

Item Number: 14
Application No: 22/00791/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 including new access from A170 (revised scheme to refusal 20/00695/FUL dated 07.07.2021)
Location: Sproxton Hall Farm Main Street Sproxton Helmsley North Yorkshire YO62 5EQ

Registration Date: 25 July 2022
8/13 Wk Expiry Date: 19 September 2022
Overall Expiry Date: 12 January 2023
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultation

Ellie Hook AONB Manager	Objects- impact on tranquillity- noise disturbance, visual impact, light pollution
Sproxton Parish Meeting	Objects (<i>see 'Representations' section of this report</i>)
NYCC Natural Services	Findings of bat survey should be updated
NYM National Parks	No objections- lighting should be minimal and meet dark sky specifications
Public Rights of Way	Recommend informative
Yorkshire Water Land Use Planning	Comments – use of private package treatment plant preferred option
Yorkshire Wildlife Trust	No objection- bat survey should be updated
Highways North Yorkshire	Access arrangements considered acceptable in principle- further information required
Environmental Health	No objections- recommend conditions
Tree & Landscape Officer	Request for further information- tree & hedge protection
Lead Local Flood Authority	No comments required

Re-consultation

Ellie Hook AONB Manager	Objection still stands. If approved conditions recommended
Sproxton Parish Meeting	Objects
NYCC Natural Services	Mitigation and compensation measures are comprehensive and should be secured by condition
NYM National Parks	No further response received
Public Rights Of Way	Recommend informative but satisfied that the PROW will not be adversely affected
Yorkshire Water Land Use Planning	No objection to the use of the proposed package treatment plant and so long as no foul or surface water discharge is proposed to the public sewer network
Yorkshire Wildlife Trust	No further response received
Highways North Yorkshire	Further information required- access & parking
Environmental Health	Conditional recommendation still applies
Tree & Landscape Officer	Recommends tree protection conditions

Further re-consultation

Highways North Yorkshire

Any further comments will be detailed in the late pages or as part of an update at the Committee meeting

Sproxton Parish Meeting

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Representations (47):

Objections (40): Dianne Garside, Christopher Jenkins, Helen Wells, David Wells, Franklin Farrar, Caroline Farrar, Margaret Farrar, J D Farrar, Mike McAndrew, Nancy Roberts, Ian Boddy, Katie Boddy, R E Roberts, Maureen Skinner, George Skinner, Emma Shaw, John Watson, Colin Ward, Selwyn Jones, Robert Field, Doobori Hazorika-Stéphany, Mathieu Hazorika-Stéphany, Kate Shaw, Catherine Kershaw, Ross & Pam Pattison, John R Dransfield, V Dransfield, T Frost, Fliss Murtagh, Sue and Mark Balmforth, I.P Poole, Joanna Oliver, Rob Oliver, Juliane Schaub, Nicholas Seed, Elaine Burgess, Stephen Burgess, Shelagh and Alan Mapletoft, Joyce Walters, Fran Evans (CPRE)

Support (7): Ann Spetch, Joanne Welford, Simon Welford, Matthew Clark, John Rowley, Poppy Arnett (National Farmers' Union), Stuart Prest

BACKGROUND:

The application is to be determined by Planning Committee as representations received in response to the consultation exercise have raised objections based on material planning considerations.

Members may recall that on 9 December 2020 the application site was the subject of a Members Site Inspection in relation to planning application ref. 20/00695/FUL (see planning history below).

SITE:

The application site relates to a farm situated at the eastern end of the village of Sproxton. The application site comprises traditional farm buildings and two paddocks to the south and a new access road which follows the field edge to the north/north-west of the farm.

The site is outside village development limits and in the open countryside. The site is within the Howardian Hills Area of Outstanding Natural Beauty (AONB) and Sproxton Hall is Grade II listed with curtilage listed traditional farm buildings the subject of this application. The existing access to the farm 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. Low Parks Farm and Throstle Nest Farm are beyond Sproxton Hall to the north-east and south-east respectively and share access via the road through the village. Bransdale Cottage and its associated 4no. holiday cottages stand approximately 50 metres to the west of the site. The site is within Flood Zone 1.

HISTORY:

20/00695/FUL- 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. REFUSED 7 July 2021.

The two reasons for refusal as stated on the decision notice are:-

'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 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 Sproxton 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'.

20/00696/LBC- Listed building consent for the conversion 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. APPROVED 7 July 2021.

PROPOSAL:

Planning permission 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 including new access from A170 (revised scheme to refusal 20/00695/FUL dated 07.07.2021).

The application is accompanied by a Planning Supporting Statement, Heritage Assessment, Acoustic Impact Assessment, Noise Management Plan, Transport Statement & Highways Technical Note, Ecological Survey and an Economic Impact & Market Assessment.

The proposed development would convert a range of traditional, curtilage listed 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 modern farm buildings to the north and east would remain in agricultural use. The venue will operate alongside the existing arable and livestock farming enterprise.

The venue would comprise the following:

Central foldyard area

- Open plan reception area/dance floor/workshop space.

Northern range (single storey barns at the top of the foldyard)

- Staff changing and WC; disabled WC and baby changing; utilities/store rooms; and caterer's food preparation area:
- Covered and gated entrance in northern range linking to the western elevation of the two storey barn (eastern range).

Eastern range (part two storey, part single storey barns)

- Ceremony barn/workshop space with mezzanine level (seating area) in the two storey height barn at the northern end of the range;
- Pre drinks lounge/small conference room;
- Oak framed glazed link for pre drinks space linked to main reception area;
- Entrance lobby at southern end of the barn;
- An open sided oak entrance porch at the main entrance on southern elevation.

Southern range (single storey barns at the bottom of the foldyard)

- Cloakroom off the entrance lobby;
- Male and female WCs;
- Bridal lounge and en-suite;
- Store room;
- Stores formed in the lean-to buildings off the south elevation of the range (accessed externally).

The western elevation of the foldyard faces the private yard area to the rear of Sproxton Hall. The existing openings in this elevation would be furnished with fixed oak frames and glass with painted timber sliding doors to be used as a means to control the level of privacy/sunlight etc. The only access point on this side of the venue would be a fire exit in the north west corner.

The venue is to be operational all year round and is to be managed by the owners of Sproxton Hall. The venue would cater for events involving up to 180 people. The hours of use would be between 09:00 – 00:00 hours Monday to Friday; 09:00 – 01:00 hours Saturday; and 09:00 – 00:00 hours Sunday and Bank Holidays with the exception of New Year's Eve which would be 09:00 – 01:00 hours.

A paved area approximately 85m² in size would be formed outside the main entrance on the southern side of the building. It is proposed that the use of outdoor areas will be limited to between the hours of 12:00 to 22:00. The western paddock to the south of the main entrance and paved area would be seeded as a wildflower meadow.

Proposed conversion/building works

The application confirms that there are no changes to the buildings over and above the changes that have previously been approved under listed building consent ref. 20/00696/LBC.

The proposed building work includes an extension of the roof of the single storey northern range to link to the western elevation of the two storey barn (eastern range). This would form a covered and gated entrance for trade deliveries.

In addition it is proposed that an existing gap between the single storey range and the two storey barn is to be infilled by roofing over the existing void area albeit that there is a requirement for it to be high enough for a service vehicle to pull under for drop-off/parking purposes.

It is proposed that a partially collapsed section of roof in the eastern range is replaced with an oak framed glazed link connecting the pre drinks areas. In addition an open sided oak entrance porch would be constructed at the newly formed main entrance on southern side of the range.

It is proposed that the existing triple pitch corrugated sheet fold yard roof is replaced with a matching corrugated tin roof. The ridges would run in a north/south orientation with oak boarding to the triangular gable end sections.

The roofs to the traditional buildings which enclose the foldyard will remain pantile with any necessary replacements to match existing. A total of 19 no. conservation style rooflights are proposed in the pantile roofs. All external walls will be repaired and re-pointed where necessary with a mortar mix to

match existing.

The conversion would utilise existing window and door openings and re-use previously blocked up openings. The openings would be predominately glazed in a simple agricultural style set in deep reveals. All external doors openings are to be traditional, fully boarded, timber ledged and braced, side hung doors. The full height, double door width glazed openings in the north and west elevations would be flanked by painted timber sliding doors.

There would be new door openings formed in external walls to create fire exits, staff access points and also the main guest/visitor entrance in the south east corner of the range. There would be openings created in internal walls to improve circulation predominately around the entrance area. It would be necessary for a small number of openings to be enlarged and also existing openings serving the proposed WCs to be infilled.

Noise mitigation

It is proposed that the venue operates with a Zone Array sound system to create a 'zone' of targeted sound within the reception area. It is proposed that all live amplified music would cease by 23:00 hours, all other music would cease by 00:00 hours and there would be no fireworks permitted.

The submitted acoustic report states that it is feasible to achieve good commercial levels at source whilst not exceeding a lowest observed adverse effect level (LOAEL) at the nearest residential properties.

In addition the acoustic report states that noise from vehicles and noise from people using the barn and outside areas are predicted to cause no more than a low impact (LOAEL).

It is proposed that the workshop space would be used by local businesses for facilitating small-scale workshops such as flower arranging, drawing/painting or for small conferences for local businesses for away days/networking events etc.

Traffic, access and parking

The Transport Statement predicts approximately 100 vehicle arrivals per event with events being 2-3 per week one of which will be on a weekend day with the majority of the weekday traffic being negligible. For wedding events the vehicle movements into and out of the venue would occur outside of peak hours.

The proposed events venue would be served by a new vehicular access (upgraded field access) direct from the A170 taking an east-south, east-south route along field boundaries to the north of the farm. The access would have a 10.5 metre junction radii and a 6 metre wide tarmac/concrete paved apron for the first 30 metres after which the road would narrow to 4.5 metres wide with a crushed stone surface. The access road would include a number of passing places where the road width increases to 6 metres. The submitted Highways Technical Note explains that there would be "*sufficient inter-visibility between them so that vehicle traffic is able to identify oncoming vehicles and react accordingly*". It is proposed to install wayfinding markers in the form of low-level timber bollards at 30 metres intervals along the access road.

The route would bypass the village of Sproxton and the alternative access would mean that event traffic is not directed along the road through the village. During events there would be no vehicular access to the venue car park from the track/bridleway adjacent to the southern boundary (lockable field gates).

Visitor and guest vehicles will arrive at the venue via a new field entrance into the paddock on the eastern side of the farm. A car park with a capacity of 60 spaces and 30 overspill spaces would be created within the eastern paddock to serve the venue. There would be a 'drop-off' point in the north west corner of the field closest to the main entrance in the southern elevation of the building. The 60 space car park and drop-off area at the northern end of the field would be formed from grasscrete or other reinforced grass with the overflow parking area remaining grass. There would be 4no. electric

vehicle charging points installed within the car park.

Sproxtton Hall would remain a fully functioning farm and the plans include a new access which branches off the main venue access track to allow agricultural vehicles to enter farm yard in the north west corner. It is proposed that this route into the northern side of the yard is also used by event related trade vehicles and caterers etc. The submitted Highways Technical Note explains that *“the applicant will restrict agricultural vehicle movements in the two hours before a wedding reception and the two hours before the evening reception. This will minimise the potential conflict between agricultural vehicles”*.

The applicant proposes that the venue is assigned a new postcode to direct vehicles to the new access and pre-event visitor/guest information will include routing details. In addition, it is proposed that signage is erected at the entrance to the village at the junction with the B1257 which instructed drivers that there is no access to the venue via the village street.

Drainage

Foul water would be directed to a package treatment plant located on the applicant’s own land to the south west of the site.

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 (RPLPS) 2013

The Ryedale Plan - Local Plan Strategy 2013

Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP6 Delivery and Distribution of Employment/Industrial Land and Premises
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 SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (PPG)
Howardian Hills Area of Outstanding Natural Beauty Management Plan 2019-2024

REPRESENTATIONS:

The LPA has received a total of 47 representations from predominately local residents but also responses from the Campaign to Protect Rural England (CPRE) and the National Farmers' Union (NFU). 40 raise objections and 7 are in support. Local residents opposed to the development also commissioned a noise report which has been produced by Apex Acoustics.

The representations raising objection are summarised as follows:-

Noise

- The venue will impact on the tranquil nature of the village and the sense of peace and quiet in this part of the countryside
- Unclear on the type and number of events envisaged
- Events to be held 365 days a year and up to midnight during the week and 1am on weekends
- Unreasonable to expect an individual to do "walk rounds" to ensure that all windows and doors are kept shut even if the doors are self-closing.
- To comply with the base standard necessary all the windows and doors are kept shut throughout the event which is impossible particularly during warm weather
- Noise from vehicles using access track in early hours of the morning close to properties on the north side of the village
- No assessment of noise from vehicles leaving the venue in the early hours of the morning
- Stone tracks are notorious for being noisier than tarmac roads
- The acoustic report does not adequately assess the impact of the scheme upon local amenity
- Background noise levels should have been determined over longer survey periods and should have included a weekend period
- People noise only assess against typical daytime background noise level at receptors- does not for the evening or night time noise level
- Sound measurement position is unrepresentative
- Late finishes at 1am- noise from vehicles exiting the site will disturb sleep
- The Noise Management Plan is not robust, relies on staff/guests' compliance and would be unenforceable
- Noise Management Plan does not address the noise nuisance impact of live non-electronic or acoustic music
- The use of the Zone Array sound system is unenforceable
- The Zone Array system's effectiveness must be clarified with further testing
- The testing of the system resulted in noise being audible at the nearby holiday cottages
- Due to the site's elevated position it would be highly feasible for noise to travel some distance on a still evening
- Noise disturbance from use of outdoor areas and car park by guests (raised voices, singing, car doors & engines)
- Noise from external plant/cooling units
- No mention that fireworks will not be allowed
- Potential use for music festivals
- The cumulative noise impact is not assessed

Highways

- The A170 is a busy, fast road with the access point close to a hill summit and sharp bend where many accidents have occurred over the years
- Traffic levels could be higher if the venue erect marquees to cater for additional attendees or hold festivals or other outdoor events
- The 1990 application for a golf course was refused due to highway safety issues
- Increased volume of traffic will result in gridlock and vehicles queuing on the A170 when guests arrive at the same time

- The use of the new access track cannot be enforced and will not reduce the volume of traffic through the village
- The new access track will only ‘minimise’ (i.e. not eliminate) traffic accessing the venue through the village
- ‘Sat navs’ are unreliable and cars will drive through the village by mistake
- What staff will monitor the use of the new access for the first 10 events?
- A stoned track is a totally unsuitable access for a private vehicle especially in the wet and winter months
- Taxi firms won’t want to use the unlit stone track
- Traffic will use the village street when the access track is in unsuitable condition
- What is to stop guests just parking in the village street and finding a way into the venue from the bridleway?
- What will prevent taxis or hired mini buses or even coaches from using the main village road to drop off or pick up guests?
- The increased volume of vehicles using the track will not be viable during peak periods with event traffic in combination with farm traffic
- If Sproxton Hall was sold but the applicant kept the agricultural land, events traffic would have no access to the venue other than the village road
- The vehicle movements in the Transport Statement are significantly understated and only considers one type of event The timeline and estimated number of journeys does not cover outside suppliers such as caterers, bar providers, florists, entertainers, wedding officials, photographers, bands etc
- Not all traffic flows are tidal with taxis coming and going throughout an event but particularly at night
- Signage is not sufficient to manage traffic accessing the venue and signage detail is vague
- The southern fields/proposed car park includes entrance and exit points straight onto the bridle way/village street
- Safety of horse riders using the bridleway- horses being ridden along this track could be spooked putting both horses and riders at risk

Landscape character and visual amenity

- The development is major development in the AONB and should only be allowed in exceptional circumstances
- A landscape and visual impact assessment (LVIA) should have been carried out
- No landscape mitigation is proposed
- The site occupies an elevated position visual impact from sun glinting on metal roofs of 90 parked cars
- Lack of detail of any tree or hedge planting to screen the car park
- The proposed car park will be visible from the bridleway and B1257 and is unsympathetic to the AONB landscape
- The proposal amounts to urbanisation of the countryside
- Loss of amenity to walkers using bridleways close to event traffic
- Visual impact of the new access track

Light pollution

- No detail provided on external lighting in car park or along access track
- The night sky would be compromised by light pollution from such a venue
- Light nuisance (car headlights) caused by a large number of cars leaving the venue in the early hours.
- Lighting at the location should be kept to a minimum and meets dark sky specifications

Air pollution

- Traffic fumes from idling engines waiting to enter or exit
- Cooking odours

Drainage

- Existing sewage treatment plant serving the village unable to cope with the additional demand
- Proximity of the proposed sewage treatment plant to the holiday cottages

Wildlife

- The site could inhibit the deer which roam the area and wildlife in the nearby Ancient Woodland
- Noise affects bats and owls who rely on hearing to hunt prey
- Light pollution would threaten crepuscular and nocturnal animals and birds
- Replacement bat roosting habitat should be provided on site

Other comments

- Conflict with farm/rural diversification policy- it is not 'small-scale farm diversification'
- Lack of need -Application has failed to demonstrate that development is necessary
- Potential anti-social behaviour and increase the risk of rural crime
- Land contamination from traffic
- Damage to existing holiday cottage business
- Necessary upgrades to the structure of the barn to mitigate against sound migration could conflict with the LBC already approved
- Contradictory information and inconsistencies between reports

The representations in support are summarised as follows:-

- The revised application has taken account of local concerns and found solutions to the access and noise issues
- The business will bring prosperity to all the surrounding area and economic benefits providing business for accommodation providers, restaurants, cafes, shops, catering companies, florists, breweries and other event providers, as well as bringing jobs for local residents in Ryedale
- The new access route off the A170 will take all event traffic away from the village
- Cars going to and from the venue are far enough away and behind high hedges so as to be neither seen nor heard on event days
- The vast majority of the farm vehicles will be diverted along this route relieving much of the ever increasing congestion in the narrow village street and damaged verges
- The noise and sound level concerns have been addressed-the proposed Zone Array sound system will stop the issue of loud music emitting into the village
- Residents in attendance during the testing of this sound system which was undertaken before any reconstruction were not able to hear the music from outside the front of the farm house
- The development would allow the farmer to diversify his existing business in the face of post Brexit and post Covid challenges. It will help to sustain rural jobs and boost the local economy in line with the NPPF
- This project will help to deliver a viable and profitable farm business for the long-term
- This development ensures that the historic farm buildings will be sympathetically restored subsequently maintained to a high standard

Parish Council objection

In their response the Parish Council have confirmed their opposition to the application. The concerns largely relate to the noise and highways impacts.

Noise

- Question the likely effectiveness of having an individual responsible for checking that all the windows and doors are shut in order for the sound mitigation to be effective
- Question the impact of non-amplified sources of sound- 'live' music such as chamber quartets, brass bands, swing bands, bagpipes, saxophonists
- Limited detail on the sound insulation in the building works
- The background noise levels are accurate and a true reflection of this tranquil, rural village
- It will be difficult to contain people within the venue on a hot day
- Impact of potential outside noise from the venue with up to 220 people outside until 10pm
- Concern that the venue could be used for varied types of events such as music festivals or clay pigeon shoots etc
- Noise from generators associated with catering vans etc and air ventilation systems
- Noise from 100 vehicles leaving at 1am
- Inadequacy of the Noise Management Plan

Highways

- Will the new access route be used? A condition should tie its use to the events venue
- If farm traffic could still access the farmyard via the village it would be difficult to physically prevent contractors, wedding venue traffic etc from using the village road.
- Concern about pedestrian access to the venue from the bridleway- e.g. minibus drop off.
- Would the access road surface cope with the amount of traffic anticipated
- Query whether the visibility can be achieved at the new access
- Increased access and opportunity for rural theft
- The plan does not make it clear that there will be no access from the village, just alternative access
- Queried signage for event traffic
- Would the new access be constructed prior to any construction traffic accessing the site?
- Noted that there is a lockable gate at the southern end of the car park adjacent to the bridleway
- Request for there to be no gates from the southern paddocks/car park providing access to the bridleway- close off existing field gates
- Impact of car headlights late at night on residents
- Traffic management and signage important along with monitoring, review and enforcement
- The extent of the car park is unclear

APPRAISAL:

Principle of the development

Policy SP1 of the RPLPS states that development in the open countryside will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities or that which can be justified in order to secure significant improvements to the environment or conservation of significant heritage assets.

Farm diversification schemes are a form of development which can be considered to be necessary to support the above policy objectives. Policies SP6 and SP9 of the RPLPS encourage the conversion of existing buildings to support appropriate small-scale rural economic activity. In addition, Members will

be aware that the buildings in question are curtilage listed buildings and the proposed development would help to secure their future preservation in line with Policy SP12 of the RPLPS.

At the national level paragraph 84 of the NPPF supports a prosperous rural economy and states that planning decisions should, inter alia, enable "*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and b) the development and diversification of agricultural and other land-based rural businesses*".

The established farm yard and modern sheds (amounting to c.3,350m² in area) would be retained and the existing livestock and arable farm enterprise would continue in tandem with the proposed events venue.

The principle of the development aligns with Policies SP1, SP6, SP9 and SP12 of the RPLPS as the proposed events venue represents a bona fide farm diversification project that re-uses historic buildings and would contribute to the rural economy and create additional employment opportunities at the site.

The proposed development is considered acceptable in principle subject to consideration of the landscape and visual impact, heritage, highways safety, local amenity and biodiversity.

Design and impact on Heritage Assets

Sproxtton Hall is a Grade II listed building with adjacent curtilage listed farm buildings. As such, Ryedale District Council has a statutory duty to have special regard for the preservation of the listed buildings and their settings. The application is accompanied by a Heritage Assessment.

Whilst the existing traditional farm buildings have not been the subject of any significant maintenance or repair for a considerable period of time the buildings are deemed to be structurally sound and capable of conversion without major building work. In July 2021 listed building consent was granted for the conversion and alteration of the curtilage listed farm buildings to form a mixed use events and venue barn.

The curtilage listed barns form an important part of the setting of the Grade II listed hall and make a positive contribution to the village. In response to the LBC application ref. 20/00696/LBC the Council's Building Conservation Officer had no objection to the physical works of conversion to the curtilage listed barns and to the overall design approach proposed. The proposed conversion works and alterations and extensions to the buildings are unchanged from the earlier application.

Paragraph 197 of the NPPF advises that, in determining applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Policy SP12 of the RPLPS seeks to conserve and, where appropriate, enhance designated historic assets and their settings.

Policy SP16 of the RPLPS states that development is expected to reinforce local distinctiveness and the location, siting, form, layout, scale and detailed design should respect the context provided by its surroundings. Policy SP20 of the RPLPS reiterates that extensions or alterations to existing buildings should be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials.

The overall scale, layout and form of the existing complex of traditional farm buildings is retained and no demolition is proposed. The proposal represents a sensitive and sympathetic restoration scheme which retains traditional features and the agricultural character of the buildings. There would be minimal change to the existing building envelope and roof form. The main addition to the building would be a short roof extension to link the single storey northern range to the western elevation of the two storey barn to provide a covered service entrance. The roof would appear as a continuation of the existing in terms of height, form and materials and is considered to be sympathetic to the character of the existing, traditional buildings.

The oak framed glazed link proposed in the eastern range would be single storey and of modest footprint and alongside the open sided oak entrance porch on the southern elevation are considered to be lightweight additions which would not detract from the heritage value of the existing buildings. The replacement roof over the former foldyard does not depart from the style of the existing and would not appear incongruous.

Any repairs or minor reconstruction would utilise reclaimed matching materials where necessary. The conversion also makes use of existing openings with appropriate fenestration and minimal additions. The proposed rooflights are well proportioned; not excessive in number; and would be conservation type. The additional and enlarged window and door openings would be appropriately styled; of timber construction; and would reflect the rhythm of the existing fenestration and character of the range of buildings.

The proposed conversion work and associated extensions and alterations are proportionate and would assimilate effectively with the traditional buildings and would not adversely impact upon the character, fabric and setting of the curtilage listed barns or the Grade II listed hall.

It is recommended that conditions are imposed to secure approval of a construction method statement and material samples (including mortar; windows, rooflights & doors; and rainwater goods) prior to commencement of work.

The parking area would be contained within the paddock to the east of the farm buildings close to the modern farm sheds and would neither physically or visually encroach upon the setting of the curtilage listed barns or the Grade II listed hall. There will be no change in the way that Sproxtton Hall is experienced in the village streetscene.

The converted buildings would be clearly legible as former farm buildings in the landscape retaining the functional form and general appearance of the buildings in compliance with Policies SP16 and SP20 of the RPLPS. Furthermore, it is considered that the development would represent a viable use of the heritage asset and would enhance the immediate setting of the listed hall in line with the requirements of Policy SP12 of the RPLPS and the NPPF.

Impact on the AONB including landscape and visual impacts

The site is located within the open countryside and the Howardian Hills Area of Outstanding Natural Beauty (AONB). The AONB is a national-level landscape designation and the Countryside and Rights of Way Act 2000 places a statutory duty on authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB.

National planning policy (paragraph 176 of the NPPF) states that *"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty"*.

Paragraph 177 of the NPPF advises that *"When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest"*.

The relevant footnote within the NPPF confirms that *"For the purposes of paragraphs 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined"*.

For the purposes of paragraph 177 of the NPPF the determination of whether a development is a "major development" is an exercise in planning judgment based on all the circumstances, taking into account the potential impact that the development may have on the AONB by reason of its nature and scale.

Examples of development that might be classed as major in the context of decision making include mineral workings or waste disposal operations, large scale renewable or energy generating schemes, large scale housing development and significant road schemes or infrastructure projects.

The application site is wholly within the AONB but on the periphery of the village with the site to be accessed by a new route which bypasses the village street. The principal part of this proposed farm diversification scheme is the change of use of land and buildings within the AONB to form an events venue. The building works necessary to facilitate the change of use, the new access road, car park and outdoor area are relatively minor elements of the scheme. The proposed development is set within the confines of the existing farm holding with limited encroachment into the open countryside.

Taking account of the scale, character and nature of the proposed development it is considered that the potential landscape and visual impacts, amenity impacts and traffic implications would be localised and would not cause a significant adverse impact on the visual qualities and essential characteristics for which the area has been designated.

In respect of the principle policy tests in the NPPF and, notwithstanding the views of the AONB Manager, the application is not considered to constitute “major development” in the context of paragraph 177.

Policy SP13 of the RPLPS requires that the proposed development does not detract from the natural beauty and special qualities of nationally protected landscapes. Policy SP16 of the RPLPS states that to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings. Similarly, Policy SP20 of the RPLPS requires that new development respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses.

The reasons for refusal of the earlier application included the adverse impact of the necessary road widening works to provide vehicular passing spaces along the village street. The grass verges through this small linear village contribute positively to the character of the settlement. It was deemed that the loss or erosion of the verges in order to accommodate the increased traffic associated with the proposed development was at the expense of the character and appearance of the village and the designated AONB.

The applicant has sought to circumvent this through the provision of a new access route for event related traffic. The proposed access route bypasses the village and the scheme includes proposals for the management of traffic to direct all event related vehicles to the venue via the new route north of the village.

As a result the tranquillity of the narrow village street would be preserved and the road widening/passing places no longer necessary resulting in no unacceptable impact on the character of the village street. In light of this it is concluded that the previous reason for refusal number 2 has been addressed.

The new access route would require works to upgrade the existing field access and provide the necessary visibility splays. There is an opportunity for the existing hedgeline to the north of the access to be realigned and re-established in a position which would allow the necessary sightlines without any loss of visual amenity. The formation of the access to highways standards would alter the appearance of this stretch of the A170 to a degree but it would not appear incongruous or unduly urbanised.

The new access road, whilst relatively significant in length is considered acceptable in terms of construction and given the use of crushed stone, would not appear at odds with an agricultural access track that could reasonably be expected in this rural location. The new access would follow the natural contours of the land and will be routed behind existing field boundaries screening it from the village and the adjacent public right of way.

In light of the separation distances from dwellings on the northern side of the village, topography of the land and screening effects of intervening field boundary planting and the proximity to the A road the

movement of vehicles along the route and associated headlights during hours of darkness would not result in unacceptable landscape or visual impacts.

The vast majority of the buildings at the farm would remain in agricultural use and, when viewed from public vantage points, would clearly resemble a working farm. It is acknowledged that the use of the paddocks on the southern side of the buildings has implications for landscape character and visual amenity particularly given the proximity to the public bridleway.

The proposed outdoor paved area would abut the southern elevation of the traditional farm buildings and would be screened from the west by Sproxton Hall itself. To the south the majority of the paddock would be sown as a wildflower meadow which would enhance the setting of the venue and have benefits for biodiversity.

The car park would be set against a well-established and dense hedgerow on its eastern side with the livestock sheds to the north-west. Existing boundary features such as dry stone walls, fences, trees and hedges are to be retained and the proposals include additional native hedge planting to take place along the southern boundary of the car parking field.

The outdoor paved area and the car park would be appropriately sited close to the existing farm buildings and established boundaries. The land use and associated engineering works to provide suitable surfaces will not appear intrusive or detached when seen against the backdrop of farm buildings.

The applicant has confirmed that during the course of each year there would be livestock grazing within the paddocks and on non-event days the land would not appear too dissimilar to existing that being open, undeveloped grassed fields on the southern side of the farmstead.

The primary parking area would be inset from the southern boundary and the public bridleway by approximately 20 metres and the use of a grasscrete surface significantly reduces any urbanising impacts. The car park would contain up to 90 vehicles and there are concerns in relation to the landscape and visual impact. The parked vehicles will be partially screened from vantage points along the public footpath by existing and proposed soft landscaping and the field boundary trees would help to obscure longer distance views of the car park particularly during the summer months when the venue is expected to host the majority of events.

There are no objections from the Council's Tree and Landscape Officer subject to conditions to secure tree protection during works and the submission of a detailed landscaping scheme.

The building works required to facilitate the change of use comprise minor extensions, alterations and infilling sensitive to the character, scale and form of the host buildings with no adverse landscape character implications. The existing buildings have lacked any significant repair or refurbishment work and the proposal would mean that the traditional character and appearance of this range of farm buildings will be restored and enhanced to the benefit of the AONB landscape.

The NPPF (paragraph 185) states that planning decisions should ensure that new development is appropriate for its location, taking into account factors such as the natural environment and potential sensitivity of the site or wider area. It states that decisions should protect tranquil areas and also limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

The Howardian Hills AONB derives much of its beauty from its tranquillity and rural character and this is a key concern of the AONB Manager in relation to the current proposal. Dark skies is one of the special qualities of the area and excessive artificial lighting can be detrimental to the sense of tranquillity. It is important to minimise the impact of lighting on wildlife and natural landscapes.

Lighting schemes should be kept to a minimum and only installed where absolutely necessary. In this case it is considered that it will be necessary to have lighting at the exit from the venue and also to mark the pedestrian route to the car park. It is considered that it will not be necessary to illuminate the new

access road as drivers will be guided by wayfinding markers and reflective directional arrow signs along the route. In terms of the venue itself there would be no large areas of glass on the outer walls of the buildings and the conservation rooflights are of modest dimensions and no adverse impact from light spill from inside buildings is anticipated.

If planning permission is granted details of external lighting shall be required by condition to ensure that lighting is minimal and meets dark sky specifications. The use of timer switches and/or motion sensors is encouraged and it will be necessary to direct the light downwards and the use of shields, baffles or louvres will help reduce unwanted light spill. It is considered that a lighting scheme can be agreed which is both safe for users of the venue and compatible with the tranquil, nocturnal character of Sproxton.

The site is within a quiet, rural setting although there is a degree of background noise from vehicles travelling on the A170. Noise from vehicles using the new access road and car park is not anticipated to depart from the existing soundscape of the locality to result in a loss of tranquillity. The impact of noise from people and music shall be discussed in the subsequent section of this report but the building envelope, site layout and proposed sound system would mean that noise pollution is not expected to disrupt the tranquil qualities of the AONB.

The applicant has sought to mitigate the potential intrusive elements of the proposed development such as noise, parked cars and artificial lighting. Subject to controls on the intensity of use, hours of use, noise management and mitigation and vehicle routing the proposed change of use and operation of the venue can be accommodated at the site without unacceptable impacts, either individually or cumulatively, on the landscape character and tranquillity of the AONB. Overall, the development would not detract from the visual qualities and essential characteristics of the AONB and does not conflict with the requirements of Policy SP13 or the NPPF.

Residential amenity

As required by Policy SP20 of the RPLPS the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community.

The NPPF (paragraph 185) states that planning decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

It is considered that there would be no impact outside of the site in terms of loss of outlook, loss of privacy or visual intrusion for neighbouring land uses or occupants of nearby properties. There is a degree of local concern in relation to the impact of car headlights when vehicles are departing the venue via the new access road.

At its closest point the access road is approximately 100 metres from a residential property. It is evident from an inspection of the route that no vehicles would directly face any nearby residential properties along the access route. As a result there would be no harm to residential amenity arising from light disturbance from passing vehicles.

Noise disturbance is the principal concern raised by both local residents and the Parish Council as detailed earlier in this report.

The NPPF states that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. Policy SP20 of the RPLPS recognises the impact of noise on residential amenity.

The proposed development site is on the edge of the settlement in a rural setting adjacent to agricultural land. The background noise levels in the locality are low, particularly at night.

The EHO has identified potential areas of concerns to be noise arising from venue traffic, live music and amplification of voice, people outside, and the arrival and departure of guests and deliveries to the venue.

The main changes from the earlier refused scheme is the rerouting of venue traffic and the incorporation of a directional speaker array system within the building.

The new access would ensure that event related traffic would no longer need to travel to and from the venue via the village street as was previously proposed. The route follows field edges to the north of the village. The access point is approximately 350 metres north of the nearest dwelling within the village and the route ranges from 100m-300m from the northern side of the village. The movement of vehicles along the route is not anticipated to cause any unacceptable levels of noise during day and night-time hours.

The acoustic assessment has taken into account noise from people in outside areas and the car park including the slamming of car doors. It is concluded that noise from vehicles and noise from people using the venue and outside areas are predicted to cause no more than a low impact (LOAEL).

With regard to impact of amplified music the proposed sound system would create a 'zone' of targeted sound within the reception hall area. The application submission explains that the applicant has undertaken sound demonstrations at the existing building which, based on representations received in response to this application, received both positive and negative feedback locally.

The building works necessary to facilitate the change of use involves upgrades to the roof and wall construction of the farm buildings and improved windows and doors to existing and proposed openings prior to first use. These design details will be secured by condition. As a result, once work is complete, the building envelope would provide improved sound attenuation. Furthermore, the main areas of event related activity would take place beyond the buildings comprising Sproxton Hall on the eastern side of the farm. The arrangement of the site and intervening buildings would also provide a degree of sound attenuation for the nearest receptors which are to the west.

The applicant has sought to ensure that the impact is kept to a lowest observed adverse effect level (LOAEL) at the nearest residential properties while maintaining commercially feasible levels. The predicted noise levels indicate that this can be achieved.

In addition the applicant is committed to post-construction acoustic testing to determine acceptable noise levels at the site boundary in consultation with the LPA and EHO. This approach alongside a detailed Noise Management Plan (NMP), which would be secured by condition, would set the basis for future monitoring, review and remediation in the event of noise complaints.

It is noted that a number of objections have question the effectiveness of a Noise Management Plan. It is commonplace for a NMP to form part of the standard suite of mitigation measures for such venues and the LPA has no reason to doubt its effectiveness in this case. The recommended condition sets out the level of detail required within the NMP and provides scope for review.

There will be additional restrictions on the maximum number of people permitted at the venue and also limitations on the hours of use and hours of music for both inside and outside of the buildings. In order to control the intensity of any impact it is considered prudent at this stage to limit the number of events involving live or amplified music to no more than a two a week. It will also be made clear by way of condition that events involving live or amplified music or vocals are only permitted where music plays an ancillary part. There will be standard conditions prohibiting use of fireworks and securing details of associated mechanical extract ventilation systems and external plant and equipment. A condition shall also tie the ownership of the events venue to Sproxton Hall.

The EHO has examined the applicant's noise impact assessment and noise management plan and has also considered the appraisal of the noise assessment by Apex Acoustics submitted on behalf of local objectors. The EHO has deemed that relevant noise sources have been considered and the impacts have been appropriately assessed.

The EHO has recommended a number of conditions to control noise impacts and the routing of event traffic in the interests of residential amenity. A copy of the EHO response is appended to this report and the recommended schedule of conditions have been drafted with the input of the EHO. In light of this the EHO's raises no objections to the application.

The applicant has taken reasonable steps to demonstrate that subject to the implementation of the proposed noise mitigation scheme occupants of the nearest residential receptors and also the holiday cottages would not be at unacceptable risk from noise disturbance.

It is considered that with suitable conditions in place the amenity of nearby residents will be adequately protected and the proposed development would not prejudice the continued operation of the adjacent holiday cottage business. It is concluded that the operation of the proposed events venue would not give rise to material harm to existing levels of amenity experienced by the occupants of the nearest residential properties in compliance with Policy SP20 of the RPLPS and the NPPF.

Highways impact

Policy SP20 of the RPLPS advises that *“Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads”*.

Paragraph 110 of the NPPF states it should be ensured that: *“safe and suitable access to the site can be achieved for all users”*; and that *“any significant impacts from the development on the transport network (in terms of capacity and congestion), on highway safety, can be cost effectively mitigated to an acceptable degree”*.

Paragraph 111 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

The earlier application was refused as the use of the existing village street by venue traffic and the impacts of the necessary road widening improvements could not be made acceptable.

This revised application proposes access to the site via an improved field access off the A170 to the north of the village. The new access would provide alternative means of vehicular access to the proposed events venue, bypassing Sproxton village. The proposed alternative access is principally for all event related traffic (guest and commercial vehicles).

The event related traffic would, in the main, comprise standard cars and minibuses. The movement of arrivals and departures would be predominantly tidal as large proportions of guests arrive before the event and depart afterwards. The frequency of opposing vehicle movements is likely to be negligible and the passing places are appropriate and no significant conflict is anticipated. Furthermore the applicant has control over the farm traffic using the new access road and it is proposed that those agricultural vehicle movements can be restricted on wedding/event days.

A public right of way runs alongside the majority of the route of the new access road but it has been confirmed that it will remain unobstructed and open for use both during and post construction of the access road. The County PRoW team have confirmed that they are satisfied that the Public Footpath will not form part of the access route and would be shielded from vehicular traffic by the field hedgerow.

The applicant has confirmed that the field access will be upgraded to highways specification with a bound surface for the first 30 metres to ensure that no loose material is able to migrate onto the A170. The access route includes suitable passing facilities along its length. The access improvements and new roadway shall be completed prior to the commencement of any construction/conversion work at the site and this shall be secured by condition.

It will be in the applicant's own interests to ensure that beyond the 30 metre concrete/tarmac apron the crushed stone surface of the access track is suitably maintained to ensure that it remains an appropriate route for event traffic. The applicant proposes a quarterly inspection of the condition of the road and more frequently in the winter should it be needed and shall repair/make good any signs of material deterioration.

In terms of public safety the required visibility envelope at the new junction with the public highway relates to land within the applicant's ownership and control. It is noted that it would be necessary for an existing advance directional sign to the south of the access to be raised and a section of hedgerow to the north to be set back to clear the visibility envelope. The highways officer is satisfied that the necessary visibility splays can be achieved to the north and south of the proposed access where it meets the A170.

In light of the proposed intensification of use of the field access it has been necessary for the applicant's transport consultant to investigate and consider road traffic accident data in the local vicinity. The records indicate that in the 5 years from 01.01.2016 there have been two incidents in proximity to the junction both of which were classified as being 'slight' in severity. The applicant's transport consultant concluded that the two incidents have no common causalities and do not indicate any recurring accident trends at this location.

The highways officer has informed the LPA that an updated check on road traffic accident data shows no additional incidents subsequent to the two noted by the applicant's transport consultant. The highways officer has confirmed that based upon the predicted traffic generation figures a right-turn lane would not be justified, and no restriction needs to be applied for vehicles exiting onto the A170.

It is considered that there are no existing highway safety issues on the local highway network that are likely to be exacerbated by the proposal.

The guest/visitor car park to be created within the eastern paddock is to be accessed solely via the new access route direct from the A170 and along the access road which loops round the northern side of the farm yard to meet the car park at a new field entrance on the eastern side of the paddock. The drop-off area and 60 space car park would have a grasscrete surface whereas the overflow area would remain grass and would provide for an additional 30 vehicles. The area would provide appropriate parking capacity to serve the venue.

The highways officer has requested that no vehicular accesses onto the adjacent private lane/public rights of way route immediately to the south are retained.

In response the applicant proposes that there will be no vehicular access through the existing field gate accesses onto the lane/bridleway during events. However, access is required at other times for land management purposes and to allow for the movement of livestock which graze the land out of season. The applicant maintains the position that all existing field gates are needed for agricultural purposes and therefore cannot be permanently closed off. The submitted plans confirm the following in relation to the field access points: *'Access retained for agricultural/domestic use on non-event days only. Locked during events'*.

Sproxton village street is a no-through road that serves approximately 45 dwellings, the village hall and three farms. The alternative access route would minimise any traffic impacts along the village street arising from the proposed change of use. There would also be no requirement for any widening of the village street to provide engineered passing places which addresses one of the two reasons for refusal of the earlier application.

It is not possible to prohibit any vehicles using the village street public highway through planning controls, however, the proposals incorporate reasonable measures to minimise the impact to an acceptable level. The applicant has confirmed that venue signage can be provided at the site entrance with the A170 and located on the applicant's land.

The applicant has also confirmed that pre-event visitor/guest information will include routing details and also additional 'advance publicity measures' will be included in the information packages sent to all future guests (to append to invitation packages) including a map detailing 'how to access the wedding venue'.

The highways officer has requested that to address any potential for guest/visitor vehicles to stray along the village street route existing road signage can be upgraded. It is recommended that the existing 'No Through Road' traffic sign close to the B1257 junction is improved through the incorporation of an additional hinged supplementary plate which, when opened as required, could display 'NO ACCESS TO WEDDING (or EVENTS) VENUE' and when closed (with toggle fixings) would be a simple grey square plate. The applicant is agreeable to this additional signage and the final details will be secured by condition.

There is local concern that driver error or unreliable or out of date satellite navigation systems will undermine the effectiveness of the traffic management measures.

In this case the proposal is for a new venue which will be served by a new, dedicated access road. It is anticipated that the vast majority of people travelling to any event at the venue are unlikely to have travelled to Sproxton Hall previously and it is reasonable to conclude that the vast majority would rely on the access and routing instructions contained in pre-event information. The proposed roadside signage would further assist drivers once they are in the vicinity of Sproxton.

It is considered that the proposed scheme incorporates effective measures which will discourage through-traffic and it is anticipated that the vast majority of event related traffic, if not all, will use the new access to access the venue.

The applicant proposes to monitor event traffic (visitor surveys for the first 10 events) and address any routing issues and driver behaviour issues. This shall be secured by a traffic management plan to be submitted under condition should permission be granted.

It is noted that within the application submission the applicant has volunteered to direct agricultural traffic associated with Sproxton Hall Farm via the new access road.

There are a number of farms within and adjacent to the village of Sproxton and the passing of farm traffic along the village street reflects the nature of the village and the rural setting. It would not be feasible, nor necessary or reasonable to prohibit the use of the village street by farm traffic associated with Sproxton Hall Farm in order to make the proposed development acceptable in planning terms and no restrictions are proposed in relation to this particular matter.

Planning policy promotes the use of sustainable modes of transport as alternatives to the private car but the NPPF (paragraph 105) acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making.

In this rural location there is limited scope to utilise sustainable modes of transport such as cycling, walking or public transport. However, the applicant seeks to reduce the number of single occupancy trips to the venue and intends to actively promote, via a Travel Plan and Travel Plan co-ordinator, car sharing and the use of organised private transport such as minibuses. The incorporation of electric vehicle charging points within the car park is welcomed and is in accordance with the aims of Policy SP18 of the RPLPS.

The applicant has taken reasonable steps to mitigate the local highway impacts and no objections have been raised by the Local Highway Authority. Subject to the conditions recommended by the LHA being imposed on any permission granted it is considered that the traffic associated with the proposed events venue would not have an unacceptable impact upon highway safety and the proposal incorporates appropriate access and on-site parking areas and complies with the requirements of Policy SP20 of the RPLPS and the NPPF.

Biodiversity/Protected Species

Policy SP14 of the RPLPS aims to conserve and enhance biodiversity through the prevention of loss of habitat or species and the incorporation of beneficial biodiversity features.

The County Ecologist is satisfied with the ecological surveys that have been provided by the applicant and notes the findings in relation to bats and the presence of a Natterer's Bat maternity colony on the site. It is noted that a Natural England mitigation licence will need to be sought.

The County Ecologist states that *"the mitigation measures appear to be comprehensive, including the incorporation of a bat loft into the refurbished barn"* and requests that the ecological mitigation and compensation measures are secured by condition. The County Ecologist has confirmed that *"On this basis, the proposed development meets the 'favourable conservation status' test set out in the Conservation of Habitats & Species Regulations 2017"*.

The external lighting scheme to be approved under condition should permission be granted will seek to minimise artificial light and any upward light spillage in the interest of nocturnal animals such as bats most affects and many insects but it can also impact on diurnal species.

In light of the above the proposal is considered to comply with the requirements of Policy SP14 of the RPLPS.

Temporary Permission

It is noted that in Ryedale there are examples of planning permissions relating to new wedding and events venues where the LPA has granted a time limited consent in order to fully assess the impact of the use at the end of the temporary 'trial period'. In those cases the use related to land and temporary structures (predominately marquees) or existing buildings requiring no or very limited conversion work.

A temporary permission would not be appropriate in this case given the substantial investment required to convert the curtilage listed buildings and the ability of the LPA to control and monitor impacts by way of planning conditions.

Conclusion

The proposed change of use and farm diversification aligns with the principle aims of Policies SP6 and SP9 of the RPLPS through the creation of employment opportunities and has the potential to make a positive contribution to the rural economy whilst enabling the restoration and viable reuse of traditional, curtilage listed buildings in line with Policy SP12 of the RPLPS and the aims of the NPPF.

The design, layout and scale of the development seeks to preserve the character of the nationally designated landscape and would not give rise to visual intrusion. The level of local opposition is noted, however, the application is supported by technical assessments in respect of noise and traffic impacts which have been considered by Environmental Health and Highways Officers. No objections have been raised by those consultees and the applicant has demonstrated that the venue can be operated and managed in a manner which does not prejudice highway safety, residential amenity or the special qualities and tranquillity of the AONB to an unacceptable degree.

The proposed development the subject of this resubmitted planning application has overcome the two reasons for refusal of the earlier scheme and the applicant has confirmed their agreement to the recommended schedule of planning conditions.

In light of the above assessment, it is considered that, on balance, the proposal is acceptable and that it complies with Policies SP1, SP6, SP9, SP12, SP13, SP14, SP16, SP17, SP18, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

The recommendation to Members is one of conditional approval.

RECOMMENDATION: **Approval** subject to the below list of conditions and any additional conditions as required by the Local Highway Authority:

Commencement time limit

1. The development hereby permitted shall be begun on or before (3 years from date of decision notice).

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

Approved drawings

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

Site Location plans 1:2500 & 1:7500 (Gatekeeper) dated 10 Feb 2023
Proposed Site Layout, drawing number D420004/04 Rev D, dated July 2020
Proposed Elevations, drawing number D420004/06 Rev B, dated July 2020
Proposed Floor Plans, drawing number D420004/05 Rev D, dated June 2020
Proposed Access and Site Arrangement Plan drawing number 300373-005 Rev C, dated Jan 2023

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

Construction Method Statement

3. Prior to any building operations associated with the development hereby approved a detailed construction method statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory construction works and to comply with the requirements of Policies SP12, SP16 & SP20.

Construction materials (approval of details)

4. Before the removal of the existing roof tiles, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP12.

Windows and doors (approval of details)

5. Prior to the installation of any new or replacement windows, details of all windows and doors, including material, means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP12.

Windows and doors (limit)

6. No additional window or door openings shall be formed in the buildings [except as provided for in the development hereby permitted] without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: In the interests of residential amenity in compliance with Policy SP20.

Rainwater goods

7. Unless otherwise agreed in writing all rainwater goods shall be of cast iron construction finished and maintained in a colour to be agreed in writing with the Local Planning Authority before they are installed.

Reason: To ensure a satisfactory external appearance to comply with the requirements of Policies SP12, SP16 & SP20.

Mortar mix (approval of details)

8. Before the removal of existing mortar, details of re-pointing and mortar mix are to be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the character of the curtilage listed buildings and comply with Policy SP12.

Rooflights

9. Unless otherwise agreed in writing by the Local Planning Authority, all rooflights shall be of a conservation type and be top opening.

Reason: To preserve the character of the curtilage listed buildings and comply with Policy SP12.

Boundary treatments (approval of details)

10. Prior to the commencement of development details of the boundary treatment of the site (location, type, material & height) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary scheme shall be carried out in its entirety prior to the development being first brought into use.

Reason: To ensure a satisfactory external appearance to comply with the requirements of Policies SP12, SP13, SP16 & SP20.

Surfacing (approval of details)

11. Prior to installation full details of the proposed ground surfacing materials across the application site including the access shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance to comply with the requirements of Policies SP12, SP13, SP16 & SP20.

Surfacing (restriction)

12. No areas of hardstanding shall be created [except as provided for in the development hereby permitted] within the application site without the prior grant of planning permission.

Reason: To ensure a satisfactory external appearance to comply with the requirements of Policies SP12, SP13, SP16 & SP20.

Landscaping scheme (approval of details)

13. Prior to the commencement of development plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed. 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. The scheme shall provide for the retention and management of the existing field hedgerows lining the new access road. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, 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 of the development hereby approved to comply with the requirements of Policies SP13, SP16 & SP20.

Tree Protection Plan

14. Prior to the commencement of development a Tree Protection Plan indicating Tree Protective Fencing (in accordance with BS5837) shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall be notified in writing of the erection of the Tree Protection Fencing and confirmed in writing that it is implemented in accordance with the approved plan. The approved plan fencing shall be retained and maintained for the duration of the construction period.

Reason: To ensure trees are protected during the construction period, in the interests of visual amenity, and to safeguard the visual amenity provided by the trees on the site and to accord with the provisions of Policy SP13.

Root protection areas

15. No parking or external storage shall take place within the root protection areas of the trees.

Reason: To ensure trees are protected during the construction period, in the interests of visual amenity, and to safeguard the visual amenity provided by the trees on the site to accord with Policy SP13.

Hours of use

16. The use of the events venue buildings hereby permitted shall be limited to between 09:00 – 00:00 hours Monday to Friday; 09:00 – 01:00 hours Saturday; and 09:00 – 00:00 hours Sunday and Bank Holidays with the exception of New Year's Eve when permitted hours are 09:00 – 01:00 hours.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policies SP16 and SP20.

Noise mitigation measures (venue construction)

17. The venue hereby approved shall not be brought into use until all external alterations and mitigation measures for noise (upgrade of roof construction, window construction, and wall

construction) as specified in the approved Acoustic Impact Assessment ref. 22-0105-0 R01, dated 30 June 2022, produced by Sustainable Acoustics have been completed.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Post completion acoustic test/noise limits

18. The venue hereby approved shall not be brought into use until a report prepared by a qualified noise consultant detailing results of a post completion acoustic test has been submitted to and approved in writing by the Local Planning Authority.

The test shall enable acceptable noise limits to be set at an agreed location on the site boundary. The agreed limits shall include limits for the 63Hz and 125Hz octave band levels as agreed by the Local Planning Authority.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Noise Management Plan

19. The venue hereby approved shall not be brought into use until a Noise Management Plan (NMP) has been submitted to and approved in writing by the Local Planning Authority. The NMP shall include, but not be limited to, the following details:-

- Premises information and event types
- Agreed noise limits and monitoring locations
- Music provision
- Venue signage
- Arrival and departure arrangements for guests/visitors
- Ingress and egress arrangements for guests/visitors
- Deliveries and waste/recycling collections
- Bottling out protocol
- Noise Management Officer responsibilities
- Access control/door supervision
- Event noise monitoring- internal areas
- Event noise monitoring- external areas including car park and access
- Monitoring results documentation & action plans
- Pre event fact sheet/contract for clients and entertainment personnel
- Complaints policy & procedure

Thereafter the development hereby approved shall be operated in full accordance with the approved Noise Management Plan, unless a variation is first agreed in writing by the Local Planning Authority under the terms of Condition 20 below ('Noise Management Plan Review').

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Noise Management Plan Review

20. The approved Noise Management Plan shall be reviewed after a year from the date of the being first brought into use or following receipt by either the Local Authority or the venue of a justified complaint(s), to ensure that measures to limit noise and other disturbance, in relation to agreed noise levels at the boundary of the application site, are maintained.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Further noise monitoring

21. In the event of further justified complaint(s), and at the direction of the LPA, the operator and/or applicant shall engage the services of an acoustic consultant who shall carry out noise monitoring at the agreed location, and provide to the LPA recordings and sound level measurements (including frequency analysis) made at times indicative of the times disturbance has been suffered by the complainant(s) to determine if a breach of noise limits is continuing to occur.

If the results demonstrate that such a breach has occurred (as determined by the LPA) the use of the venue for events involving amplified music shall cease immediately until steps are taken to attenuate the noise level to be in compliance with the requirements of Condition 18 above ('Post completion acoustic test/noise limits'). Those measures and works so approved by the Local Planning Authority shall be implemented in full before the venue is used for further events involving amplified music.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Traffic Management Plan

22. Prior to the commencement of development a Traffic Management Plan detailing, but not limited to, advanced signage arrangements, route, parking and entry/exit instructions and pre event guests/visitors information shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Policy SP20 and to provide appropriate operational management and advanced signage provision in the interests of highway safety and the general amenity of the development.

Limits on number of events (involving live or amplified music)

23. The number of events involving live or amplified music shall be limited to a maximum of two per week. The owners/operators shall maintain an up-to-date register of such 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 protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Overall numbers of users/guests/visitors

24. The venue shall not exceed 180 people at any event. The owners/operators shall maintain an up-to-date register of such event bookings which shall include users/guests/visitors numbers 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 protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Music in external areas

25. There shall be no amplification of music or vocals in any external areas forming the application site. Any music or vocals in external areas shall be non-amplified and shall cease at 20:00 hours.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Fireworks

26. No fireworks shall be used on the site during events subject to this approval.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Removal permitted development rights for temporary structures

27. Notwithstanding the provisions of Schedule 2, Part 4 the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modifications), no marquees or tents shall be erected within the application site without the prior written approval of the Local Planning Authority in respect of siting, size, appearance and duration.

Reason: To ensure that the appearance of the area is not prejudiced by the introduction of unacceptable structure(s) and to protect the amenity of neighbouring residents to satisfy the requirements of Policies SP13, SP16 and SP20.

Closure of windows & doors

28. All windows, rooflights and doors on the buildings (including the sound proofing doors in the archway) shall be closed during live or amplified music except when immediately required for ingress/egress or emergency access.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Main entrance/exit door-self closing

29. The main entrance doors on the southern side of the venue shall be fitted with a self-closing door mechanism which shall be retained for the lifetime of the development.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Music cut off times

30. There shall be no live amplified music at the venue after 23:00 hours and no other music, recorded or otherwise, played at the venue after 00:00 hours on any day with the exception of New Year's Eve when no music, recorded or otherwise, shall be played after 00:30 hours.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Areas permitted for music and sound system

31. Any amplification of music or vocals shall only take place within the reception area/dance floor as shown on the approved Proposed Site Layout drawing and shall only be channelled via the Zone Array speaker system.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Use of external areas (hours)

32. Other than for access to vehicles and to the external smoking terrace there shall be no use of the external areas and lawned areas within the application site by guests/visitors between the hours of 22:00 and 09:00 the following day.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Type of events involving music permitted

33. Events involving live or amplified music or vocals are only permitted where music plays an ancillary part i.e. weddings, parties, corporate events, lunches etc.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Mechanical extraction/ventilation equipment & external plant (approval of details)

34. Prior to the installation and use of any mechanical extraction/ventilation equipment or external plant and equipment (including generators for catering equipment) full specification details and the location to demonstrate that sound levels at the nearest noise sensitive receptor will be inaudible shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

External lighting

35. No external lighting shall be installed within the application site (buildings, grounds & access points) without the prior written approval of the Local Planning Authority. There shall be no illumination of the new access road. Details of any external lighting deemed necessary at the site, including lighting for site security purposes, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting, illuminance level and hours of operation and all lighting should meet dark sky specifications. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution in the AONB and to prevent harm to neighbouring amenity, in accordance with the aims of Policies SP13 and SP20.

Ecological mitigation and compensation measures

36. All works shall adhere to the ecological mitigation and compensation measures set out in Section 9 of the bat survey report (*Bat, breeding bird and Barn Owl survey – Sproxton Hall Farm* by MAB Environment & Ecology Ltd, updated September 2022).

Reason: To comply with the requirements of Policy SP14.

Foul and surface water drainage

37. Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Principles of sustainable urban drainage shall be employed wherever possible. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in accordance with Policy SP17.

Electric vehicle charging points

38. Prior to the first use of the development hereby permitted 4no. electric vehicle charging points shall be installed within the guest/visitor car park. Thereafter the electric vehicle charging points shall be maintained for the lifetime of the development.

Reason: To promote sustainable modes of transport and in accordance with Policy SP18.

Access route (guests, visitors etc)

39. There shall be no access or egress between the highway and the application site by any vehicles associated with any events held at the venue hereby approved (guests/visitors/trade deliveries/ ancillary vehicles e.g. caterers, photographers, florists, bar staff, bands, DJs, taxis, buses) other than via the new access as shown on the Proposed Access and Site Arrangement Plan drawing number 300373-005 Rev C, dated Jan 2023. The access and private track shall be maintained in a safe manner which shall include the repair of any subsequent damage.

Reason: In accordance with Policies SP13, SP16 & SP20 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

Access route (Construction traffic)

40. There must be no access or egress by any construction vehicles between the highway and the application site until the new access road has been provided. Once created all construction traffic associated with the development hereby approved shall be routed via the new access as shown on the Proposed Access and Site Arrangement Plan drawing number 300373-005 Rev C, dated Jan 2023. The access and private track shall be maintained in a safe manner which shall include the repair of any subsequent damage.

Reason: In accordance with Policies SP13, SP16 & SP20 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

Car park

41. Prior to the first use of the development hereby permitted, the proposed access and car parking shall be laid out in accordance with the approved plans. The car park shall be solely for use in association with events held at the venue hereby approved and shall provide space for a maximum of 90 vehicles. The proposed access and car parking shall be maintained and retained for their intended purpose throughout unless otherwise approved by the Local Planning Authority.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development to satisfy the requirements of Policies SP16 and SP20.

Workshop use

42. The workshop areas shown on drawing ref. D420004/05 Rev D are for informal educational or hobby purposes only and, for the avoidance of doubt, this permission does not allow for any light industrial use under Class E(g)(iii) at the site.

Reason: In the interests of protecting the existing amenities of neighbouring occupiers and to satisfy the requirements of Policies SP16 and SP20.

Ownership

43. The wedding/events venue business hereby approved shall remain in the same ownership as the residential dwelling known as Sproxton Hall.

Reason: To ensure that residential amenity is not unreasonably affected in accordance with Policy SP20.

INFORMATIVES

Public right of way

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary – please see the attached plan.
 - ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
 - iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
 - iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
 - v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
 - vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
 - vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.
- Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

Water Supply (Yorkshire Water)

The developer should be made aware that if any of the proposed units require a significant non-domestic supply that cannot be met by the existing available network capacity, then Yorkshire Water r reserve the right to carry out required network improvements at the cost of the applicant.

Bats

A Natural England mitigation licence will need to be sought.

Notification of post construction acoustic testing

It is requested that the LPA is provided with advanced notification of the post construction testing to allow Environmental Health Officers to be in attendance.