

Dear Ms Simkiss,

Thank you for your prompt reply.

1.I am happy that you have now confirmed that you will accept evidence from neighbours and the Parish council will now will convey this to them . As I said in my earlier e-mail I was originally told by your case officer in a telephone conversation on the 28th March that this was not the case. Indeed she said that there was no point in local residents submitting any information as it would not be considered. This was confirmed by a local resident at the Parish Council meeting , who said she had been given the same advice when she spoke to one of your officers. You will recall that I spoke to you and questioned this as being a reasonable approach . District Councillor Steve Robinson attended our meeting and indicated that he would be raising this with planning officers and no doubt he will contact you in due course..

2.Your decision on the decision making process is noted with regret.

3.I am still unclear about the rationale for your position on this. The evidence that you have not published consists of affidavits submitted on behalf of the applicant. You state that you believe that you cannot publish information that identifies individuals. Yet you have published the applicants supporting statement , and this contains the identities of all the people who have lodged these documents , so they are in the public domain in any event. Personal details such as addresses could easily be redacted from the affidavits. The affidavits are simply expressed to be concerning the usage of the site . Please can I ask you to review your position on this, and provide me with the specific section of the Data Protection Act that you rely on for the continuing failure to publish this information.

4. I am troubled by your response .I did not ask about the Barton End Stables site.My query was clearly about the site which is the subject of the application , and which is referenced in the Location Plan. This is larger than the current Equestrian Centre site.You will see from the Parish Council response that we are aware that other horses use or have used this land , and so are you, and that this may cause confusion in assessing the numbers of animals on the site at any one time. This is of course a material factor in determining the application. The Chair of the Parish Council has already been told verbally by the case officer that you are aware of a livery business being carried out on the same land and that you were expecting a planning application to be lodged for change of use. .We are surprised at your apparent reluctance to confirm this. I know that local residents may have relevant information and will advise them to contact you if they consider it appropriate.

5.As The Parish Council made clear in their response we are aware that you cannot consider highways issues in the Lawful Use application. It is one of the consequences of choosing this procedure as a way of dealing with the planning breaches on this site. However the purpose of our comment was to put you and your authority on notice of the potential highways dangers.It is entirely a matter for you to determine what if any action you take.However, if having been notified, you fail to make enquiries to check the position , and you then take a decision which leads to increased usage of the road network, and any further accidents occur, local residents may well have a justifiable cause for complaint.

> On 3 Apr 2017, at 13:53, holly.simkiss@stroud.gov.uk wrote:

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> Good afternoon,

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> Thank you for your email. I will endeavour to respond to your points raised in turn.

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> 1. Stroud District Council (the Local Planning Authority) would be more than happy to accept factual evidence related to the application from neighbours. The Local Planning Authority is entitled to canvass evidence if it so wishes before determining an application, which is why we notified the Parish Council of the application. If any counter evidence is received we will share the information with the applicant, who must be given the right to comment on it and possibly produce counter-evidence. The onus is on the applicant to provide sufficient information to support the application. If no contradictory evidence is submitted, then the LPA will determine the application solely on the applicants' evidence, provided that the submitted evidence is precise and unambiguous.

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> Unfortunately we can not consider personal opinion or comments.

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> 2. I have taken the advice of the Strategic Head and the Councils Monitoring Officer and they have confirmed (as I originally stated) that the application will not be determined by Development Control Committee. The application will be determined under delegated authority by a panel of two authorised Officers. The application will be determined by the 25th April 2017.

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> 3. As previously mentioned, under the Data Protection Act, we can not publicise information that would allow an individual to be identified, which is why some documents have not been made available for public view.

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> 4. I am not aware of any other equestrian businesses operating on the Barton End Stables site, however we are aware of other equestrian activities within the locality.

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> 5. Unfortunately highway matters are not a consideration for this application and as such I can not comment on the acceptability (or otherwise) of the access.

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> Regards,

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> Holly

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> Holly Simkiss MSc MRTPI PGDipCHE

> Principal Planning Officer

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> Stroud District Council

> Council Offices, Ebley Mill Stroud,

> Glos, GL5 4UB.