

APPLICATION NO	PA/2012/1010
APPLICANT	Mrs K Burton
DEVELOPMENT	Planning permission to erect a marquee up to 12 times a year to use for wedding receptions and functions
LOCATION	Rookery Farm, Railway Street, Barnetby le Wold
PARISH	BARNETBY
WARD	Brigg and Wolds
CASE OFFICER	Tanya Eggett
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillors C Sherwood and R Waltham – significant public interest and impact on neighbouring properties)

POLICIES

National Planning Policy Framework: Paragraph 28 (Supporting a prosperous economy) – support the sustainable growth and expansion of all types of business and enterprise in rural areas and promote the development and diversification of agricultural and other land-based rural businesses.

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside) lists the type of development considered to be acceptable in the open countryside.

Policy T2 (Access to Development) requires all new development to have a satisfactory access.

Policy DS1 (General Requirements) requires all new development to be of a high standard of design.

Policy DS6 (Temporary Buildings) specifies the criteria against which temporary buildings will be judged.

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development) and CS3 (Development Limits) – development outside defined boundaries will be restricted to that which is essential to the functioning of the countryside.

Policy CS11 (Provision and Distribution of Employment Land) – a key principle is to deliver a thriving rural economy by supporting development or activities that assist in rural regeneration that strengthen or diversify a rural business.

CONSULTATIONS

Highways: Concerns as no information has been provided on the number of vehicular movements and car parking arrangements.

Environmental Protection: Object unless conditions are imposed prohibiting amplified music and the use of public address systems outdoors or in the marquee, restricting hours of use to 8am to 11pm, and limiting the number of times a marquee can be erected to six times per year. In response to additional information received there is no specification for the acoustic attenuation given by the specialised marquee linings. The performance of the noise control measures for noise sources with relatively high levels of low frequency (bass) noise, may differ significantly from that shown in the submitted graphs. It cannot be verified that the noise level can be reduced using the proposed systems which will give sufficient attenuation for amplified music events in the marquees in this location.

Network Rail: No objection.

PARISH COUNCIL

Concerns: highway safety for residents and users from the additional volume of traffic due to limited access and egress to the site; noise – the effect of music and fireworks on neighbouring residents; and animal welfare – the effect of music and fireworks on horses and dogs in the vicinity.

PUBLICITY

Adjoining properties have been notified and a site notice posted. Seven letters of objection have been received raising the following material planning issues:

- noise and disturbance
- fire hazards due to fireworks
- visual impact
- access to site is narrow
- additional traffic will create hazards for vehicle and pedestrian users
- potential lack of car parking
- light pollution
- a number of businesses already operate from the site

ASSESSMENT

This proposal is to install a marquee on the site in order to hold functions, such as wedding receptions (not wedding ceremonies), up to 12 times a year. A different marquee will be used each time as the hosts will bring their own marquee to the site. The number of guests, vehicle movements and levels of car parking are unknown as this will vary from function to function. In connection with the marquee will be a mobile toilet unit, generator and mobile licensed bar. The marquee will be erected on the site on a Wednesday, Thursday or Friday

for use on a Saturday and dismantled on a Sunday, Monday or Tuesday. The access to the site is from Railway Street. The marquee will be located on a grassed area in front of the main dwelling. Car parking will be provided on the site. The facility is to be used in conjunction with existing accommodation at Rookery Farm guest house.

The main issues associated with this proposal are whether it is acceptable in planning policy terms, its impact on the amenity of the locality and neighbours, and its impact on the highway network.

The site is located within the open countryside. The site comprises the main dwelling with bed and breakfast accommodation, stable accommodation for horses and some small workshops used for other businesses on the site. Policy RD2 of the North Lincolnshire Local Plan specifies development that is acceptable in the open countryside. This site was originally a farm but has now diversified into other activities such as the keeping of horses and small workshop-type businesses. In terms of policy RD2 there is concern that this type of use will give rise to noise and disturbance to neighbours on Railway Street. The number of guests and vehicular movements are not known so there is potential for a high number of vehicles entering and leaving the site late in the evening which would result in disturbance to neighbours. The proposal would therefore be contrary to policy DS1 of the North Lincolnshire Local Plan.

The weddings/functions will be accompanied by music. This also has the potential to cause noise and disturbance to neighbours. Environmental Protection considers a condition is needed to ensure no amplified music or public address systems are used outdoors or in the marquee. However, in practical terms, this would make the proposal unworkable as the type of functions would require amplified music and public address systems. The applicant has submitted information from a company specialising in controlling amplified sounds. However, Environmental Protection is unable to verify that these systems will give sufficient attenuation for amplified music events in the marquee without the specification of the specialised linings for the individual marquee to be used. It cannot be ascertained if there will be noise issues associated with this proposal. The marquees and music systems to be used will be different on each occasion and therefore planning conditions cannot be used to control the type of marquee or music systems to be used. As a result, due to noise concerns, the proposal is contrary to policy DS1 of the North Lincolnshire Local Plan.

In terms of visual impact on the open countryside, the marquee and associated equipment will be visible on the landscape. However, the marquee will only be on the site for a few days before being dismantled. The number of days each marquee is on the site could be controlled by planning conditions, as could the number of times a marquee is erected on the site in any calendar year. Whilst the visual appearance of the marquee may be acceptable, its impact on the amenity of neighbours is not considered acceptable.

In terms of Core Strategy policies CS1 and CS2, the proposal is considered to be an unsustainable form of development as it will increase the need to travel. It is noted that the site is close to the railway station and bus stops but, due to the nature of the functions and the time they will finish, the majority of guests will use private vehicles to access the site. In terms of policy CS3, the proposal is not required in connection with agriculture or forestry or to meet a special need associated with the open countryside. Its contribution to the sustainable development of the tourist industry will be limited as no evidence has been put forward by the applicant to suggest guests would visit any other places in the area that are connected with tourism other than the application site. The proposal is therefore contrary to policies CS1, CS2 and CS3 of the North Lincolnshire Local Plan. In terms of policy CS11 of

the Core Strategy it is accepted that the proposal will diversify a rural business. However, this has to be balanced against the unacceptable impact the proposal will have on the amenity of local residents which does outweigh policy CS11 in this instance.

RECOMMENDATION Refuse permission for the following reasons:

1.

The local planning authority has concerns in relation to the number of vehicular movements and car parking arrangements associated with the proposal as no information has been submitted by the applicant. In the absence of this information, the proposal has the potential to result in additional hazards to the safety of pedestrians and vehicle users of Railway Street. The proposal is therefore contrary to policies DS1 and T2 of the North Lincolnshire Local Plan.

2.

The site is located in a quiet rural area. The proposal will result in additional noise and disturbance to surrounding residents by virtue of amplified music, loud speaker systems, vehicles manoeuvring and the gathering of a large number of people on the site that are all associated with the use of a marquee. The proposal will result in demonstrable loss of residential amenity to neighbours and is therefore contrary to policy DS1 of the North Lincolnshire Local Plan.

