

Item Number: 6
Application No: 20/00695/FUL
Parish: Sproxton Parish Meeting
Appn. Type: Full Application
Applicant: A Wainwright and Son
Proposal: Change of use and alteration of farm buildings to form a mixed use events and venue barn (wedding ceremonies and reception and small conferences etc.) with associated facilities, landscaping and parking
Location: Sproxton Hall Farm Main Street Sproxton Helmsley YO62 5EQ
Registration Date: 28 September 2020
8/13 Wk Expiry Date: 23 November 2020
Overall Expiry Date: 30 March 2021
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

<p> Sproxton Parish Meeting Highways North Yorkshire Environmental Health Public Rights Of Way NYCC Natural Services Paul Jackson AONB Manager Sproxton Parish Meeting NYM National Parks Yorkshire Wildlife Trust </p>	<p> Objection Recommend refusal Full impact noise assessment is required Adjacent PROW informative Recommend conditions Comments – conditions recommended Object Comments We have been contacted by a member of the public concerned about this application. We have therefore reviewed the bat, breeding bird and barn owl survey report (MAB Ecology Sept 2020). As only one nocturnal emergence survey has been undertaken, further survey will be required to characterise the bat roosts identified, in line with the Bat Conservation Trust, Good Practice Guidelines (3rd Edition, 2016). In addition, indirect or disturbance impacts will need to be carefully considered, including any external lighting, which could affect nocturnal wildlife such as bats or barn owl, which were identified at the site. A lighting scheme should be prepared indicating how dark corridors are to be retained, particularly at the entrance to the proposed mitigation bat loft. </p>
<p> Yorkshire Water Land Use Planning Sproxton Parish Meeting </p>	<p> Further Information required 83% of the Parish remain in objection to the Planning application, having considered the Acoustic report and re-amendments to the Transport Statement </p>
<p>Environmental Health</p>	<p>Object</p>
<p>Representations:</p>	<p> Mr Simon Dunn, Mr Anthony Holt, Occupier, Mr Bousfield, Sarah Shaw, Mrs Joanna Oliver MBE, Jordon Collinson On Behalf Of Mr And Mrs Boddy, Mr B Roberts, Mr And Mrs McAndrew, Ms Linda Cubitt, Mr George Smith, Ms Maureen Skinner, Mr George Skinner, Dr Emma Shaw, Miss Emma Grace, Mr Jeremy Shaw, Mr Ian Boddy, John & Patricia Watson, Mr Colin Ward, Michelle Ward, Mr David Wells, Ms Helen Wells, Juliane Schaub, Beth Skinner, Mr And Mrs Walker, Mr Mathieu Hazorika-Stephany, Mr And Mrs Shaw, Mrs Doobori </p>

Hazorika-Stephany, Mr Stuart Prest, Mr David Kershaw, Mr Trevor Blackburn, Mr And Mrs Wilson, Mrs Catherine Kershaw, Mr Franklin Farrar, Mrs Bridget Sarstedt, Mr And Mrs Pattison, R Roberts, Christine Drydale, M Dransfield, John Dransfield, Margaret Farrar, A Blackburn, Fliss Murtagh, Mr J.R. Pattison, Mr And Mrs T Frost, W.B. Tait, Mr And Mrs S Balmforth, Sharon Marwood, Mr David Wells, Mrs Irene Peta Poole, Joe Manson On Behalf Of Mr And Mrs Skinner, Mr James Vandebroecke, Ms Sarah Vandebroecke, Mr Simon Welford, Mr Stephen Burgess, Mrs Elaine Burgess, Ms Allison Munro, Mr Rob Oliver, Mrs Joyce M Walters, Rollits LLP, Katie Boddy, Mr Selwyn Jones, Mr Joe Marwood, Mr John Rowley, Mr Matthew Clark, Mrs Ann Spetch, Mrs Emily Slingsby, Mrs PJ Pattison, Mr Alexander Lamont, Dr Nicholas Seed, Miss Elizabeth Stockwell, Mrs S Stone, Mr Rob Fawcett, Mr And Mrs C Hodgson, Rosy Eaton And Fraser Hugill, Mr Christopher Jenkins, Ms D E Garside, Joanne Welford, Caroline Farrar, A & B Mellor, Margaret Farrar, Mr Mike McAndrew, Fran Evans, Mrs Helen Wells,

Site

The proposed development site is a farm situated at the eastern end of the village of Sproxton. The site is outside village development limits and in the open countryside. The site is within the Howardian Hills AONB and Sproxton Hall is Grade II listed with curtilage listed traditional farm buildings. Access to the site is via an unclassified road (no through road) that leads east from the B1257 through the village to the farm. The road, where it approaches the entrance to the farm, is shared with bridleway number 25.90/2/4. There is a collection of cottages approximately 50 metres to the west of the site.

Proposal

Planning permission and listed building consent is sought for the change of use and alteration of farm buildings to form a mixed use events and venue barn (wedding ceremonies and reception and small conferences etc.) with associated facilities, landscaping and parking.

The proposed development would convert a range of existing, traditional farm buildings, which are no longer required for agricultural purposes, to form an events barn for use as a wedding venue or for conferences etc. The main house would remain in residential use and the adjoining farm buildings to the north and east would remain in agricultural use. A car park with 50 spaces would be created to serve the venue with access off the lane to the south of the farm complex.

The venue would cater for weddings with up to 180 guests during the day and up to 220 guests on an evening. The hours of use would be between 0900 – 2400 hours Monday to Friday; 0900 – 0100 hours Saturday; and 0900 – 2400 hours Sunday and Bank Holidays.

The applicant's Noise Management Plan indicates that any music played outside would be non-amplified; all live music would cease by 23:00 hours, all other music would cease by 00:30 hours and there would be no fireworks permitted.

The applications are accompanied by a Planning Supporting Statement, Heritage Assessment, photographic survey, Noise Management Plan, Transport Statement and an Ecological Survey.

Policies

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)

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

Local Plan Strategy - Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP22 Planning Obligations, Developer Contributions and the Community Infrastructure Levy

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

History

No Planning history directly relevant.

Pre Application enquiry Ref 20/00343 Reply dated 3.6.2020 is appended for Members information in relation to the proposed use of the site/building as an events venue.

Representations

The LPA has received a significant number of representations, initially 52 individuals raising objections and 9 in support of the proposed development. The main objections and concerns relate to the following:-

- Conflict with farm/rural diversification policy
- Landscape character impact
- Noise disturbance from events and traffic movements
- Highways safety- access, visibility, road conditions, traffic movements
- Harm to significance of heritage assets
- Light pollution
- Drainage
- Impacts on protected species

Those supporting the application considered that this was:

- . a sustainable diversification project
- . a potential meeting facility for the village
- . help to give a future for the historic buildings
- . would have economic benefit –ie. new jobs, benefits to other businesses in the locality

Following the submission of further information relating to highways and noise matters a further 33 objections have been received and 1 No letter of support.

In addition to reiterating the earlier responses above the additional comments included references to:

- . contradictory information between reports
- . inadequate provision for traffic /inadequate passing places
- . concept good but entirely the wrong location
- . additional noise report flawed/inadequate

The additional supporter considered that the scheme would be a benefit to employment in the area.

Background

Prior to the consideration of the application on this agenda Members carried out a Site Inspection on 9th December 2020.

Appraisal

The principle considerations in relation to this application are:

The Principle of the development,

Whilst the site is located in open countryside and within the AONB the principle of the development broadly aligns with Policies SP1 and SP9 as the proposed wedding and events venue presents as a farm diversification project that would contribute to the rural economy and create additional employment opportunities at the site. Policy SP9 supports the conversion of existing buildings. Members will be aware that the buildings in question are curtilage listed buildings/ whilst the buildings are considered to be in good order the proposed development would help to secure their future preservation.

Landscape and Visual Impact,

The site is located within the nationally designated Howardian Hills AONB. It located in open countryside to the east of the village of Sproxton and the site and buildings can be seen at close quarter from adjacent Public Rights of way. The PROWS also include Ebor way which is part of a linked system of identified longer distance walking routes popular with holiday makers and hikers.

Aspects of the scheme would be visible locally in the landscape perhaps most notably the proposed car parking are to the south east of the main group of buildings. Several third parties have expressed concerns about its visual impacts raising objections in terms of the adverse impact AONB. The AONB manager has however been consulted on the application and has not raised any specific objection to the proposed parking area on wider landscape impact grounds, recommending that additional conditions could be imposed to mitigated visual impacts by controlling and screening the parking areas , plus additional controls over external lighting to address any night time intrusion.

During the processing of the application, and in response to other issues, the Council has been presented with off- site proposals to address concerns and objections in relation to highways matters. These have also included the provision of five passing spaces on the access leading to the site, two of which are on private land leading to the site (adjacent to the line of the PROW) from the end of the adopted highway and also three passing spaces along the main section of the village street. It is considered, taken as a whole, that these additional engineered features would have an unfortunate urbanising effect on the locality which would be to the detriment of the character of the village and the designated AONB. This is considered to be contrary to the adopted development plan Policy SP13 Landscapes as the

development would fail to conserve or enhance the nationally protected landscape. The proposal is also considered to be contrary to the advice contained in the National Planning Policy Framework in this respect.

Design and Impact on Heritage Assets,

The design of the proposed scheme and the approach to conversion of the curtilage listed barns has been carefully considered by officers with input from the Council's Building Conservation Officer. Member will note that there is a separate application for listed building consent in relation to the proposed works to the curtilage listed buildings which deals with the alteration works proposed to the buildings. The applicant has also submitted a Heritage Impact Assessment in support of the application as requested which has been appraised by the Building Conservation Officer. In short however the Building Conservation Officer is content with the design approach to the conversion of the heritage asset and raises no objection to the application on design or heritage grounds. Policies SP12 Heritage and SP16 Design of the adopted development plan are considered to be satisfied

Impact on local and residential amenity,

Initially the application was submitted with a number of technical reports. However concerns were expressed at an early stage in respect of noise and amenity issues and a further Noise assessment report was formally submitted for consideration and re-consultation in 2021. This has been the subject of further responses from third parties which are listed earlier in this report. The Council has also received a technical critique of the report from Apex Acoustics who provided a response on behalf of local objectors to the scheme. Further highways information was also submitted which is in part appraised in the next section of this report.

Impacts arising from noise and disturbance directly from activities on site and from traffic moving to and from the site have featured largely in third party objections received. In addition the Council has received letters from Rollits solicitor, TPS consultants and Apex Acoustics on behalf of objectors setting out detailed objection to the scheme. Following receipt of the applicant's further Noise assessment and Transport assessment all of the information has been considered by the Council's Environmental Health Specialist. The full response from the EHO dated 19th April 2021 is appended to this report for Members information.

The EHO response considers both activities inside and outside the building together with vehicle movements to and from the site. The letter points to an agreement by all that very low ambient noise levels were observed in this area. Whilst from a noise perspective measures could be taken to mitigate the impacts of noise from within the building the same could not be said for activities outside of the building. There are also no details of how mechanical ventilation could be achieved nor any information on the specification of such equipment which itself would be a source of noise.

The EHO considers that it would be impossible/impractical to prevent guests from entering and leaving the building and that in any event no modelling has been done to assess this possibility. Noise from vehicles particularly late at night is likely to give rise to noise levels that would disturb sleep for residents in the village. There is also likely to be annoyance to residents in their gardens as guests arrive during daytime and evening if their gardens are adjacent to the roadside.

In conclusion Sproxton is described by the EHO as tranquil. Stating that 'The changes this mixed events venue is likely to impose in terms of noise and additional activities are likely to have a significant negative impact on local residents' quality of life, amenities and enjoyment of their properties. The proposal is therefore contrary to the requirements of this aspect of Policy SP20 of the adopted development plan.

Highways impacts,

The amenity impacts of traffic associated with the development have been appraised by the Council's EHO as detailed in the section above. In addition to the amenity impacts of the traffic NYCC Highways have carefully scrutinised the submitted information along with further information and addendum

notes produce by the applicant to address highway safety matters raised by the NYCC Highways officer. The submitted technical documentation can be viewed on the Planning file along with third party responses and comments from NYCC Highways. For ease of reference for Members the final NYCC Highway response dated April 2021 is appended to this report.

Concern is raised in terms of the applicants proposal to suspend agricultural traffic so as not to coincide with weddings /or events taking place or how that could be conditioned monitored and enforced. Notwithstanding that issue the proposed controls could not in any event control the movement of other traffic not connected with the site that might use the village street at peak times or when an event is taking place.

The proposed passing places have substandard inter-visibility with the likelihood of delays, reversing traffic and adverse impacts on other users of the highway including pedestrians, cyclists and horse riders. It should be noted that there are no designated footpaths along the village street. The NYCC highways response concludes by stating that because of the nature and narrowness of the carriageway that existing and proposed traffic cannot be accommodated to a safe and satisfactory level, leading to conditions prejudicial to highway safety and loss of amenity value. NYCC highways therefore recommend refusal of the application. In respect of highway safety issue this aspect also does not satisfy Policy SP20 of the adopted development plan.

Ecology

The application and submitted ecological report has been appraised by NYCC 's ecologist who has assessed the submitted information and has raised no objection to the scheme subject to the imposition of appropriate planning conditions. These would cover carrying out of works in accordance with the submitted ecological report sections 9 and 10 and the provision of an additional barn owl box.

Drainage

At the time of writing this report an outstanding query remains from Yorkshire Water remains in respect of the foul water details proposed to serve the scheme. The existing sewage treatment plant serving the village is understood to be of limited capacity and unable to cope with the likely additional demand created by the development. Further information has been requested by Yorkshire relating to the drainage arrangement for the site. Members will be updated on the Late Pages or at the meeting on this matter. At the current time however inadequate information is available in respect of foul water disposal arrangements.

In the light of the matter and issue considered above however officers consider that the application is unacceptable in terms of its impact on the amenities of residents living close to the site, its impacts on highway safety and its impacts on the character and appearance of the nationally protected AONB landscape.

Recommendation

Refusal for the reasons Recommended below

1. The Local Planning Authority considers that the proposed development would result in significant noise and disturbance to the occupiers of residential properties located close to and adjacent to the approach road leading to and from the site. The noise associated with on-site activities and its associated traffic is not considered to be capable of being satisfactorily mitigated. The proposal is therefore considered to be contrary to the requirements of this aspect of Policy SP20 of the adopted Ryedale Plan Local Plan Strategy relating to Amenity and Safety
2. The Local Planning Authority considers that the roads leading to the site are by reason of their poor alignments/poor junctions/insufficient widths/poor condition/unsuitable gradients and lack of footways/lighting and turning area are considered unsuitable for the traffic which would

be likely to be generated by this proposal. The proposal is therefore considered to be contrary to this aspect of Policy SP20 of the adopted Ryedale Plan Local Plan Strategy relating to Access, Parking and Servicing

3. The Local Planning Authority considers that the development which includes proposals to introduce five engineered passing spaces on the approach road to the site and also along the private driveway would be detrimental to the character and appearance of this part of the village of Sproxtan which is located within the designated Howardian Hills Area of Outstanding Natural Beauty. The proposal is therefore considered to be contrary to the requirements of this aspect of Policy SP20 of the adopted Ryedale Plan Local Plan Strategy relating to Character and also contrary to Policy SP13 Landscapes relating to National Landscape Designations