

Item Number: 7
Application No: 18/01016/FUL
Parish: Aislaby, Middleton & Wrelton Parish
Appn. Type: Full Application
Applicant: Mr & Mrs G Kirk
Proposal: Erection of a building to be used as a function room in association with the existing holiday cottages at Beech Farm Cottages and in addition as a venue for weddings and parties following demolition of existing outbuilding
Location: Beech Farm Cottages Main Street Wrelton Pickering North Yorkshire
Registration Date: 5 October 2018
8/13 Wk Expiry Date: 30 November 2018
Overall Expiry Date: 26 November 2018
Case Officer: Alan Goforth **Ext:** Ext 43332

CONSULTATIONS:

Parish Council	Support with conditions
Highways North Yorkshire	No objection
Environmental Health Officer	No response received
Environmental Health Officer	Recommend conditions
Parish Council	<i>Any further comments shall be reported at the Planning Committee meeting</i>

Neighbour responses: Mrs Julia Smith, Mr John Metcalfe, Mr Rooney Massara, Mr Andy Green, Mr Philip Hanby, Arthur Strickson, Mrs Maureen Roberts, Mr Terence Firth, Mr Garry Petre, Mr Andrew Clark, Mrs Stephanie Lacey,

SITE:

Beech Farm Cottages is an established holiday letting business (eight cottages) located in Wrelton. Beech Farm House and the row of holiday cottages stand within the village development limits. The proposed building would be to the west beyond the village development limits and within the open countryside and an Area of High Landscape Value (AHLV). There is a track that runs north-south to the west of the site but it is not an adopted public right of way.

Beech Farm House is a Grade II listed building which fronts Main Street but is 75m east of the proposed development site and separated from the site by the existing arrangement of buildings. The holiday cottages can accommodate up to 45 people and the existing facilities on site comprise storage outbuildings, a swimming pool and sauna and a children's outdoor play area.

The nearest residential properties are numbers 1-4 Holly Close (bungalows) and number 1 Orchard Close which are located approximately 30m to the south and south-east respectively. The Huntsman is approximately 20m to the east.

The southern boundary comprises a collection of trees and a mature, coniferous hedge approximately 2.5m in height that extends along most of the boundary. The eastern boundary is a 2m high coniferous hedge and the western boundary comprises a dry stone wall that runs parallel to the track.

HISTORY:

17/00115/CLEUD - Certificate of Lawfulness in respect of the conversion and use of the buildings known as Dove Tree Cottage and Fat Hen Cottage as holiday cottages as part of the Beech Farm

Cottages holiday complex for a period greater than ten years before the date of this application.
GRANTED 02.05.2017.

PROPOSAL:

Planning permission is sought for the erection of a building to be used as a function room in association with the existing holiday cottages at Beech Farm Cottages and in addition as a venue for weddings and parties following demolition of existing outbuilding.

The new building would be sited on the western side of the site and would replace the existing single storey pitched roof storage building constructed from blockwork and timber cladding and the adjoining shipping container. Immediately to the south of the existing building is the enclosed outdoor play area.

The proposed single storey, detached building would measure 13.3m by 12.1m. It would stand 2.25m to the eaves on the north elevation, 3m to the eaves on the south elevation and 5.3m to the ridge. Externally it would be predominately clad with timber vertical boards with reclaimed stone detailing around the main entrance in the east elevation and in the south elevation. The pitched roof would have a clay pantile covering containing 10 roof lights. There would be a single window in the north and west elevations. There would be a covered decked area adjacent to the south elevation which would be accessed from two sets of aluminium framed bi-fold doors.

The applicant has confirmed that the new building would generally function as a play room for children staying at the adjacent holiday cottages particularly during inclement weather. The building would also host various events for the holiday cottage guests only such as dinner/birthday/anniversary parties, weddings and exercise and art classes. The initial application made reference to the building being available for community uses but this has since been withdrawn from the proposal and the building would not be available for private hire separate from the on-site holiday accommodation.

In response to concerns raised by the Parish Council and local residents the Applicant submitted a Noise Statement to accompany their application. The statement includes the following commitments:-

- *Weddings would be restricted to maximum 4 per year*
- *Weddings would be restricted to out of season only (Sept – May)*
- *Maximum number of non-wedding events 1 per month*
- *Only Beech Farm guests will be allowed to events (we can accommodate max 45 people)*
- *Restrict hours of music to no later than 23:00 hours and until 21:00 on Sundays and Bank Holidays.*
- *Restriction that events shall only be held where music plays an ancillary part i.e. weddings, parties etc. and not gigs etc.*
- *There shall be no amplified music outside of the building*
- *No use of fireworks or light displays*
- *Require that when in use the bi-fold doors should be closed during amplified music inside the building and in any event closed at 21:00 hours.*
- *Requirement that the venue is only used in associated with the holiday cottage accommodation*
- *We will also plant noise cancelling bushes and hedges on the perimeter of our current playground to help muffle any noise created from the building.*
- *A Beech Farm member of staff will be present at all events to ensure that all restrictions are being adhered to.*

POLICY:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP8 Tourism

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

Revised National Planning Policy Framework 2018 (NPPF)

National Planning Practice Guidance 2014 (PPG)

Appraisal

The main considerations in the determination of this application are:

- i) Principle of the development;
- ii) Design, appearance and impact upon the AHLV;
- iii) Impact on residential amenity;
- iv) Highway impact; and
- v) Other matters.

Principle of the development

The proposed building would replace existing dilapidated outbuildings and would create a multi-function space for use by holiday cottage guests. The applicant states that the facility would be ancillary to the existing, established use of the site and would not compete or conflict with the existing holiday cottage business. The applicant aims to increase bookings of the holiday cottages during the off season through themed visits and events for guests which would make use of the new building. For example, it is proposed that the use of the building for wedding events would be restricted to a maximum of four per year and only during the months of September to May so to avoid the peak summer holiday season.

At present the holiday cottages provide employment for three full time workers and the applicant anticipates that the proposed development would enable the employment of an additional full time member of staff. It is considered that the principle of the development aligns with the general aims of Policy SP8 as it represents the expansion of an existing holiday cottage business in the form of an ancillary function room that has the potential to attract visitors to the area during the holiday season and also outside of the peak summer months.

Design, appearance and impact upon the AHLV

The proposed building would have a footprint that is approximately 40m² larger than the existing outbuildings which it would replace. In addition, the ridge of the proposed building would be approximately 1m higher than the outbuildings. However, it is considered that this increase in size is outweighed by the visual improvement arising from the removal of the dilapidated outbuildings and replacement with a purpose built, reclaimed stone and timber clad building.

The proposed building would be located to the rear, western side of the site set back from the street frontage and in a position where the existing boundary treatment largely screens the site from nearby visual receptors. The proposed scale, materials and colour finishes for the building would be sympathetic to the character and appearance of the existing site minimising the visual impact within the surrounding area.

The siting and design of the building is considered acceptable and there would be minimal impact upon the open countryside and rural character of the locally valued landscape area and the development is considered to be in compliance with policies SP13 and SP16.

Impact on residential amenity

The LPA has received 11 representations from local residents of which seven are objections and four are in support of the application. The main objections relate to the potential for noise disturbance from guests and music and on-street parking but it should be noted that the objections were lodged prior to the Parish Council and Environmental Health responses and also before the applicant submitted the Noise Statement which seeks to address local concerns. The objections that raise concerns in relation to the proposed community use (now withdrawn from the application) will not be considered. Similarly, concerns in relation to other guests attending wedding parties in addition to those at the holiday cottages are not relevant in light of the proposed use.

The proposed outdoor covered area adjacent the southern elevation would be relatively modest in size but would link the internal space to the garden/play areas via the two sets of bi-fold doors in the southern elevation of the building. It is relevant to note that the grassed area to the south of the proposed building is currently used as a play area and children's football pitch and therefore it is to be expected that there would be a degree of noise from the holiday cottage guests within the outdoor areas as existing. The main issue is the potential for increased noise disturbance arising from the guests and music associated with wedding events and parties. The applicant proposes mitigation in the form of limiting the number of events, the hours of amplified music and requiring that the bi-fold doors are closed when amplified music is being played within the building.

The Environmental Health Specialists have considered the applicant's Noise Statement and have no objections to the application subject to the inclusion of conditions to protect the amenity of neighbours against noise from amplified music. The conditions limit the number of wedding events per year, prohibit live music, require the bi-fold doors to be closed during recorded amplified music and for music to cease at 23:00 hours. In addition, noise levels should not exceed 50dB LAeq at the site boundary.

There are gaps in the planting along the southern boundary of the site and the applicant has confirmed that new planting would take place to screen the site from neighbours and provide a degree of noise attenuation. Furthermore, the applicant intends to erect an acoustic fence behind the planting to provide further mitigation. If permission is granted the details of the planting and barrier will be approved by the LPA prior to implementation.

If planning permission is granted the use of the function room shall be restricted by a suite of planning conditions that are based on the commitments made by the applicant in relation to how the building will be managed. The restrictions also take account of advice received from the Environmental Health Specialists in order to protect the amenity of neighbours against noise from amplified music. In light of this it is not anticipated that the function room would give rise to any unacceptable pollution or disturbance and as a result there would not be an adverse impact upon residential amenity in compliance with policy SP20.

Highway impact

The use of the function room would only be for guests staying at the adjacent holiday cottages (maximum of 45 persons) and this would negate any adverse cumulative impact relating to vehicle movements or on-site parking demand. The use of the building could be controlled by condition should planning permission be granted.

In their consultation response the LHA note that the footprint of the replacement building would not impact on the available on-site parking and turning areas and that the building would only be for the exclusive use of guests/visitors staying at the holiday cottages. The LHA have no objections subject to parking being allocated to outside caterers/delivery vehicles and the applicant has confirmed that the parking shall be made available.

It is considered that the vehicle movements associated with the development can be satisfactorily accommodated by the local highway network and would not have a detrimental impact on road safety in

accordance with policy SP20.

Other matters

The representations made in support of the application highlight that the new building would replace old, dilapidated and unsightly buildings and improve the appearance of the AHLV. In addition, some local residents' state that the development will enhance the local business and bring visitors to the area. The responses acknowledge that the building would be set back from the main road with sufficient off street parking and screened by existing boundary planting. With regard to the protection of residential amenity those in support state that any noise and nuisance would be covered by other legislation and restrictions on the hours of use would limit the noise impact.

The Parish Council supports the application subject to restrictions relating to sound proofing in accordance with Building Regulations, screen planting on the site perimeter, a limit on the number of events with music, a limit on total number of guests to 45, no finishes later than midnight and that the bi-fold doors are kept closed after 21:00 hours when there is amplified music. It should be noted that the Parish Council's response was made prior to the submission of the applicant's Noise Statement and should any further comments be received they shall be reported at the Planning Committee meeting.

Conclusion

The principle of the development is in line with national and local planning policy relating to the sustainable development of tourism and the ancillary building would complement the existing on-site holiday accommodation and is considered to be an appropriate expansion of an existing holiday cottage establishment.

The proposed building would not have an unacceptable impact on the appearance of the site, residential amenity or highway safety. The applicant is aware of the conditions deemed necessary to control the development and have no objections to the restrictions. In light of the above assessment, it is considered, on balance, that the proposal is acceptable and complies with policies SP1, SP8, SP13, SP16 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the revised National Planning Policy Framework. The recommendation to Members is one of conditional approval.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan, undated

Location Plan showing wedding zone, undated

Proposed Elevations ref. D418010/04 Rev A, dated August 2018

Proposed Site Layout and Floor Plan ref. D418010/03, dated August 2018

Noise Statement received by the LPA on 3 January 2019

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Within 2 months of the date of planning permission a boundary treatment scheme relating to the southern and eastern sides of the site shall be submitted to the Local Planning Authority for approval in writing. The scheme shall provide for the planting of trees and shrubs and the submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained. Unless otherwise agreed in writing by the Local Planning Authority the scheme should also include

details of acoustic fencing to indicate the specification, height and location. Once approved the acoustic fencing shall be installed prior to the approved building being brought into use. All planting comprised in the above scheme shall be carried out during the first planting season following the approval of the scheme, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance and ecological value of the development hereby approved.

Reason: In the interests of amenity.

- 4 The use of the function room shall be limited to only the guests/customers staying at Beech Farm Holiday Cottages (maximum of 45 persons).

Reason: In the interests of amenity.

- 5 The use of the function room shall be restricted to a maximum of four wedding events per calendar year. The owners/operators shall maintain an up-to-date register of wedding event bookings that will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason: In the interests of amenity.

- 6 The use of the function room for wedding events shall be restricted to only between 1 September and 31 May.

Reason: In the interests of amenity.

- 7 The use of the function room for non-wedding events shall be restricted to no more than 1 event per month.

Reason: In the interests of amenity.

- 8 All amplified music shall be limited to recorded music only and played only within the building when the bi-fold doors are closed.

Reason: In the interests of amenity.

- 9 No amplified music shall be played later than 23:00 hours Monday – Saturday and no later than 21:00 hours on Sundays and Bank Holidays.

Reason: In the interests of amenity.

- 10 There shall be no use of fireworks or external light displays within the site.

Reason: In the interests of amenity.

- 11 Noise levels from amplified music should not exceed 50dB LAeq at the site boundary. In the event that noise related complaints are received the Local Planning Authority reserves the right to request that noise monitoring is undertaken. If the monitoring results indicate that the agreed noise level is being exceeded the use of the building shall cease until suitable mitigation is in place and demonstrated to be effective.

Reason: To ensure that internal ambient noise levels within the sensitive dwelling are in accordance with BSI Standards 8233:2014, Chapter 7.7.2 and WHO: 1999, index 3 Adverse

Health Effects of Noise, Chapter 3.4. Sleep Disturbance i.e. allowing for partially open windows.