

Objections; Sheafhouse Farm, Blockley

1) Blockley Parish Council

Good morning,

Blockley Parish Council have discussed this application at their meeting on the 15th July and have also received letters of objections from residents.

Blockley Parish Council object to application C/21/00576/PRMA New Premises License Application Sheafhouse Farm Draycott Road Blockley Moreton-In-Marsh Gloucestershire GL56 9DY. The council do so due to the impact and effect on the local community and neighbouring residents. A concern is noise pollution and anti-social behaviour; the council want to support the interests of local residents. The council also wish to support existing licensed venues in the parish and ensure the equanimity of the conservation area.

Please advise if this objection comment needs to be submitted on the portal or whether this email has been received and noted.

Kind regards, Sarah

2) Mr Ensich

Dear Sir / Madam

RE : C/21/00576/PRMA New Premises Licence Application Sheafhouse Farm Draycott Road Blockley Moreton-In-Marsh Gloucestershire GL56 9DY

and Ref. No: C/21/00578/PTEN Applicant Name: Not Available

I wish to object to the above License Applications on the following grounds :

The Licence Application relates to Sheafhouse Farm which currently does not have any A1 planning designation for retail sales nor an A4 designation for a drinking establishment and no applications have been registered with Cotswold District Council planning for such changes of use.

The majority of the Sheafhouse Farm premises are designated as agricultural with an existing change of use consents for six glamping shepherds huts and a separate gym business and ancillary café, under the Freestyle 360 name. The planning consent for the café 20/02984/FUL, stipulates "that premises shall be solely as described in the details submitted with the planning application and shall only operate ancillary to Freestyle360 and shall not be used independently or for any other purpose without express planning permission".

The license application for the Supply by Retail of Alcohol suggests that a location of Sheafhouse Farm will operate as a retail premises with opening hours, (under the activities section), stated as between 0900 and 2200 hrs each day. This would likely involve the storage and sale of alcohol and the additional traffic movement on and off site.

I would also like to point out that the sale of the brand Cotswold Blacklion Vodka has already commenced without an existing license as is evidenced on the following web site which clearly states the Sheafhouse Farm address:

<https://blacklionvodka.co.uk/product/black-lion-vodka-70-cl/>

The License Application lacks any detail such as location of premises, storage facilities, security, access and egress for deliveries and customers and so on. I also note that there is no corresponding Personal License Application identifying a responsible individual to manage this business. I would also question the location of the distillery producing the brand Cotswold Blacklion Vodka, as it is implied on the applicant's website that this is produced in the Cotswolds, leading a reader to think perhaps at Sheafhouse Farm.

Without a specific change of use planning application and the additional detail that would require, the impact and effect on the local community, neighbouring residents and the Cotswold AONB cannot be fully assessed or protected. The previous planning consents in respect to developments and associated businesses at Sheafhouse Farm, such as the gym, Freestyle 360, it's café and the shepherd's huts glamping venture, have all been conditioned in order to protect the area and local residents from noise and disturbance. I would refer you to the following planning consents: 14/00731/OPANOT; 14/0744/FUL; 19/03585/FUL; 20/02984/FUL. In addition, a

recent application for the development of larger glamping “safari tents” was refused and a subsequent appeal also refused on the grounds of negative impact on the AONB and local residents, I would refer you to APP/F1610/W/20/3264455.

The need for any business of this nature to be properly assessed and controlled is clearly evident. However, in this case, I believe it to be even more vital given the applicants have previously appeared to disregard necessary regulatory requirements. I would evidence this view by not only reiterating that Sheafhouse Farm is already advertising and seeking sales of Blacklion Vodka from their premises, without an existing license but also that there is an existing, significant breach of planning which is in the hands of Cotswold District Council enforcement team. This breach relates to the Freestyle 360 gym business where the applicants to this license have extended the gym to include an outside facility without any change of use planning application. I have appended my letter to CDC dated 21st October 2020 which will provide more detail of this breach for your information. You will see that the extension of these facilities also involved a number of outside events which included the sale of alcohol and both live and recorded amplified music with a significant number of attendees. To my knowledge the applicants never applied for a Temporary Events Notice for any of these events and therefore these were totally unregulated. Sheafhouse Farm has also, only recently, dismantled an outside mud run which extended over a large portion of the farm which again never had the necessary planning consent.

These planning breaches and unregulated events have caused significant disruption and disturbance to local residents and have resulted in very many objections to the various planning applications lodged by Mr and Mrs Spittle relating to Sheafhouse Farm and its various business ventures.

I would state for my own part and I believe for the majority of local objectors, that we have no issue with the applicants wishing to start new business ventures and would sincerely wish them success. However we do very strongly feel that any business venture should be properly regulated and in this case by both the Licensing and Planning authorities to ensure that the interests and amenity of local residents and the tranquillity of the Cotswold AONB is protected.

I would therefore ask that these applications are rejected, and the applicants required to submit all necessary applications. These to include any planning change of use and any structural considerations as well as both premises and personal licensing applications, so that a comprehensive review can be taken of their proposals and relevant conditions set to afford their neighbours and the location the consideration they and it deserves.

With kind regards

Paul Ensich – copy of planning breach letter below that was submitted with Mr Ensich’s objection

For the attention of the Chief Planning Officer

Dear Sir / Madam,

**Sheafhouse Farm, Draycott Road, Blockley, Moreton-in-Marsh, GL56 9DY
Planning Breach**

I write to report and object to a serious planning breach which I believe requires urgent council action to remedy. The planning breach relates to misuse of agricultural land at Sheafhouse Farm, Blockley.

Gym and entertainment related structures have been erected and activity undertaken on agricultural land without either a change of use having been applied for, or an application made for specific structures to be erected.

Sheafhouse Farm has diversified with the establishment of Freestyle 360 and legitimately operates a gym in accordance with planning consents as references:

14/00731/OPANOT | Prior notification for the change of use of an agricultural building to a fitness studio (use class D2)

14/00744/FUL | Extension to provide treatment rooms, reception and toilets for fitness studio.

Neither of these consents included for a change of use for an outside gym or other external activities on existing agricultural land outside of the red line site demarcation of these two applications. The following marked up ariel photograph shows some of the extent of development outside of that consented by CDC in the above two approvals.

The photograph shows the approximate red line area of the of 14/00731/OPANOT and 14/00744/FUL.

The highlighted yellow area "A" is the building subject of 14/00731/OPANOT change of use of an agricultural building to a fitness studio.

The highlighted yellow area "B" is the Extension to provide treatment rooms, reception and toilets for the fitness studio subject of 14/00744/FUL. The highlighted blue area "C" is an external gym not subject of any application or consent for change of use or development and therefore a breach of planning regulation. The second photograph below shows the development in this area.

The ariel photo highlighted blue area "D" is an external toilet and changing room block, again not subject to any application or consent for change of use or development and therefore a breach of planning regulation. The third photograph below shows this building.

Photo 1 – Ariel photo of Freestyle 360 development.

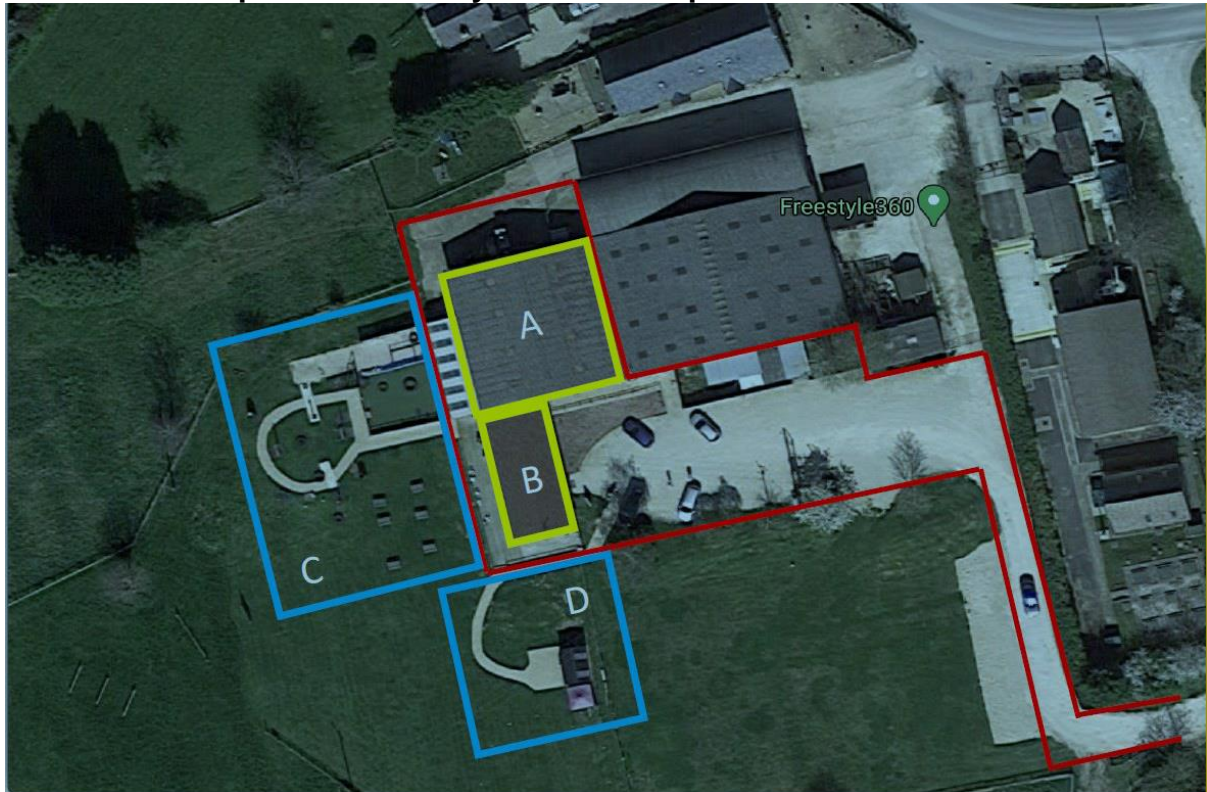


Photo 2 – Freestyle 360 Outside Gym (Area C)



Photo 3 – Freestyle 360 Toilet & Changing Block (Area D)



In addition to these areas, Freestyle 360 conduct other external activities such as outside spin classes and other gym and entertainment events on the wider designated agricultural land without a consented change of use. I also understand, without the relevant licence for amplified music or alcohol sales. The following three photographs are examples.

None of these facilities or events have been subject of planning or licencing applications and are therefore completely unregulated. In addition, the above right photo shows further encroachment on agricultural land with decking and outside catering sales and entertainment.

A recent planning application, 19/03585/FUL (Change of use of agricultural land for the siting of 7no. shepherds' huts), incurred numerous objections most of which related to the noise generated by Freestyle 360. The noise referred to in these objections was wholly related to external activities

outside of the consented development areas, on existing agricultural land which has not been subject to application for change of use.

A more recent application 20/02431/FUL (Change of use of agricultural land for the siting of 4no. safari tents) also incurred numerous objections and again most relating to noise generated by this business. This application was thankfully refused.

Planning application, 19/03585/FUL (Change of use of agricultural land for the siting of 7 "temporary" shepherds' huts) was consented by CDC and conditions imposed to protect the amenity of local residents, particularly in respect to noise abatement and the restriction on amplified music and entertainment.

I cannot accept that unregulated development and activities such as those indicated above, should be allowed to continue where the council have seen fit to impose conditions and restrictions on outside activities elsewhere on Sheafhouse Farm, including the use of agricultural land for temporary siting of shepherd hut accommodation. The scope and nature of the activity and structures subject of this planning breach being far less temporary than the consented huts.

I would suggest and most earnestly request CDC planning authority to remedy the unapproved change of use and development as described above and require Sheafhouse Farm and Freestyle 360 to apply for the proper planning consents. In this way these external activities can be appropriately regulated in line with those conditions imposed for 19/03585/FUL, thereby protecting the amenity of local residents.

I would be grateful if you could consider these issues and let me know of any actions taken.

Yours faithfully
Paul Ensich

3) Mr and Mrs Henderson

Dear Sir/ Madam,

We are writing in connection with the above applications. Unfortunately, the applicant's identity is not provided re C/21/00578/PTEN online although we understand that Tim and Tanya Spittle have now been granted a personal license for the sale of alcohol.

With reference to the Temporary Event Notice C/21/00578/PTEN permission is sought for the sale by retail and supply of alcohol at Sheafhouse Farm on Thursday 29th July between 6pm and 12am. There is no planning consent for this use and, even if there were, the hours are completely unreasonable with residential properties nearby. Not even the pub serves alcohol so late! We object to this application for temporary sale and supply.

We object to these applications for the following reasons:

1. Lack of Information

The applications provide no detailed information to enable a decision to be made (1) with all the facts known about and (2) the consequences of a decision, both at the property and the affect on the local community.

For example, there is no information as to the specific location that the licence is to apply to, what facilities will be provided for customers, storage etc.

We don't know where the vodka is being made but assume you will enquire about this. It should not be permitted at the premises.

2. Planning Use

Sheafhouse Farm, even following the sale of land for residential use (now built out) is predominantly an agricultural business, certainly in acreage terms. In addition to the gym business, various planning consents have recently been granted including shepherd huts and the provision of an ancillary cafe.

We were always concerned about the cafe but were reassured by comments at the time of the application that no alcohol would be sold. Our concerns were mainly around noise, both internally when windows are open, and, more importantly, externally on the decking/patio outside the gym.

Sheafhouse Farm does not have A1 or A4 designation. This should remain the case. The consent for the cafe requires the cafe to be ancillary to the gym, not an independent use and not for any other purpose.

The available promotional material suggests that you can buy this product at the site, which, if the case, is a clear breach.

The application for a licence for the sale of alcohol points to both A1 and A4 use on site for which there is no planning consent. The applicant appears to have agreed with various retailers that the vodka be sold by them so, in the case of Blockley, it would make sense for it to be sold in the village shop, as other local products are, rather than at the farm.

The license application, C/21/00576/PRMA, refers to sales between 0900 and 2200 daily which is a very long time - it looks like you go to the gym and then buy a bottle!

3. Alcohol Consumption

It is not beyond the realms that, if sold at the premises, alcohol consumption will also take place at the premises.

No consumption should be permitted on the premises. The local community already suffers from significant noise emanating from this property. There have been parties, promotional events with loud music, public address etc, some of it coming from non permitted planning uses. We say this because this is our fear if consumption is allowed at the premises, temporarily or permanently. We may be wrong but we don't believe that Temporary Events Notices were obtained in cases where they were required.

This, and additional traffic, delivery vehicles, storage etc.

4. Impact on the local community

If allowed, there will be further adverse impact on the local community particularly by way of noise and traffic. This should be fully assessed but, of course, can't be in the absence of formal planning applications and lack of detail with the application for an alcohol license. Our concerns are particularly around noise, both music and party noise and traffic generation, as well as potential additional external lighting in the winter. The consents that have been granted recently have included noise conditions which help but, of course, are not easily policed or breaches proved.

All of the above points to the need for more information prior to making a decision. In fact, the lack of information is, in my view, just a little suspicious.

It appears to me that there have been, and remain, continuing planning breaches. Cotswold District Council are looking at a major breach currently where the applicant has extended the use of the gym to include an outdoor facility without a change of use application or consent. The previous mud run and assault course, dismantled relatively recently, and the gym's promotional signs on highway land in the local area all had and have no consent as far as I am aware.

This causes me to have little confidence that, even if permission is granted, the terms of such consents will be fully adhered to.

Disregard for seeking the necessary consents, if correct, cannot be ignored in assessing applicant actions.

The applicant tends not to engage with the local community, much of the support for the shepherd huts came from gym customers who do not live in Blockley.

We are not against diversification but are adamant that the proper processes should be followed, full information should be given in support, the pros and cons of any application weighed and then, if granted, such use should be properly regulated by both the planning and licensing authorities. Whilst separate functions, applications for alcohol sale and consumption should be determined with the planning position being taken into account.

We have no objection to another business venture by the applicant but not at any cost. We do not want disturbance; the amenity of local residents should be respected and protected.

In summary, and for the above reasons, we request that the applications are rejected.

Kind regards,

James and Jackie Henderson

4) Mr and Mrs Lewis

Dear Sir / Madam

RE :C/21/00576/PRMA New Premises Licence Application Sheafhouse Farm Draycott Road Blockley Moreton-In-Marsh Gloucestershire GL56 9DY/ Ref. No: C/21/00578/PTEN Applicant Name: Not Available

I write in support of Paul Enschr's email dated 18th July to object to the above Licence Applications on the following grounds: the Licence Application relates to Sheafhouse Farm which currently does not have any A1 planning designation for retail sales nor an A4 designation for a drinking establishment and no applications have been registered with Cotswold District Council planning for such changes of use.

Sheafhouse Farm is designated as an agricultural business with consent for six shepherds huts and a separate gym business and ancillary café, Freestyle 360 . The planning consent for the café 20/02984/FUL, stipulates *"that premises shall be solely as described in the details submitted with the planning application and shall only operate ancillary to Freestyle360 and shall not be used independently or for any other purpose without express planning permission"*.

The licence application for the Supply by Retail of Alcohol suggests that a location of Sheafhouse Farm will operate as a retail premises with opening hours, (under the activities section), stated as between 0900 and 2200 hrs each day. This would likely involve the storage and sale of alcohol. The Licence Application lacks any detail re. premises, storage, security, deliveries and so on. Without a specific change of use planning application and the additional detail that would require, the impact and effect on the local community, neighbouring residents and the Cotswold AONB cannot be fully assessed or protected. The previous planning consents in respect to developments and associated businesses at Sheafhouse Farm, such as the gym, Freestyle 360, café and the shepherds' huts, have all been conditioned in order to protect the area and local residents from noise and disturbance. Please review the following planning consents: 14/00731/OPANOT; 14/0744/FUL; 19/03585/FUL; 20/02984/FUL. In addition, a recent application for the development of "safari tents" was refused and a subsequent appeal also refused on the grounds of negative impact on the AONB and local residents, APP/F1610/W/20/3264455. You will see that there is a deal of planning activity from Sheafhouse Farm, not least the sale in 2016 of 5.5 acres of land outside the development boundary on which now stands 23 houses.

Unfortunately, the applicants have a track record of disregarding necessary regulatory requirements: not only is Sheafhouse Farm already advertising and seeking sales of Blacklion Vodka from their premises (<https://blacklionvodka.co.uk/product/black-lion-vodka-70-cl/>) without an existing licence but also that there is an existing, significant breach of planning which is in the hands of Cotswold District Council enforcement team. This breach relates to the Freestyle 360 gym business where the applicants to this licence have extended the gym to include an outside facility without any change of use planning application. Paul Enschr has already sent you his letter to CDC dated 21st October 2020 on this unresolved issue. You will see that the extension of these facilities also involved a number of outside events which included the sale of alcohol and both live and recorded amplified music with a significant number of attendees. No Temporary Events Notice was raised for any of these events and therefore these were totally unregulated. Sheafhouse Farm has also, only recently, dismantled an outside mud run which again didn't have the necessary planning consent.

These planning breaches and unregulated events have caused significant disruption and disturbance to local residents and have resulted in many objections to the various planning applications lodged by Mr and Mrs Spittle relating to Sheafhouse Farm and its various business ventures. We have no issue with the applicants developing their business, but it needs to be properly regulated to protect local residents and the Cotswold AONB.

Please will you reject these applications, and the applicants required to submit all necessary applications for planning change of use and any structural considerations as well as both premises and personal licensing applications, so that a comprehensive review can be taken of their proposals

and relevant conditions set to afford their neighbours and the location the consideration they and it deserves? Thank you for your consideration.

With kind regards

Katharine and Gareth Lewis