**Elm Farm**

**Sibford Ferris**

**OX15 5AA**

**01295 780 125**

**15th February 2015**

**Dear Committee Member**

**Swalcliffe Park Equestrian (SPE)**

USE OF LAND AT GRANGE FARM FOR MIXED USE COMPRISING EQUESTRIAN

**TRAINING/COMPETITIONS (USE CLASS D2) AND AGRICULTURE, TOGETHER WITH**

**EXTENSION OF EXISTING VEHICLE PARKING AREA**

**14/01762/F**

We live at Elm Farm (House A), one of the three properties on the perimeter of the SPE site.

**Enforcement**

We understand that at a Hearing in the Planning Court on 3 February, Mr Justice Gilbart QC was very critical of Council officers in failing to get to grips with the enforcement issues which has effectively prolonged this breach of planning control for an unreasonable length of time. Specifically, he referred to the Officers as being "remarkably dilatory" in addressing enforcement issues referring to the fact that the Council has held enforcement action in abeyance while a number of previous planning applications have been made, but then withdrawn by the Applicant.

This unreasonable exercise of the Council's discretion to enforce has led to an unlevel playing field and has resulted in the SPE application not addressing adequately the concerns and issues raised by Objectors.

**Traffic**

The proposed Event Management Plan. funnels all event traffic, (except that approaching directly from Shipston on Stour), through two villages (Tadmarton and Swalcliffe), much of the traffic is required to travel an extra 5 miles or so, including on unclassified roads, encouraging the temptation to short circuit through a third village, Sibford Ferris.

Tadmarton Parish Council recommends the reversal of the traffic flow between Lower Tadmarton and Wigginton Heath, with all traffic accessing via Gated Road South.

This offers the following benefits:

* Keeps all equestrian event traffic out of Tadmarton and Swalcliffe;
* Reduces road miles travelled by equestrian vehicles, along unclassified roads;
* Avoids temptation for some equestrian traffic to short circuit through Sibford Ferris;
* Avoids need to upgrade Grange Lane North (Sibford Ferris Parish Council);
* Reduces the need to use dangerous junction off B4035 at Tyne Hill;
* Acknowledges recommendation from Swalcliffe Parish Council that “… Oxon Highways and Cherwell District Council should consider the effects of any increase in traffic on the main road through these two villages, in the light of current road management issues (eg lack of pavement and speeding)”

It has the following disadvantages:

* The “mouth” of Gated Road South is narrow and one residential property may be affected. Both may be mitigated by use of land owned by the applicant that fronts Welsh Lane, east of Turpins Lodge.
* Access form the South may be less convenient to the Applicant.

**Number of Events on Site**

There is huge difference between 28 days events and 28 days including set up / take down time.

Planning Recommendation 3 says that “events with greater than 50 competing horses shall be limited to take place on no more than 28 days (including days required for setting up and taking down of any associated equipment and structures) in any one calendar year”. At para 1.6 “it is the Officer’s opinion that the 28 days allowed under the GPDO would include days required to erect associated structures before the event and also days required to clear the site post event..”

At para 3.4 (“Further Comments following revised / additional information being received” which reflects the comments of the Anti Social Behaviour Manager) “in the Applicant’s response to a PCN they indicate that these large events currently operate for 13 days per year yet the total site that the land is in use, ie when an event is being put together and dismantled totals 39 days giving an overall use of 52 days per year”

Para 3.4 continues “I am assuming that the build up and dismantle times would be included within the permitted 28 days if approval were to be given and as a consequence the level of large use activity would fall.”

Does the Applicant understand this and accept the consequence of Planning Recommendation 3, that the number of Event days would most likely halve to about six? A clear, unequivocal understanding of this point is paramount.

**Site**

At Para 1.8 “the Applicant have stated that they have used the site for equestrian activities since 1997”. This may be true for other parts of the planning unit but not for the site in question. Aerial photos reproduced by Judith Norris in her report, dated October 2013, in connection with application 13/01295 show the larger northern of the site under crops in 2010 and the southern part under crops until 2006. The Applicant themselves show a Spring crop from March to July 2010.

In effect, since 2011, the equestrian activity has migrated away from Grange Farm House to outside the Objector’s properties.

Paul Walton in his report accompanying the Amended Plans in Dec 14, at para 11 says “..the submitted site plan illustrates within that an area of 14.26 ha with hatching in order to illustrate the land which will be used for every day use for training and schooling…”. This conforms to the map enclosed with the application in Oct 14 (copy enclosed). The Amended Plan also shows “areas for schooling” on a much larger purple coloured area (copy enclosed). The purple area appears to double the schooling area.

I am at a genuine loss to understand what is the site area for schooling. This needs to be clarified.

Other points to note:

* The greater the area permitted for schooling the easier to spread equestrian activities across a greater area and the greater the scope to set up and dismantle events under cover of schooling, thereby eroding the impact of Planning Recommendation 3.
* The three access gates are all within close proximity of near neighbours and the 365 day overflow parking is within 10 metres of Swalcliffe House (Mrs Boycott). Swalcliffe Parish Council (para 3.1) “we suggest that, if possible, any entry and exit gates are sited away from immediate neighbours’ houses”
* The proposed Grange Farm car parking and the 365 day proposed equestrian sites are not contiguous. This would require horses either to cross an agricultural field each day in breach of planning or move up the public road. At a recent Swalcliffe Parish Meeting we were led to understand that Cherwell Council and the Applicant have made a private arrangement to cover this point.

We believe that Cherwell Council should disclose this and other private arrangements that they have made with the Applicant.

**Compliance**

The Planning Recommendation has 16 conditions. At para 5.69 the Case Officer says “..it is clear that there is a point at which timing and scale of activity taking place becomes detrimental to neighbouring amenity, highway safety and landscape”.

Without visiting the site, seeing the close proximity of near neighbours and the road layout it is difficult to judge the point referred to by the Case Officer, a judgement that must be pertinent to any planning decision.

Yours Sincerely

Robin and Emily Grimston

**Enclosures**

* Hatched Area map
* Purple map