

Application No: 18/2456N

Location: THE GRANGE FARM, HOLLYHURST ROAD, MARBURY, SY13 4LY

Proposal: CHANGE OF USE OF LAND AND AGRICULTURAL BUILDING FOR AN EVENTS VENUE

Applicant: Charlesworth

Expiry Date: 13-Jul-2018

## **SUMMARY**

The application site lies within the Open Countryside where Policy EG.2 of the Local Plan encourages the retention and expansion of existing business, particularly through the conversion of existing buildings.

Paragraph 28 of the NPPF states that planning authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

LPAs should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through, conversion of existing buildings and well designed new buildings.

Policy NE.15 allows for the re-use and adaption of rural buildings for a commercial use.

The proposal would bring positive planning benefits such economic and social benefits through rural diversification and spending in the local economy and complimentary businesses.

No significant highway safety, amenity, design, drainage or flooding or tree concerns would be created.

As such, the proposed application is recommended for approval.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASON FOR REFERRAL**

This application has been referred to the Southern Planning Committee by Cllr Stan Davies for the following reasons:

- To create a wedding venue in this location would cause serious traffic issues in this narrow highway, which is impassable in most of the areas. A wedding venue of 100 plus guests, would mean a huge amount of traffic coming and going.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is a steel portal framed agricultural building found within the open countryside along Hollyhurst Road. There are other agricultural buildings adjacent to the site as well as the farm house to the south.

## **DETAILS OF PROPOSAL**

This application seeks approval for the conversion of the redundant agricultural buildings to a use as a wedding venue.

It should be noted that this is a change from the original description of development as an 'events' venue.

## **RELEVANT HISTORY**

17/5892N - Prior approval for change of use – approval required 2017

17/3663N - Prior approval for a proposed change of use of agricultural building to a dwellinghouse – approval required 2017

17/3035N – Prior approval for change of use of an existing agricultural building and yard to a flexible commercial use as a Wedding Venue – approval required 2017

## **POLICIES**

**Neighbourhood Plan – N/A**

### **Cheshire East Local Plan Strategy**

PG6 – Open Countryside

EG2 – Rural Economy

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE1 – Design

SE2 – Efficient Use of Land

SE3 – Biodiversity and Geodiversity

SE4 – The Landscape

SE5 – Trees, Hedgerows and Woodland

CO1 – Sustainable Travel and Transport

### **National Policy**

## National Planning Policy Framework (NPPF)

### Local Plan Policy

NE.5 - Nature Conservation and Habitats

NE.9 - Protected Species

NE.13 - Rural diversification

BE.1 - Amenity

BE.3 - Access and Parking

BE.4 - Drainage, Utilities and Resources

### CONSULTATIONS (External to Planning)

Environmental Health – no objection

Highways – no objection

### Parish Council:

Marbury and District Parish Council strongly oppose application number 18/2456N due to continuing highways and noise pollution concerns. Our parish councillors have unanimously objected to the previous planning applications for this development; 17/3035N and 17/5829N which were both refused by the Planning Authority. The Parish Council believe the historical issues have not been adequately addressed in the revised application and no major changes are listed which will avert these concerns.

**Noise:** The applicants have done little to modify the fundamental structure of the building to reduce the impact on neighbours. Visqueen combined with timber cladding is not an appropriate material to use to mitigate this concern. Promises of keeping doors and windows closed is impractical in a venue where guests will be regularly leaving for fresh air, cigarette breaks etc. On hot evenings guests will naturally gather outside to take in their surroundings leading to local residents being disturbed by general chatter or potentially rowdy behaviour. Guests leaving at 1.00am will inevitably cause a surge in noise pollution which will not realistically be controlled by 8 staff members when potentially up to 150 guests could be present. The acoustics of this location need to be taken into account; it is open countryside, with houses within 200 metres. The land naturally forms a bowl shape which increases the way sound travels which accentuates the problem.

**Highways:** Despite the owners' assurances they will encourage travel from the Wrenbury area, guests travelling from Whitchurch/Chester directions will naturally use satnav and attempt to gain access via Ossmere and Hollyhurst lanes – both notoriously bad routes, being single track in most places, dotted with potholes, blind bends and high hedges restricting visibility and with soft verges/ditches. The roads are part of 2 designated cycleways and are popular with walkers and horse-riders and, because the majority of weddings take place on a weekend, guests are likely to arrive at the reception venue in the middle part of the day, which will conflict with the peak use by cyclists, walkers and horse-riders. The development will have a considerable impact on the existing and established livery businesses in the area which will undoubtedly be compromised if their clients find that a busy wedding venue, and the associated increased volume of traffic and late night noise on the

doorstep, causes issues which may result in them taking their horses elsewhere.

The quotation within the supporting statement, from the privately commissioned survey (HPS), obviously is subjective in its conclusion that “there can be no sustained highway related argument against the proposed change of use”. Even more since this survey was conducted during a period of local road closures which meant traffic was greatly reduced on the Hollyhurst road. The passing places proposed pose no benefit due to their location. The single track road with soft verges and limited passing places are not capable of supporting the large numbers of vehicles, some potentially large carrying DJ/band equipment and catering supplies.

In the local Plan PG6, para 2: “Within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.” A wedding venue is not an “essential” activity and local venues such as Marbury Village Hall are already available locally to hire. In relation to parking, provision is made for 92 cars which seems excessive when guest numbers are supposed to be 100-150. The parking plan however only appears to show space for 57 cars. The application form claims that the site is not visible from either a public footpath or highway- another inconsistency.

It is claimed estimated events would increase from 4 to 12 in 3 years; there is nothing to prevent this number increasing unlimitedly, resulting in events occurring potentially every day of the year.

If the application were approved, Cheshire East would contravene a number of their recently approved and adopted policies – (e.g., Policy EG2,v; Policy SE6): it would detract from residential amenity; it would not support green transport routes to promote walking and cycling; improved quality of place nor would it protect the area of tranquillity ... undisturbed by noise (NPPF, Para. 123).

To date there have only been two letters of support, both letters are from local businesses that would benefit if this venture were to go ahead. The companies are both involved in “accommodation” and therefore have a vested and biased interest in this development.

To conclude Marbury and District Parish Council firmly support local residents in their objections to this unnecessary development.

## **OTHER REPRESENTATIONS:**

There have been 23 letters of representation which object to the proposal for the following reasons:

- Unsuitable type of function for the area
- Hollyhurst Road is unsuitable for anything other than local traffic as there are difficulties in passing on coming traffic.
- Proposal will generate noise and restrictions will be difficult to enforce.
- Impact on the open countryside leading to an adverse impact on neighbouring properties.

- Increase in traffic will increase danger to other road users, cyclists, walkers, horse riders
- Increased risk of accidents along surrounding roads
- Light pollution caused by external lighting and car head lights
- Noise pollution from cars, talking, music and general activities until late at night. This noise will be audible across the area.
- Some letters of support are from businesses with a vested interest
- The submitted traffic statement is flawed, no account was made of cyclists, horse riders or pedestrians
- The proposed development is purely a money making venture
- Hollyhurst Road is a designated cycle route, any increase in traffic will increase the danger to cyclists
- Further traffic will cause damage to the existing highway
- Proposal is not essential and is contrary to Policy PG.6
- Sites for passing places are in private ownership and not Cheshire East

There have also been 19 letters received in support of the application for the following reasons:

- Positive impact on the local rural community and economy and would support associated local businesses
- Farm diversification is paramount to the sustainability of rural assets
- There is a similar use at another venue nearby, why should one be permitted and not the other?
- Noise disturbance can be dealt with by licencing
- Large vehicles frequently pass each other on Hollyhurst Road

It should be noted that a small number of the representations received are from properties that are outside of the Borough.

## **OFFICER APPRAISAL**

### **Principle of Development**

This is a 'full' planning application, the two previous applications that relate to this building were under the 'prior approval' procedure. It was deemed that prior approval was required which has led to this application being submitted.

The development is outside of any settlement boundary and within the open countryside.

Paragraph 28 of the NPPF states that planning authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

LPAs should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through, conversion of existing buildings and well designed new buildings.

Policies NE.15 and PG.6 allows for the re-use and adaption of rural buildings for a commercial use with the relevant criteria being:

Policy NE.15:

- The building is of substantial, sound and permanent construction
- The form, bulk and general design of the building is in keeping with its surroundings
- Any conversion work respects local building styles and materials

Policy PG.6:

- the building is permanent, substantial and would not require extensive alteration, rebuilding or extension.
- The development is essential for the expansion or redevelopment of an existing business

With the regard to the two Policies above, the existing building is substantial, sound and of permanent construction. Furthermore, the proposed alterations will be minimal in order to make it suitable for the proposed change of use.

Following on from this the proposed development is required to allow the existing farm business to diversify and maintain the viability of the business.

Following on from PG.6, Policy EG.2 encourages the retention and expansion of existing business, particularly through the conversion of existing buildings. However, any development has to be well designed to preserve and possibly enhance the character and quality of the land scape and built form. Further to this, there should not be any conflict with other relevant Local Plan Policies.

Outside the Principal Towns, Key Service Centres and Local Service Centres, Policy allows EG.2 developments that:

- Provide opportunities for local rural employment development that supports the vitality of rural settlements;
- Create or extend rural based tourist attractions, visitor facilities and recreational uses;
- Encourage the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification;

Will be supported where:

- Supports the rural economy, and could not reasonably be expected to locate within a designated centre by reason of their products sold
- Is supported by adequate infrastructure
- Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity
- Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form

With the above in mind, the proposed development will comply with the first parts of this policy as it provide employment opportunities not only at the site but also with other local services associated with the end use, It will provide visitor facilities/recreational use and as the Grange Farm is an operational agricultural business the proposal will constitute farm diversification through the creation of a rural based recreational facility.

In terms of the second part of this policy the proposal would support the rural economy by virtue of being sited in a rural area. The use could not be expected to locate to a designated centre as the nature of the use relies on the rural setting. In terms of adequate infrastructure the highways engineer has confirmed the road can accommodate the proposed use. As addressed in the design and amenity sections below the proposal will not cause harm to the setting or amenity of local residents.

Further to the above criteria, any development has to be well designed to preserve and possibly enhance the character and quality of the land scape and built form.

Overall, it is considered that the principle of the proposed development is in accordance with Policies NE.15, PG.6 and EG.2

## **Amenity**

There is sporadic residential development along Hollyhurst Road with the closest to the application site being 100 metres to the south, another 237 metres to the south west and a third 337 metres to the east.

It is accepted that some level of noise will be audible, however, given the distances to the nearest residential properties it is not considered that the proposed development will have any significant impact on residential amenity in terms of visual intrusion.

The Council's Environmental Health Officer has not raised any concerns subject to the hours of operation being controlled by condition. The recently approved Premise Licence (PREM 1157) allows for live and recorded music to be played between the hours of 18:00 and 00:30 on Saturdays only.

As the application site has already been granted a premises licence and therefore any noise nuisance complaints will be addressed under the Environmental Protection Act 1990 and the Licensing Act 2005.

## **Design**

At present the application building on site is a typical steel portal framed agricultural building finished with block work and timber cladding. The north and south elevations have existing door openings.

The openings to the north elevation will be have timber framed doors and windows, while those to the south elevation will be timber clad with a timber sliding door to the existing main door opening.

The existing cladding to the exterior of the building is to remain.

In design terms, the proposed alterations to the building are considered to be relatively minor and will not be out of character with the agricultural nature of the existing building or others in the locality.

With the above in mind it is considered that the proposed development is not in accordance with Policy PG.6 of the Cheshire East Local Plan and Policy NE.15 of the Crewe and Nantwich Local Plan.

## **Highways and Parking**

The proposal is for a barn conversion to a wedding venue with off-road parking, with an existing access off Hollyhurst Rd being utilised.

The average number of guests is forecast to be circa 100. Approximately 50 car parking spaces would be available from within the site's main parking area; an additional drop-off and disabled parking area close to the site entrance; and additional informal parking along the site's driveway if required.

Two similar applications on this site have been objected to from Highways. One was due to insufficient information being submitted and another because off-site mitigation was not possible because it was a prior approval application. Given the width of Hollyhurst Rd it was considered that passing bays would be required to mitigate the highways impact of the development.

The applicant's Highways Report indicated that the proposal would generate 30 vehicle movements to the site. In the absence of data from comparable sites, this seems to be a conservative estimate whereas a more robust estimate would be 2 people per car, or 50 vehicle trips. These trips would be spread out over a period of time and if they are spread out over an hour then this would result in approximately 1 vehicle movement per minute.

Sections of Hollyhurst Rd are narrow and 4 passing bays are proposed; 2 to the east of the site and 2 to the west. Each of the bays will allow for a car to pass an HGV or agricultural vehicle. These passing bays will be conditioned via a Section 278 Agreement with the Highways Authority.

Given the number of vehicles the proposal will generate and that it is unlikely they will arrive or depart from a single direction, this level of mitigation was deemed acceptable. There are also a number of informal passing bays along the length of Hollyhurst Road.

It is accepted that Hollyhurst Road is a designated cycle way and is also used by walkers and horse rider. However, it is a public highway, as such normal traffic use cannot be restricted.

## **Planning Balance & Conclusions**

The proposed development would be in accordance with Policies EG.2, PG.6 and NE.15 as the application building is of substantial, sound and permanent construction and will not require extension alterations or extensions to bring it into another use.



The Highways Officer is satisfied that there will not be any significant highways impacts subject to the recommended conditions.

Potential noise impacts of the proposed use are controlled via the Premises Licence that has already been granted.

The proposed design and materials to be used of sympathetic to the character of the host building and the surrounding area. Therefore, the proposed development will not lead to any visual harm to the surround open countryside.

The proposal would bring positive planning benefits such economic and social benefits through rural diversification and spending in the local economy and complimentary businesses.

Consequently, subject to the conditions, it is considered that the benefits of the proposal outweigh any negative impacts

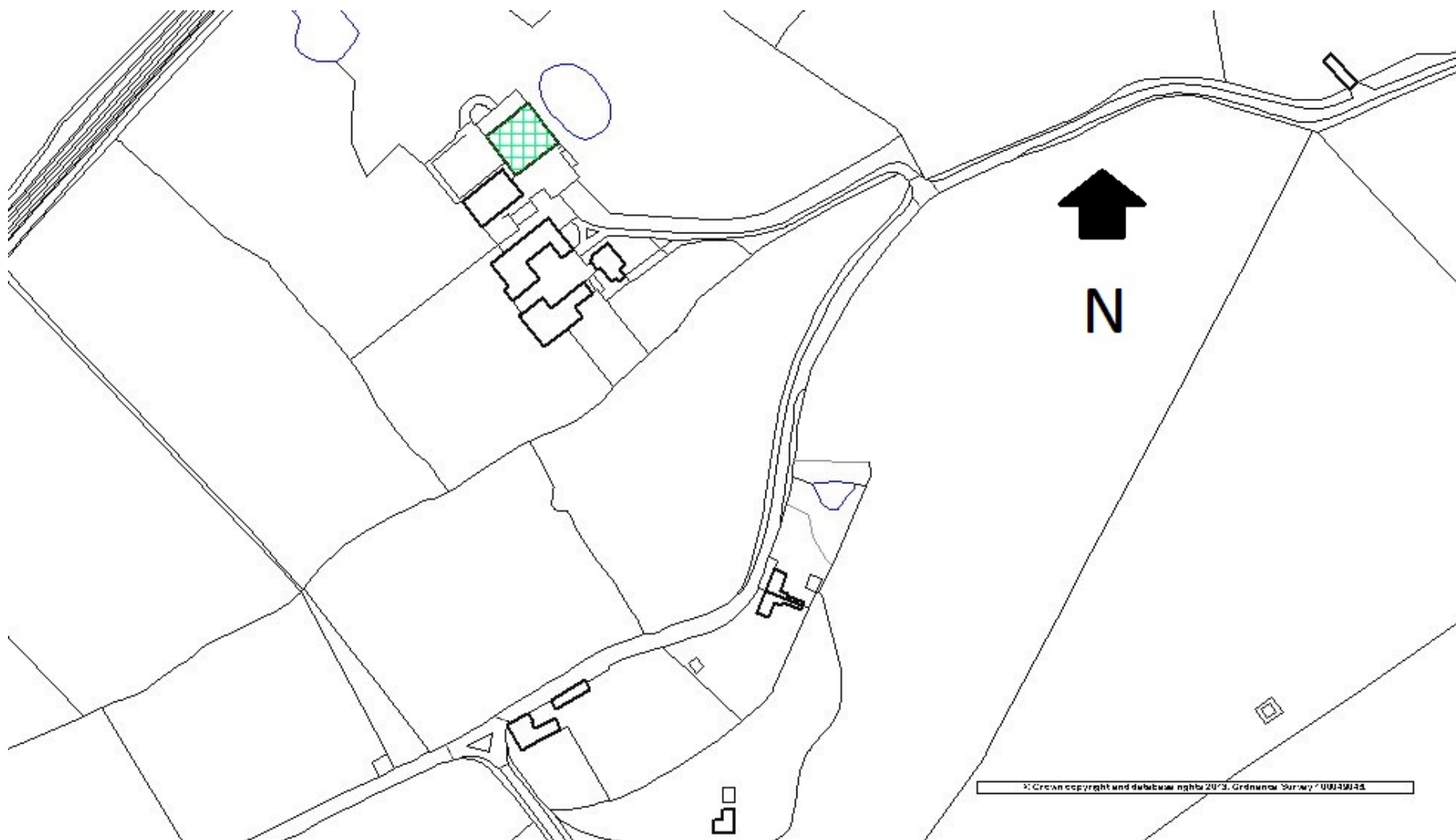
#### **RECOMMENDATION:**

**APPROVE subject to conditions**

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application**
- 4. Drainage scheme to be approved**
- 5. External lighting to be approved**
- 6. Prior to occupation the passing places shown on 'Amended Passing Bay Location Plan' should be constructed.**
- 7. Hours of operation**

#### **Informatives:**

- 1. NPPF**
- 2. The applicant will be required to enter into s 278 agreement for the proposed off-site works**



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