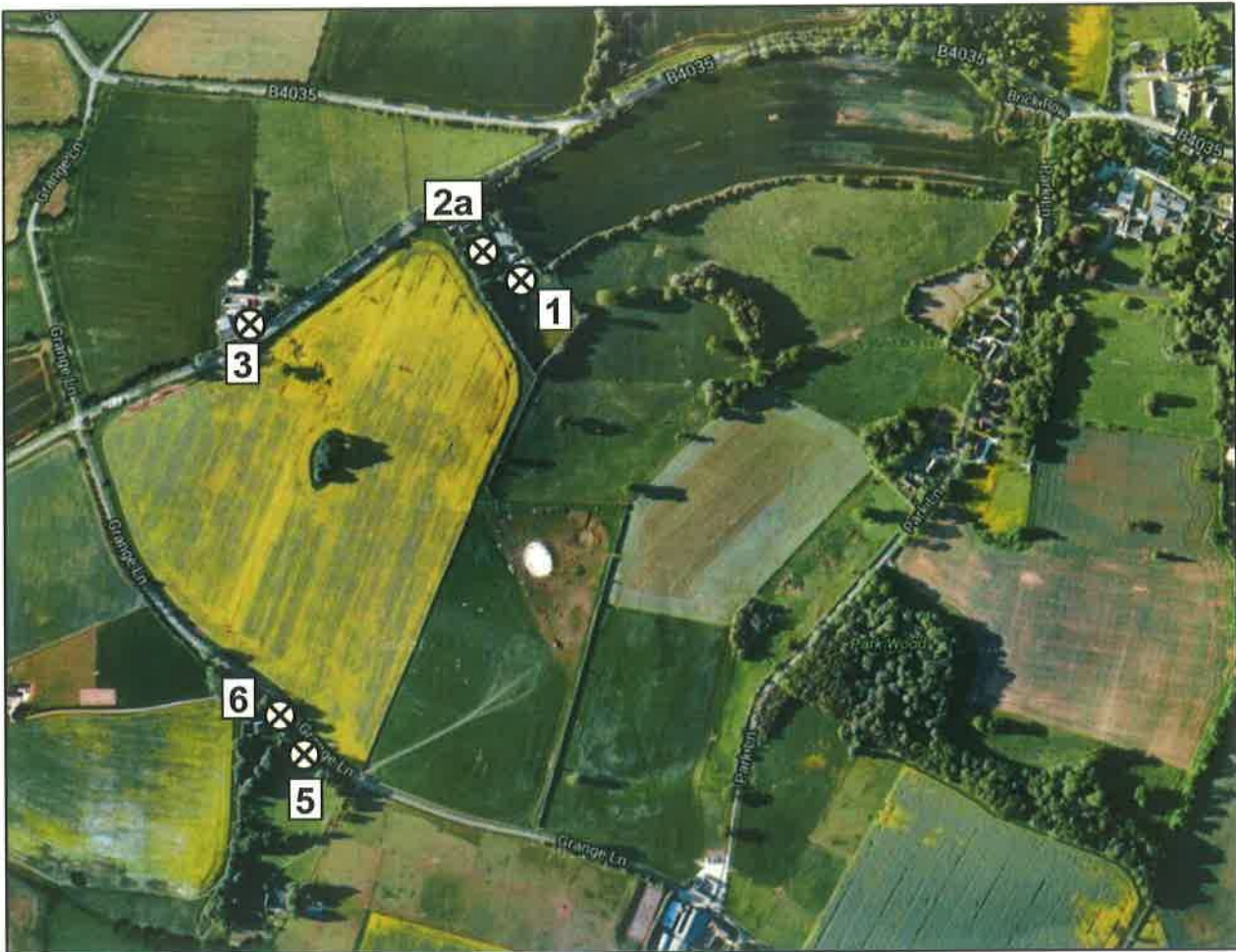
Appendix 4**Noise Survey Positions used on 01 August 2014**

Ref	Position	Measurement Position Description
Position 1	Partway House by pool	South west of pool, ~ 1 m to wooden gate into paddock, by hedges
Position 2a	Partway House in garden	In rear garden ~ 25 metres from house façade.
Position 3	Elm Farm front lawn	On lawn, adjacent to patio, ~ 3.5 m to façade of house, ~ 2 m high wall along most of garden boundary
Position 5	Swalcliffe House by tennis court	South east of dwelling, near northern corner of tennis court, ~ 12 m to edge of Grange Lane
Position 6	Swalcliffe House on patio	Corner of patio area closest to Grange Lane, ~ 3.5 m to house façade
Position 8a	Elm Farm sitting room	In first floor sitting room, looking over the garden wall and into the field where vehicles and horse boxes are situated

N.B. Plans show the approximate positions of the noise survey positions

Appendix 4 (continued)

Measurement Positions Used for Survey on 01 August 2014



NB. Position 8a not shown

Appendix 4 (continued)

Measurement Positions for Partway House and Elm Farm



Appendix 4 (continued)

Measurement Positions for Swalcliffe House



APPENDIX 2

OBJECTION

on grounds of
landscape impact

To an Application made by

SWALCLIFFE PARK EQUESTRIAN

and TAYLOR FARMS

To develop two sand schools with
parking, and change of use of land
from agricultural to equestrian

at

Grange Farm, Swalcliffe, Banbury,
Oxon OX15 5EY

CDC Ref 13/01128

On behalf of:

Mr and Mrs R Grimston

Mr and Mrs M Vandamme

Mr and Mrs P Boycott

22nd October 2013

**Portus +
Whitton**

landscape architects

1. Introduction

- 1.1. Portus and Whitton Landscape Architects have been appointed by the Objectors to assess the proposed Arena and Parking development and the potential impacts on its site and landscape setting, and to consider whether the Applicants' submitted Landscape and Visual Impact Assessment (LVIA) itself fairly and reasonably assesses the likely effects of these proposals.
- 1.2. This assessment takes the form of a critique of the Applicants' proposals and their LVIA. It should be noted at the outset that the Applicants' LVIA does not address the unauthorised equestrian use of adjoining land to the East which already impacts on the landscape. Since the Applicants also seek Change of Use consent for at least part of this land the Objectors naturally believe it should be considered together with and in the context of the Arena proposals. This Report therefore includes an assessment of this element of the Application.
- 1.3. This Report examines the following issues, and notes the instances where the Applicants' LVIA reaches different conclusions:
 1. The Existing Site – its designations, character and sensitivity
 2. The Proposals – both the arena development and the change of use to equestrian use of adjoining land
 3. The Landscape and Visual Impacts resulting from these
 4. Whether the impacts would be acceptable in respect of Local and National Planning Policies.
- 1.4. Finally this report considers the Anaerobic Digester development to the South (consented and currently under construction), which is visible in the same views as the equestrian Application and which, together with the existing and proposed equestrian uses, is likely to contribute to a cumulative impact on the surrounding landscape.
- 1.5. For ease of reference, the different parts of the Application Site are referred to as follows throughout this report, numbered as shown on Fig. 1:
 1. 28 Day Field
 2. Top Field
 3. Arena Field
 4. Bottom Field



Fig.1 Aerial Photograph showing the Application Site, and indicating the extent of equestrian activities both within and outside the Application Red Line.

2. The Existing Site (see also Figs 2, 3, 4 and 5)

- 2.1. The Site sits within a landscape that combines contrasting characteristics represented by the higher open landscape of the '28-day field' and 'Top Field', and the enclosed and intimate landscape of the 'Arena Field' and 'Bottom Field'. This attractively varied landscape is typical of the area, and is broadly consistent with the descriptions provided by the two published Landscape Assessments that cover the County and District; The Oxfordshire Wildlife and Landscape Study (OWLS), and the Cherwell District Landscape Assessment (CDLA).
- 2.2. OWLS categorises this landscape type as Rolling Village Pastures, which it describes as having a *strongly undulating landform of rounded hills and small valleys with small to medium-sized fields with mixed land uses, but predominantly pasture*. The CDLA has the site falling within the Ironstone Hills and Valleys Landscape Character Area and describes it as *an upland area forming the northern extent of the Cotswold Hills... having an extremely complex topography, with unique ironstone villages and tranquil countryside that is remote and isolated, particularly towards the west of the character area* – ie. the area that includes the Application Site.
- 2.3. The key qualities of the Site's landscape therefore stem from its very characteristic topography, complexity, variety, remoteness and tranquillity.
- 2.4. Topographically much of the 28-day Field and Top Field lies on a gently sloping plateau rising to a high point of 209 M AOD, which represents one of the highest points in the landscape for several miles. By contrast the Arena Field and Bottom Field occupy a deep combe falling towards a low point nearly 50 metres below the 28-Day Field. The combe sides drop some 24 metres across the northern end of the Arena Field – a substantial level difference in the context of what the Applicants propose here.
- 2.5. The vegetation cover of the area adds further character to the landform, the wooded and hedged setting of the combe contrasting with the exposed higher land with its open panoramic views. The presence of parkland-style tree clumps and scattered veteran oak trees also add to landscape quality. These features together with the Site's proximity to Swalcliffe House and its park, see **Figs. 6 & 7**, suggests that the Site was once part of a 'planned' landscape intended to form a wider picturesque setting to the park.
- 2.6. Although there are no footpaths traversing the Site it is bordered on two sides by quiet country lanes. These are much used by local walkers and are evidently a key component of routes that connect with the adjoining footpath network to the South and West. The relatively light level of vehicle traffic (pre equestrian intensification) has given these lanes and walks a sense of tranquillity. Furthermore for much of their length these lanes afford clear views into the wider Application Site area, a significant part of which (in particular the Arena and Bottom Field) retains an unspoilt pastoral character.
- 2.7. The value of the Application Site's landscape is acknowledged by Cherwell District Council which includes it in its 'Ironstone Downs Area of High Landscape Value', within which the Council seeks to conserve and enhance the environment. As stated by CDC Policy C13 "In

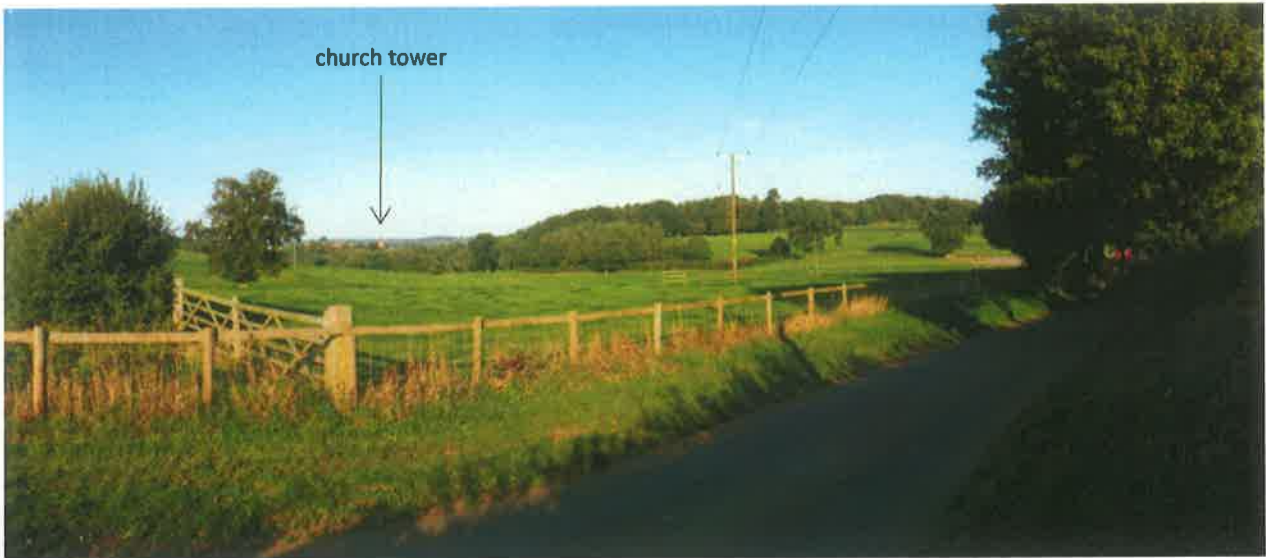


Fig.2 The Arena Field viewed from Grange Lane. This shows an attractive and largely unspoilt pastoral scene extending out into the far distance, with varied landform and a strong framework of woods and trees – all clearly visible from the lane. NB the picturesque quality added by the view of the church tower.



Fig.3 The Arena Field viewed from Park Lane near Grange Farm. Even with the flattening effect of the panoramic photo this still gives some idea of the attractively varied landform, with the combe running down to the right towards the village – all clearly visible from the lane.



Fig.4 The Arena Field viewed from Park Lane, approaching from the village. The field is visible through and over the hedge. The sense of wooded enclosure with framed views across the field is particularly attractive, as are glimpses of the combe dropping steeply down to the right



Fig.5 The Arena Field and Top Field viewed from the Gated Lane to the south of Grange Farm. Both fields are clearly visible rising up to the skyline. As with other views the shows a largely unspoilt scene combing varied landform with a good framework of mature native trees.

defining the boundaries of the areas of high landscape value due regard has been paid to the countryside commission document CCD18, which establishes criteria for designating such areas". It is therefore a designation determined on the same methodology as used in the defining of Areas of Outstanding Natural Beauty.

- 2.8. The Applicants' LVIA (paras 4.7 – 4.13) quotes the two published local Landscape Assessments at length but in the summary para 4.14 fails in our opinion to sufficiently draw out the key characteristics as they relate to the Application Site and proposals. This may be one of reasons why their LVIA (para 4.16) considers the Baseline Landscape Value and Sensitivity to be only Moderate, despite the designation as an Area of High Landscape Value. Para 4.16 makes no mention of the highly characteristic topography, complexity, variety and tranquillity of the site, and confuses the lack of uniqueness with ordinariness when in reality the Site represents the very essence of what justifies its inclusion within the AHLV. The relationship of the Site to Swalcliffe village is also played down in the LVIA in terms of accessibility for walkers, its unspoilt pastoral character, and views – eg. the very attractive views across the Arena Field towards the parish church tower, see Fig 2.
- 2.9. The Objectors believe that the Applicants' LVIA para 5.1 stating that "Equestrian uses are established at Swalcliffe Grange Farm" should be clarified. Whilst the buildings and fields are clearly used for these activities, it is disputed that all of these are 'established' by having planning consent. This point is more fully addressed in the Objector's Planning Statement.
- 2.10. In conclusion, the Applicant's LVIA underestimates both the quality and value of the landscape. **Both the Baseline Landscape Value and Baseline Landscape Sensitivity should correctly be classed as High.**

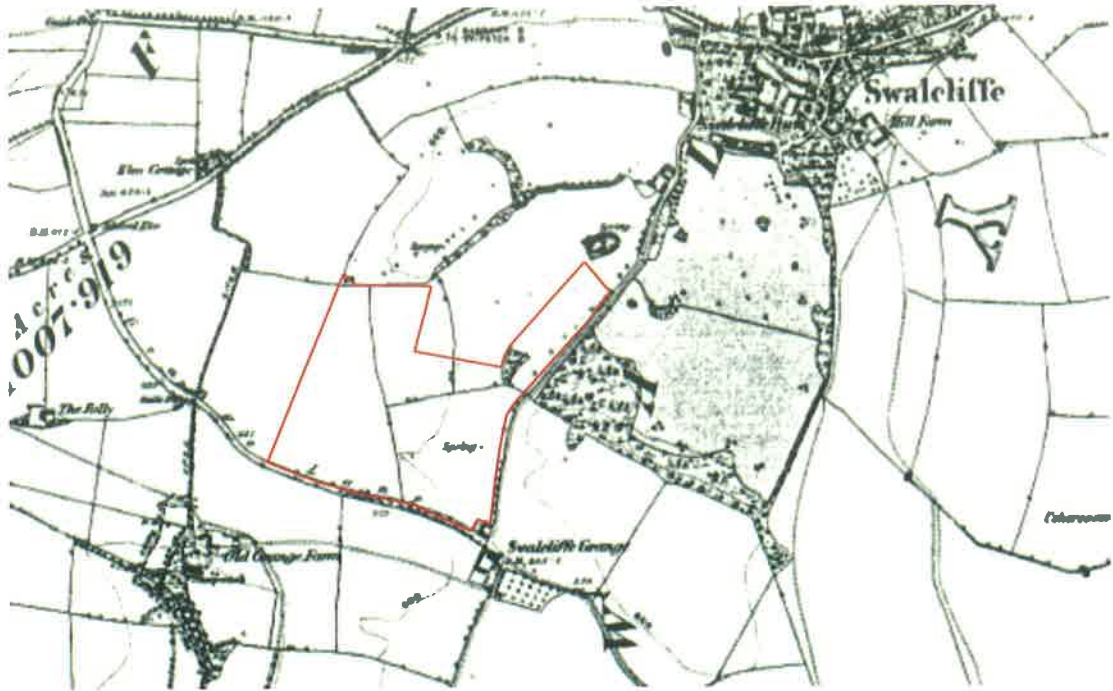


Fig.6 Ordnance Survey 1884-87 map showing Swalcliffe Park and its close relationship with the Application Site



Fig.7 Ordnance Survey 1881 map showing specimen trees, clumps and linear plantations characteristic of 19th cent parkland, extending from the Park towards the Application Site. Surviving features are highlighted in green.

3. The Proposals

- 3.1. This Report breaks down the proposals into three parts:
- The 28-day Field, currently in Equestrian use, which in the Objectors' experience greatly exceeds the 28 day PD allowance but where no consent is currently sought.
 - The Top Field and Bottom Field, for which consent is sought for change of use.
 - The Arena Field, for which consent is sought for development and change of use.
- 3.2. The Applicants' LVIA fails to address the first two parts, despite the obvious landscape and visual impacts that they already have and which may increase.

The 28-Day, Top and Bottom Fields

- 3.3. The 28-Day, Top and Bottom Fields contain permanent jumps and fences, a permanent area of ground reinforcement at the entry off the Sibford to Swalcliffe road, and a widened entry through the roadside hedge. These are supplemented on Event days with additional fences, jumps, flags, dressage arenas, tents, portacabins, tannoy masts, judges stands (4-5m ht) and large numbers of parked horse boxes and other vehicles. Many boxes are substantial lorry-size vehicles and their numbers vary, but 200 to 250 trucks and cars can visit and park over a day's event and, in the experience of neighbours, this has been as much as 500-700 for certain events. It is estimated that even now the 28-day and Bottom Fields are in use in excess of 50 days a year, and this use is likely to increase if the proposals for the Top and Arena Fields go ahead.
- 3.4. **Fig. 8** illustrates a One Day Event that took place on the 29th September. This was taken at the end of the day after most competitors had left, but it still clearly indicates the extent of introduced non-agricultural elements required for a typical event. It should be noted that each event will require at least a part of a day before and a day after the competition for setting-up and dismantling, significantly extending their presence in the landscape.
- 3.5. The potential increase in traffic that an extension of the existing activities would bring, particularly traffic coming from the south and through Sibford village, would result in even



Fig.8 The Top Field photographed at the end of a one day event – even after most visitors and competitors and their transport have left the extent of both fixed and temporary installations is clearly evident.

greater harm to the road verges of Grange Lane and the Gated Road than is already evident. Although the proposed road improvements are limited to a new kerbed exit bellmouth onto Grange Lane other 'improvements' such as widening and kerbed road edges would become almost inevitable and would permanently change the character of these quiet rural lanes.

The Arena Field

- 3.6. The Arena Field would be subject to permanent development involving major construction and cut-and-fill works and is of an altogether more irreversible nature.
- 3.7. The Arena proposals are illustrated in **Fig. 9** which shows the Applicants' layout plan 160/32/A. As the Applicants have not provided any topographical survey information (a serious omission given the importance of the local topography) the Objector has superimposed this plan onto a Promap O.S. contour base to better inform the assessment process.
- 3.8. From this contour plan the Main Arena can be seen to extend across steeply sloping land between Contours 185.5 and 173.5 – an estimated difference in level of 12.5 metres. The Warm-up Arena extends across Contours 185.5 and 180.0 – an estimated difference of 5.5 metres. This means that the Main Arena would sit on a raised platform some 3-6 metres above the adjacent section of Park Lane, with the Warm-up Arena a further 3 metres above that. Fences and jumps around and within these arenas would add another 1.5 to 2 metres of height. Along the eastern edge of the Main Arena the drop to the combe bottom could be as much as 6 metres. The North-West corner of the Main Arena would be cut deeply into the combe side creating a steep 5.5 metre high bank. At its South-East corner the Main Arena floor would be 3 metres above the Lane and separated from it by a distance of only 17-18 metres, much of which would be taken up with banking. A veteran oak tree of at least Category A value lies within 12 metres. A tree of this size could be expected to have a Root Protection Area of between 12 and 15 metres radius, greatly exceeding the space available.
- 3.9. The cut and filled embankments around the arenas are designed with 1:2 gradients giving a highly artificial straight-edged engineered appearance, in strong contrast to the existing natural topography with its serpentine contours and gradients between 1:35 and 1:7.
- 3.10. The angular configuration of tracks and roadways is similarly at variance with existing contours, bearing little relationship to landform and at one point involving a ramped section of about 1:10 gradient.
- 3.11. In terms of scale and amount, it is calculated from the submitted plans that:
 - The area of hard and artificial surfacing (arenas, parking areas and roadways) amounts to some 12,300 sq.m, or about 3 acres.
 - The length of new 1.5 m high post-and-rail fencing amounts to some 650 metres.
- 3.12. Clearly the proposals would involve substantial engineering works, with large amounts of excavated spoil to be moved or disposed of, and large volumes of imported materials such as the stone to construct the roads and parking, and the sand-based surfacing for the

arenas. With this in mind the Applicants' claim in their para 5.10 that the proposed development is "...of relatively modest proportions" is unsupportable.

- 3.13. The Applicants' mitigation proposals (Section 6 of their LVIA and appended Planting Plan) include the planting of hedgerows and tree screen belts. Whilst in many circumstances this would be positive, most of the hedges and tree belts proposed here would obscure what are at present attractive views from the two lanes (eg. towards parish church from Grange Lane) and would thus result in the loss of existing amenity and visual assets. The proposed straight-edged tree belts are particularly out of keeping in this landscape. Such planting in this situation can only be regarded as an attempt to hide the proposals – and this is confirmed in para 6.5. It is a generally accepted maxim that if a development needs to be hidden it should not be there in the first place.
- 3.14. Whilst the Applicants' LVIA and supporting documents generally provide enough detail to enable a professional consultant to draw out and interpret the above information, in the Objectors' view the descriptions, plans and sections play down the true scale of the proposed change to the Site. Of particular concern is the Applicants' failure to have provided a full levels survey and to graphically relate this to the proposed layout in such a way that both the Council and the public could more readily compare what exists with what is proposed.
- 3.15. Whilst the accuracy of the submitted Cross-sections, dwgs 160/34 and 160/35, is not disputed, their failure to relate the arenas to their wider context (field boundaries, roads, trees) should be noted. Although this is to some extent covered by additional Cross-Sections attached to the LVIA these are inconsistent in their gradients and levels shown and, in the Objectors' opinion, do not give a true and fair representation of the sight-lines from surrounding vantage points.
- 3.16. The Objectors take strong exception to the Applicants' claim in LVIA para 7.2 that "the 'loss' of part of the site to the construction of the arenas would however be reversible". As made clear above, this proposal would involve major and expensive engineering works which could not realistically be considered reversible.

4. Landscape and Visual Impacts

Baseline values

- 4.1. As already explained (our para 2.8 above) the Applicants' assessment is undermined at the outset by implausibly giving only **Moderate** values to the Baseline Landscape Structure, Value and Sensitivity (their LVIA paras 4.16 & 5.1). Whilst it accepted that inclusion within an Area of High Landscape Value does not automatically bestow a high landscape value on all parts of it, recognition has barely been given by the Applicants of the Site's designation and of its obvious qualities.
- 4.2. With reference to advice contained within the *Guidance for Landscape and Visual Impact Assessment, third edition*, the Objectors' case is that these baseline values should all be judged as being **High**, using the following analysis criteria:
- **Landscape Quality and Representativeness:** The baseline landscape is representative of the AHLV landscape, and whilst some hedgerows are missing its characteristic features remain largely intact and in good condition.
 - **Scenic Quality and Perceptual Aspects:** It has visual appeal due to its variety of topography, vegetation cover, land-use and views, and it has additional appeal due to its relative tranquillity and sense of remoteness. In areas it has value for its sense of intimacy and enclosure, and in other areas it provides excellent middle and long-distance views across unspoilt countryside.
 - **Conservation interests:** Whilst not important enough to be Registered, the adjacent park to Swalcliffe House and the traces of wider parkland features within and around the Application Site is likely to be of local historic value.
 - **Recreation Value:** The lanes and footpaths around the site that link with Swalcliffe village benefit from the range of experiences and views describe above, and provide a valuable amenity and recreation asset.

Visual Envelope

- 4.3. The extent of intervisibility with the surrounding landscape of the Arena Field illustrated on the Applicants' LVIA Plan 4 is not disputed. However it only deals with the Arena Field and does not take account of the whole Application Site. **Fig. 10** takes Plan 4 and modifies the Visual Envelope (VE) to include an estimate of land area with views of the larger Application Site.
- 4.4. This only claims to be an estimated VE area, and has therefore erred on the cautious side. What cannot be in doubt though is the substantial increase in VE, and the additional potential public vantage points from which views of the 28-Day and Top Fields are visible.

Land at Swalcliffe Grange, Banbury

Plan No 4: Visual Assessment

- Key
- Assessment Site Boundary
 - Approximate Visual Envelope
 - X Photograph Location Point
 - X Potential Visual Receptors
 - X Photograph Location Point / Potential Visual Receptor



SCALE 1:12,500 @ A3

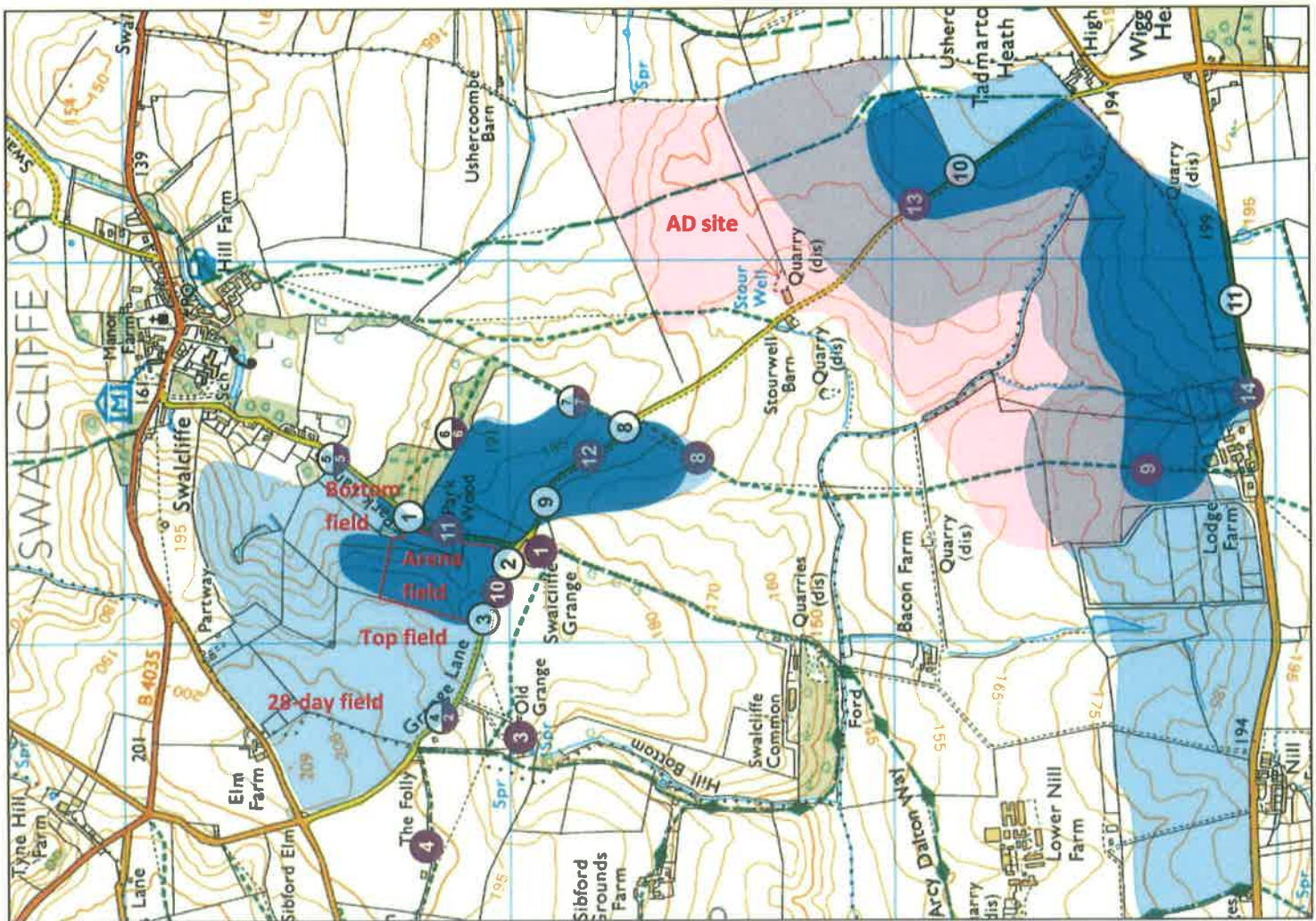
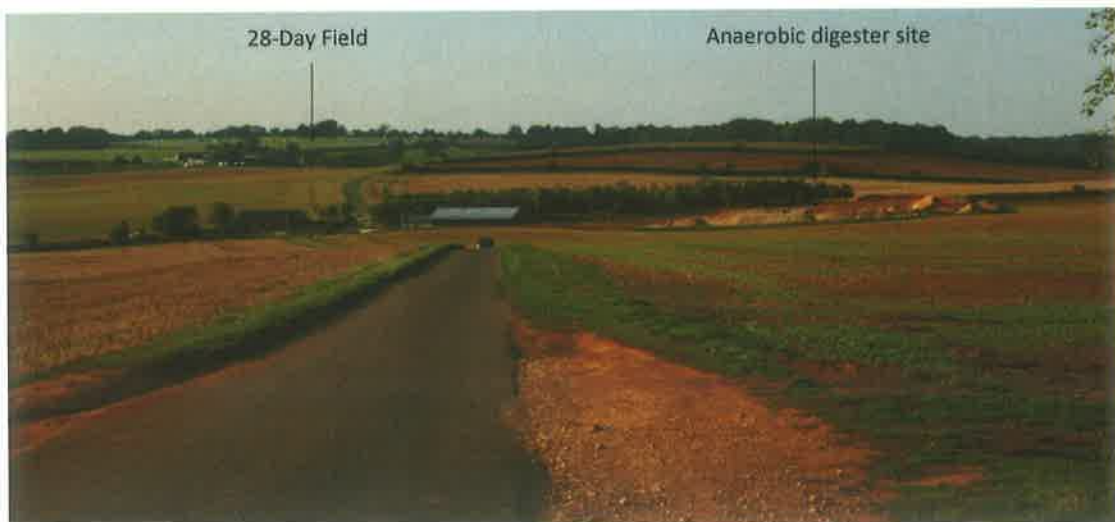


Fig 10 showing Applicants' Visual Envelope Plan, overmarked in faded blue with enlarged Visual Envelope for the Top and 28-day Fields. The pink area indicates an estimated VE for the Stourwell Barn Anaerobic Digester (labelled AD site).

Potential Visual Receptors

- 4.5. The Applicants' LVIA para 5.6 states that the main views of the Arena Field most likely to be sensitive to development are from Grange Lane and Park Lane. This is accepted. However views from the South – represented by their Photo-Locations 10 and 11- would be possible, particularly on event days when the Arena Field is full of activity and parked vehicles. Even at a distance of some 2 kilometres the 28-Day and Top Fields on the higher crest of land are also clearly visible from the extended Visual Envelope which includes vantage points along about 1.5 km of public footpaths and bridleways, plus a similar length of public highway - all of which enjoy high-quality panoramic views across the AHLV.
- 4.6. Figs 11 and 12 show clear view from the Bloxham road near Lodge Farm (Fig 12) and from the Gated Road on the edge of Tadmarton Heath (Fig 13), both taken at the end of the 29th September ODE Event. Even after most of the horse boxes have left, the Site and the activity on it still stand out in the wider view as development that is out of keeping with the surrounding landscape character.



Figs 11 & 12 showing the prominent location and clear visibility – even at distances of between 1.5 and 2.5 kilometres – of activity on the Top and 28-Day Fields.

Effects upon Landscape Character

- 4.7. The Applicants' LVIA para 5.7 asserts that the Arena proposals would "entail *minor* (my italics) changes to the character of site from an agricultural field....". Para 5.8 goes on to claim that the "development has the potential to have a positive effect on landscape character...." and that "The overall magnitude of landscape change would be low...." with a resulting impact "....low neutral / beneficial... and reversible".
- 4.8. In the light, firstly, of the High baseline values and, secondly, of the scale and extent of the proposed engineering work described in our Section 3 it is clear that this is a serious underestimate of the potential magnitude of change and degree of impact. When the frequent day-to day and Event activities, parking and increased traffic are added to the equation it is the Objectors' case that the magnitude of change, and the harmful effect on Landscape Character would both be **High**, and not realistically reversible.
- 4.9. The proposed mitigation proposals do not make any material change to this assessment. Indeed the loss of attractive views that they would cause would actually increase the harm to landscape character.
- 4.10. Similarly the harmful effect on landscape character of the 28-Day, Top and Bottom Field activities and associated non-agricultural structures and installations would, whilst more likely to be reversible, be **Moderate** in isolation and **High** when considered as part of the whole package of proposed development, activities and traffic generation.

Visual Effects

- 4.11. The Applicants' para 5.10 claiming that the proposed development is "...of relatively modest proportions" has already been addressed. The assertion in para 5.11 that there would be no visual effects on residential properties does not of course take account of the activities on the 28-Day, Top and Bottom Fields which have visual impact on the residential amenities of Partway, Elm Farm to the north, Swalcliffe House (Grange Lane) and Wykham (Park Lane on edge of village). This is in addition to noise and traffic disturbance already suffered and which are subjects covered elsewhere by other specialists.
- 4.12. The visual impact of the Arena and parking development on Park Lane and Grange Lane would affect some 425 metres of public highway with open or permeable boundaries to the Site. To this should be added a further 380 metres of Grange Lane alongside the Top Field, totalling just over 600 metres – equivalent to about 7 or 8 minutes of walking time. The impact on walkers and other road users would be direct and immediate as the development and activities would occupy the foreground and middle-distance, and should be judged as **High**.
- 4.13. The combined visual impact of the Arena and other development on more distant views to the South should be judged as **Moderate** due both to the distance and because the receptor is more likely to be in a vehicle than to be a walker, and thus of slightly reduced sensitivity.

- 4.14. For the same reasons as given above (4.9) the mitigation proposals would not reduce the degree of visual impact even if they reduce potential visibility. Indeed from the Grange Lane and Park Lane vantage points they would actually increase the harm to views.

Additional impact resulting from Stourwell Barn Anaerobic Digester

- 4.15. This development, CDC ref. 12/01588/F, was granted consent on the 7th March 2013, and is currently under construction. The major part of the development comprises two large tanks each of 28.4 metres diameter by 12.1 metres height plus a third tank 8.2 metres high. In terms of appearance and character it would have an unambiguously industrial character in this open farmland setting within the Ironstone Downs AHLV. Although this complex is set below existing levels and will be partly screen-planted with woodland, the surrounding countryside is generally of higher elevation, affording clear views of the tanks from roads and footpaths to the south and east. It is likely to be many years before these become fully screened.
- 4.16. Many of these views are from the same paths and roads from which the Swalcliffe Park Equestrian site is also visible, in fact as indicated on **Fig 10** the two developments would be visible together across quite a wide area of shared Visual Envelope.
- 4.17. In isolation and with the benefit of effective woodland planting the anaerobic digester development would eventually assimilate into the landscape. However in the Objectors' judgement the cumulative impacts on views and landscape character resulting from both the digester and equestrian developments would harm the existing tranquil and relatively unspoilt agricultural character of this part of the AHLV to an unacceptable and irreversible degree, and that the equestrian proposals should not be permitted in such circumstances.

5. Planning Policy

Local Plan saved policies

5.1. The proposals are assessed against the following relevant policies:

- 5.2. **AG5** *Development Involving Horses: Proposals for horse related development will normally be Permitted provided:*
(i) the proposal would not have an adverse effect on the Character and appearance of the countryside;
(ii) the proposal would not be detrimental to the Amenity of neighbouring properties;

The proposals conflict with parts (i) and (ii)

- 5.3. **C7** *Landscape Conservation: Development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape.*

The proposals conflict with this policy which requires that the countryside be protected for its own sake.

- 5.4. **C13** *Areas of High Landscape Value: within which the council will seek to conserve and enhance the environment. As with development within the A.O.N.B., careful control of the scale and type of development will be required to protect the character of the areas of high landscape value, and particular attention will need to be paid to siting and design... In defining the boundaries of the areas of high landscape value due regard has been paid to the countryside commission document CCD18, which establishes criteria for designating such areas.*

The proposals neither conserve nor enhance the environment and therefore conflict with this policy.

- 5.5. **C14** *Trees and Landscaping: In exercising its development control functions the council will normally accept opportunities for countryside management projects where*
(i) all important trees, woodland and hedgerows are retained, and
(iii) new tree and hedgerow planting using species native to the area is provided.

At least one Category A veteran oak tree would be lost. Although native species planting is proposed this would be in a form that would detract from existing views. The proposals therefore conflict with this policy.

The Framework

- 5.6. The proposals conflict with para 109 of The Framework which requires that *the planning system should seek to protect and enhance valued landscapes.*

6. Conclusion

- 6.1. The Applicants' LVIA concludes: "The proposed development would have no adverse effect upon the character and appearance of the area or affect adversely any important views within the area. In association with the proposed development the incorporation of a range of modest (but wholly typical) landscape measures would reinforce and maintain local landscape character".
- 6.2. **This Objectors' report finds to the contrary. It is evident that the parameters upon which the Applicants' conclusion is based are seriously flawed; firstly by understating the value of the existing landscape, and secondly by failing to take proper account of the actual scale and extent of the proposed development, their unsuitability for the site, and the substantial intensification of equestrian activities and traffic that it would bring. No assessment is made of the proposed and existing equestrian use of the rest of the Application Site or of the 28-Day Field which together as a package with the Arena proposals add up to causing unacceptable adverse impact on the character and views of this part of the Ironstone Downs Area of High Landscape Value.**

APPENDICES

MISCELLANEOUS PHOTOGRAPHS OF RECENT EQUESTRIAN EVENTS AT THE SITE





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Event Riders Owen Cooper and Katie Richards

"Swalcliffe park has a fantastic cross country training course which we use for all of our event horses from BE90 level up to 3 star."

Aoife Clark- Event Rider

"I have been using their present facilities for 3 years now and it has been of huge benefit to me in training my horses to international level. I have frequently taken my Olympic horse Master Crusoe to use their excellent cross-country schooling ground in preparation for his big events, along with training up younger horses to Advanced level."

Ruby and her pony Charlie

"Me and Charlie had an amazing time at Pony Club Camp. Your XC jumps are amazing! Thank you for letting us camp in your field. You saved our camp!" Mini North Cotswold mini Camper:

Laura Sanger-Executive BRC & BHS Competitors

"We were thrilled to hold our 2013 BRC SEIB National Horse Trials Championships at Swalcliffe Park Equestrian. The venue worked perfectly for our long format event and we are extremely grateful for all of the hard work and fantastic preparation that Richard and his Team put in to make our event such a success. The ground and the course were presented beautifully and they were always on hand to ensure the smooth running of the event. The beautiful setting of Swalcliffe lends itself perfectly as a Championship venue for us, and we very much look forward to working with the Team again."

APPENDIX 4



Aerial Photograph 2006



Aerial Photograph 2009



Aerial Photograph 2010