

# **PLANNING APPLICATION FOR A PROPOSED EVENTS VENUE AT SANDON BURY FARM, SANDON**

## **PLANNING OBJECTION REPORT**

**ON BEHALF OF SANDON ACTION GROUP**



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## 1. Introduction

- 1.1 A planning application (17/01315/1) was submitted in May 2017, for the use of most of the Sandon Bury Farm complex as a wedding venue, involving the demolition of two barns, the erection of new buildings, the conversion and extension of Listed barns, and the change of use of the farmhouse and outbuildings to associated overnight accommodation. Local residents were made aware of the proposals at a public exhibition on 16<sup>th</sup> March 2017, as a result of which the Sandon Action Group (hereinafter referred to as SAG) was convened to respond to the application when it was submitted. The application was subsequently withdrawn and a revised scheme submitted (18/00584/FP, and Listed Building Consent application 18/00585/LBC). Pegasus Group has been engaged to provide planning advice to SAG on this revised scheme, in order that its representation to the Council is presented in a robust and coordinated way, and in particular to address the planning issues that the Council will be considering.
- 1.2 SAG has a membership of 126, made up of individual members and whole households, and therefore represents a significant proportion of the households in Sandon. Around 120 individual residents of Sandon have written to object to the current applications. The Parish Council, elected to represent parishioners, has also objected to the applications. We also understand that a petition, with around 200 signatures, against the applications is in circulation, raising objection on the grounds of inappropriate location, unsuitable access routes, nuisance to local residents, lack of benefit to the community, and any employment being outweighed by the adverse impact of the scheme. Sandon Action Group's objection contained in this report can therefore be said to be representative of village residents and those who represent them.
- 1.3 The revised scheme has changed from the original scheme in the following ways:
- Black Barn – the black Barn will become the centre of events, with the capacity reduced from 200 to 150. A freestanding "acoustic enclosure" is proposed within the Black Barn. Bat Lofts will also be located within this building, as per the previous scheme.
  - Centre Barn – The existing Centre Barn will be converted to provide a spa and studio space rather than kitchen admin and staff facilities.

- Grain Store – The existing grain store will be replaced with a new building for toilets and wedding ceremonies. The design has changed from the previous scheme.
  - Hay Barn – A south bay is to provide a bat emergence zone adjacent to Barley Barn, with alterations to the north end connection with the grain store.
  - Courtyard – to provide “coach turning and embarkation and staff car parking”.
  - Parking/Access – Reduction in overall parking provision and using the access from Rushden Road within the working farmyard, rather than from Notley Corner.
  - Sandon Bury – The house, Sandon Bury, will be altered internally.
  - Coach House and garage – The Coach House and garage will be converted to provide a laundry/service building, a reception/office and an apartment.
  - Dovecote – to be converted into overnight accommodation for 2 guests.
- 1.4 The purpose of this Objection Report is to make the planning case against the proposed development. The proposals are assessed in this Report in terms of compliance with national and local planning policy.
- 1.5 The report sets out the relevant planning policy against which the application proposals will be considered by the Council. The planning issues to be considered against those policies are highways and traffic impact, noise and disturbance, impact on the significance of heritage assets, biodiversity, the character and appearance of the area, and economic sustainability. These issues are considered in the main body of this Report.
- 1.6 Additionally, we feel that there should be some comparison with other wedding venues in the District, since these may be used to argue precedent. We have therefore assessed the other venues in terms of location and operation order to show why the application proposal does not compare favourably to other venues.

## 2. Sustainability and the Planning Policy Context

- 2.1 The National Planning Policy Framework (NPPF) requires that applications for sustainable development should be granted. The 3 strands of sustainability: economic, social and environmental, should be considered together when assessing development proposals. Paragraph 17 of the NPPF sets out the Core Planning Principles, which include: “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”
- 2.2 Paragraph 28 deals with supporting the rural economy, but requires support for “sustainable” rural leisure developments that benefit businesses, communities and visitors, and which respect the character of the countryside. It requires such facilities to be “in appropriate locations where identified needs are not met by existing facilities in rural service centres.”
- 2.3 Paragraph 34 states that “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.” Paragraph 36 states that all developments which generate significant amounts of movement should be required to provide a Travel Plan.”
- 2.4 This report considers the application proposals in relation to the sustainability requirements set by the NPPF. Whilst the NPPF is keen to support sustainable development in rural areas, it is clear that major developments such as the application proposal should be located where they are accessible by sustainable transport modes. The NPPF also requires that development such as this should be in response to a clear need, to be beneficial to the local community and to respect the character of the area, which includes tranquillity as well as appearance. The site lies within the village of Sandon, adjacent to the village green, pond, church, and residential properties. In the planning context, Sandon is an unsustainable location for the proposed development, because the development does not serve the village but a wide hinterland. Customers of the proposed wedding venue will not be able to access the site using public transport, other than by taxi. The development will have a detrimental impact on residential amenity through noise and disturbance, and on the tranquil and rural

character of the village. This is explored in more detail in the later sections of the report.

### Local Plan Policies

- 2.5 The Proposed Submission Local Plan hearing sessions came to an end in March 2018. Since then, the inspector has requested additional information for examination. The proposed main modifications have not yet been defined. The Submission Local Plan is at a relatively advanced stage and therefore carries some weight, especially where the policies are not the subject of objections. Nevertheless, the adopted development plan comprises the 1996 Local Plan, and it is this plan against which the Council will determine the applications.
- 2.6 Local plan designations have not changed between the adopted and emerging plans, such that the part of the site containing buildings lies within the village boundary, whilst the surrounding land, including part of the proposed car park, lies within countryside. The Conservation Area follows the village boundary line in this location. There are several Listed Buildings in the vicinity, and the Churchyard is a designated County Wildlife Site.
- 2.7 Relevant adopted Local Plan policies are as follows:
- 2.8 Policy 39 - Leisure Uses For leisure uses, the Council will normally permit development proposals which are acceptable in land use and environmental terms, and according to the following criteria: (i) high intensity leisure uses (such as facilities for the arts, dance, health and fitness, or cinemas, theatres and hotels) are acceptable in town centres with good accessibility where this would strengthen the role of the town centres; (ii) medium and low intensity leisure uses (such as sport and limited ancillary buildings) will normally be permitted within towns outside town centres, between towns and exceptionally within rural settlements in other rural areas to meet only rural community needs; and (iii) low intensity leisure development will normally be permitted between towns where it would improve the rural environment or it would prevent coalescence between towns. (Our underlining).
- 2.9 The applicant's case argues that employment will be generated. The relevant policy for employment provision is:
- 2.10 Policy 36 - Employment Provision For employment uses, the Council will permit proposals, particularly for small firms, for development and redevelopment to

meet the needs of the available labour supply and changes in the local economy: (i) within Employment Areas, particularly sites specified in Part 5 and shown on Proposals Maps; (ii) elsewhere which is appropriate in land use, highway, settlement character and amenity terms. In addition to the above, regard will be had to the criteria of Policies 64 and 65 of the Hertfordshire County Structure Plan Review incorporating Approved Alterations 1991. The Council will limit some areas of the towns to business uses because of environmental and highway constraints, as set out in Policy 37 (our underlining).

2.11 Additionally, the following policies apply:

2.12 Policy 6 - Rural Areas beyond the Green Belt. In Rural Areas beyond the Green Belt, the Council will maintain the existing countryside and villages, and their character. Except in Selected Villages (Policy 7), a development proposal will normally be allowed only if: (i) it is strictly necessary for the needs of agriculture, forestry or any proven need for local community services, provided that: (a) the need cannot practicably be met within a town, excluded village or selected village, and (b) the proposal positively improves the rural environment; or (ii) it would meet an identified rural housing need, in compliance with Policy 29; or (iii) it is a single dwelling on a small plot located within the built core of the settlement which will not result in outward expansion of the settlement or have any other adverse impact on the local environment or other policy aims within the Rural Areas; or (iv) it involves a change to the rural economy in terms of Policy 24 or Policy 25.

2.13 Policy 7 - Selected Villages beyond the Green Belt In Selected Villages within the Rural Area beyond the Green Belt, the Council will normally permit development proposals if: (i) the site lies within the main area of the village as shown on the Insets of the Proposals Map; and (ii) the proposal is in line with the Policy Aims for Visual Character Areas (as set out in Part 5 under the relevant Parish), or involves retaining and improving an existing building which contributes to the character or visual quality of the village; and (iii) the proposal would maintain or enhance the character or visual quality of the village or the surrounding area; within a Conservation Area, the positive preservation or enhancement of its character will be expected (Policy 20). The 'Selected Villages' are: Ashwell, Barkway, Barley, Great Offley, Holwell, Pirton, Sandon (Church End), Therfield and Whitwell. Outside the defined areas of Selected Villages, the Council will not normally grant planning permission for development proposals unless the exceptions of Policy 6 apply.

- 2.14 Policy 12 - Landscape Conservation, Improvement and Creation In North Hertfordshire, the Council will protect the landscape by not normally granting planning permission for development proposals: (i) generally, which do not fit into the landscape because of their siting, design, materials, colour, or lack of new landscaping; and (ii) in Landscape Conservation Areas (LC1, LC2 and LC3 on the Proposals Map), which do not positively enhance the landscape taking into account the factors in (i) above. The Council will expect proposals in rural areas to add to the character of North Hertfordshire's landscapes. (Our underlining).
- 2.15 Policy 14: Nature Conservation. For Local Nature Reserves, Sites of Special Scientific Interest, Nature Reserves of the Hertfordshire and Middlesex Wildlife Trust, and sites of local Wildlife Significance, the Council will preserve their wildlife importance by not normally granting planning permission for development proposals in these sites, or which may harm their value, and will seek their continued management for nature conservation.
- 2.16 For sites of Wildlife Value, the Council will not normally grant planning permission for development proposals which do not take account of and encourage the potential nature conservation value of the site.
- 2.17 Elsewhere, or when a development proposal is acceptable, the Council will expect development proposals to take account of, and where possible, to show improvements to the nature conservation value of the site and its surroundings. In addition, the Council may require the preparation and implementation of a management scheme to maintain or enhance the site's nature conservation value.
- 2.18 Policy 18 - Listed Buildings. For Listed Buildings, the Council will apply a strong presumption in favour of preservation. Therefore, consent will be refused for the demolition of any listed building or structure unless a strong case can be made and justified. Any conversion, alteration or extension should preserve the character, historic fabric and setting of the building and ensure its continued use and maintenance. Also, the use of traditional materials and craft skills will be expected in order to retain the character of a Listed Building. New shopfronts and advertisements will be resisted unless the building's character or setting is maintained or improved and the aims of Policies 45 and 46 are met.
- 2.19 Policy 20 - Conservation Areas. In Conservation Areas, the Council will only permit proposals which will maintain or enhance their character and will refuse: (i) the demolition of buildings, walls and structures which are important to the

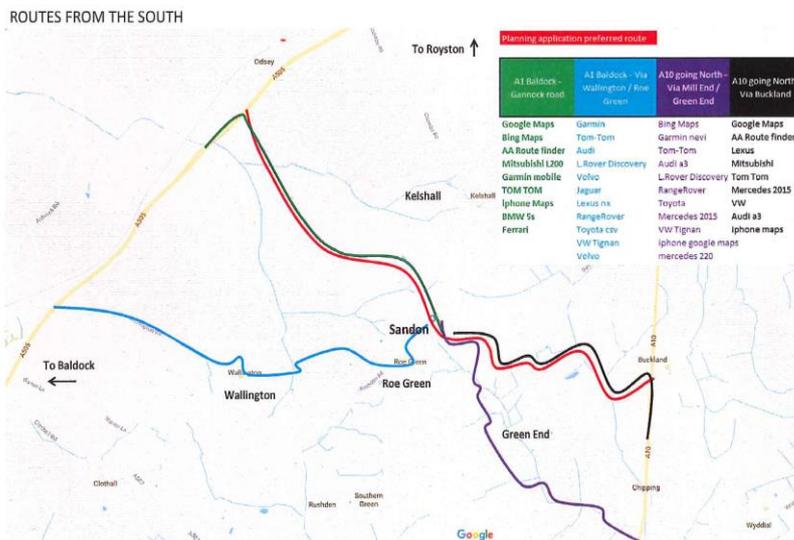
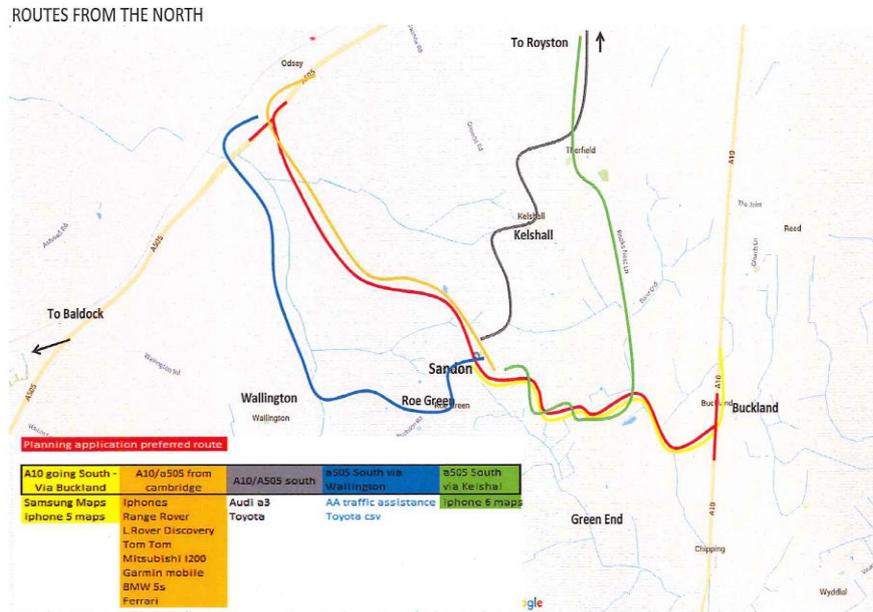
visual quality and historic integrity of the Conservation Area, the loss of which would adversely affect its character; (ii) any development proposal which does not respect and reflect the visual quality of the area because of its design, materials, colour, form, and scale; (iii) the felling or removal of, or unsympathetic work on, trees which contribute to the visual quality of the area; (iv) the display of advertisements which are unsympathetic and would not meet the aims of Policy 46; and (v) the erection of overhead lines where they would be obtrusive.

- 2.20 Policy 24 - Agricultural and Forestry Land. On land in the countryside used, or capable of use, for agriculture or forestry, the Council will permit development proposals acceptable in rural areas if: (i) the land involved is not classified as Grade 1, 2 or 3A\* by the Ministry of Agriculture, Fisheries and Food unless an exceptional case can be proven that no other suitable site exists; (ii) the rural character of the area is retained or enhanced having regard to the current Government advice and grant schemes for agriculture, forestry and nature conservation and to the Hertfordshire Woodland Strategy; (iii) the aims of landscape, archaeology, and nature conservation are met (Policies 11,12,13, 14, 15, 16 and 17); and (iv) the highway network can cope with any additional traffic
- 2.21 Policy 25 - Re-use of Rural Buildings (i) The re-use of rural buildings for commercial, industrial, or recreational purposes will be permitted provided that: (a) the form, bulk and general design of the building are in keeping with its surroundings; (b) the building has not become so derelict that it could be brought back into use only by complete or substantial reconstruction; (c) the new use will not have an adverse effect on the environment or on highway safety, (ii) The re-use of rural buildings for residential purposes will be permitted provided that: (a) there will be no adverse effect on the local rural economy; (b) the building will not require extensive alteration, rebuilding and/or extension; (c) the use of the building and its curtilage will not harm the character of the countryside, or have an adverse effect on highway safety.
- 2.22 Additionally, the Council has adopted a Supplementary Planning Document: Vehicle Parking at New Development, 2011.
- 2.23 The planning issues raised by the application proposals are assessed against these policies in the next sections of this report.

### 3. Highways and Traffic

- 3.1 The Council's SPD "Vehicle Parking at New Development" 2011 requires the submission of a Transport Assessment and Travel Plan for developments such as this (SPD paragraphs 6.2, 6.3, 7.1). No such Assessment has been submitted with the application, so traffic generation and its impact have not been assessed, nor measures for monitoring the intended modal shifts. A Transport Statement (TS) (marked as a draft) has been submitted, which is a less robust document, and makes several assumptions which we question below. (We would also wish to view the final version of the TS when it is submitted, since the application version appears to be a draft).
- 3.2 The highway issues associated with the application proposal are two-fold: firstly highway safety, which has been discussed in the TS, and secondly traffic disturbance, which has not.
- 3.3 Routes to the venue. The TS states that the roads in the vicinity are two way, S2, roads and are well maintained. However, the two-way road is limited in length (1.3 miles), lies entirely within the village of Sandon, doesn't connect directly to any other town or village, is subject to a 30 mph local limit and in many places is less than the 5.5m minimum width stipulated. It therefore fails the criteria for an S2 road and consequently the traffic capacity stated in the TS is inaccurate. Beyond this local stretch of two-way road, all routes into Sandon are significantly narrower. This is demonstrated by photographs and measurements taken by SAG (**Appendix A**). These narrow roads extend for over 2.5 miles in all directions before reaching the wider road network, and are very poorly maintained (these roads are not a priority for funding).
- 3.4 The TS acknowledges that the application is not sustainable in highway terms. No cycle facilities are proposed for the site, and it is not close to any centres of population from where staff could cycle. The nearest railway station is not within walking distance. There is no public bus provision to the village. The TS notes that sustainable transport options are "limited" and that staff will need to rely on the use of private cars, including the likely need for parent drop-off and collection for the younger waiting staff, thereby increasing vehicle movements in association with events.

3.5 The plans below shows the results of SAG’s investigation into the available mapping and satnav systems’ suggested routes to access the application site from northbound and southbound directions:



3.6 The maps show that there are several routes being promoted by various systems that could be in use by guests who are unfamiliar with the area. It is not therefore possible to rely on a single route to or from the site in terms of assumptions of guest behaviour. Paragraph 7.3 of the TS assumes a 50:50 distribution of arrivals/departures between the A10 and A505/A1 routes, which it

feels would “dilute the impact across the wider highway network.” In reality, many guests of family events, and certainly of corporate events, hail from the same area so the split is unlikely to be so even. Taxi and drop-off traffic amounts to double trips since vehicles then return at the end of an event. Whilst double trips by taxis are referred to in the TS, the expected number of taxis that will serve the venue seems low.

- 3.7 The TS acknowledges at paragraph 8.1 that an additional 172 vehicle movements per day in relation to the current use of the road “appears significant”. These un-lit roads of varying widths and condition will be used by arriving and departing guests who are unfamiliar with the area and/or by coaches needing to navigate narrow routes, and this includes using the roads in the hours of darkness. Therefore, whilst the development may be accommodated within the “theoretical capacity” of Rushden Road, this does not acknowledge the experience of the use of the road, whether it has capacity or not. It is the difference in the amount of traffic that has a significant effect on the area, for example traffic on a Saturday is almost double what is normally experienced (based on figures in the TS).
- 3.8 The Council is not therefore in a position to determine what impact the application proposals would have on highway safety in the wider area. However, we would point out that there have been more road traffic incidents than the official data shows. **Attached at Appendix F** is a map of traffic incidents that SAG has been made aware of. The map only shows those incidents where SAG can be sure of month, year, location and what occurred. (Understandably, some people can't remember exactly where or when they saw an accident and, whilst there have been numerous other reports, including a fatal accident at Lye End, the dates and/or exact locations are unknown or not specific enough to include in the Traffic Incident Map).
- 3.9 No Travel Plan has been submitted to demonstrate any commitment to modal shift, so suggestions about the way traffic will be managed in the Planning Statement cannot be enforced.
- 3.10 Site access. The TS explains that the updated application is served by a priority junction off Rushden Road at the existing site entrance in the village, meaning traffic from guests, staff, coaches, taxis, service/delivery lorries will be required to travel through the village and will converge on the site whichever direction they arrive from or depart to.

- 3.11 The access road advances into the site by approximately 25 metres and then branches off in three directions. Branching to the left, access is provided to Sandon Bury guest accommodation and car parking.
- 3.12 Continuing straight on leads to the service yard, where the majority of staff parking will be provided, as well as a turning/drop off for coaches. We question the practicality of this layout. There is no kitchen entrance off the service yard, which means that staff and deliveries will have to enter and leave the kitchen via the enclosed landscaped courtyard where guests would congregate. We suspect there will be a need to add a door in the service yard elevation. The kitchen is relatively small, so we suspect there will be also need to be an external refrigeration room added to the service yard which will further reduce the space available for parking.
- 3.13 Even so, the turning space in the service yard as shown on the plans is very tight and we question whether a coach driver would bother to attempt to enter the yard rather than simply parking on the highway and allowing passengers to disembark there. Additionally, it is not a very pleasant sense of arrival for guests to negotiate through service vehicles, staff and inevitable stacks of boxes (and potentially bins, since no bin store is shown).
- Branching to the right, access is provided to the working farmyard which will also function as the main guest car park. The dual use of this access between both farming and events is likely to give rise to some conflict unless controlled. Page 26 of the TS states that the farmyard will not be in operation during event dates. However, both weddings and farming are seasonal, so there is a clear conflict of demand for use of the farmyard. Farming is very much dependent on the weather and there will be demand from the farming function for vehicle movements from grain lorries and tractors, which activity will be threatened by the wedding enterprise and vice versa. Farm machinery will not be able to safely manoeuvre between parked cars, and the plans show that cars are parked across the barn doors on event days, blocking access.
- 3.14 There are no footpaths on Rushden Road used to access the site. This could be a potential hazard to future guests who are leaving the venue and potentially spilling out on to Rushden Road to meet lifts / taxis / coach pick-ups.
- 3.15 The Council is not therefore in a position to determine what impact the application proposals would have on highway safety in the immediate vicinity, nor

the impact on residential amenity through noise and disturbance associated with the use of this single point of access by cars, service vehicles and coaches.

- 3.16 Parking. Staff parking is allocated at 14 spaces per event, with an additional 75 spaces for guests. There is no way of dictating that an event can only occur if guests arrive by coach, so it is to be assumed that 89 vehicles could well be on or around the site for the duration of an event, with the addition of different types of staff coming and going during that time.
- 3.17 The lack of street lighting and narrow roads in the village means that on-street parking could lead to obstructions to other road users such as horses and pedestrians, and difficulties returning to vehicles in the dark. In particular, there is no parking for coaches on the site, only for drop-off, nor a waiting area for taxis and lifts. Since coaches are hired for the whole event, they would need to park and wait for clients to return at the end of the event. Sandon village would, of course, be the nearest place to park coaches and other waiting traffic.
- 3.18 Please note that the character of the highways in the locality is rural. Roads are narrow, there is no street lighting, there are no yellow lines, no footways for pedestrians and most of the roads are not priorities for pothole repairs or winter gritting. The site is very remote in highway terms.
- 3.19 Service Vehicles. It is not possible to completely control the timing of deliveries and waste collection. No waste collection point is shown on the plans. The service yard is the likely place for such activities, but may well displace some of the required parking or drop-off activities.
- 3.20 Overall, it is clear that insufficient information has been submitted with the application to demonstrate that the proposals will not have a detrimental impact upon highway safety, whether or not the local road network has the technical capacity to accommodate the additional traffic, and that any mitigation measures may have a knock-on effect in terms of visual impact on the character and appearance of the area, and heritage assets which have not been assessed. However, we are especially concerned about disturbance to residential amenity.
- 3.21 The TS refers to additional traffic movements being created during non-peak hours thus claiming that the local road network can cope with the increased volume. However the proposal will generate significant additional traffic at times when the village is at its quietest and has very low levels of traffic movement, i.e. at weekends and in the evenings and late into the night. The application states

that the venue may be used for corporate events – these tend to be organised during normal working hours with the result that delegates arriving in the morning will conflict with the school run traffic and normal morning rush hour between 8.00 – 9.30am and again in the afternoon with school traffic from 3pm onwards and the evening rush hour. The school is located on Rushden Road, which is a main route through the village.

- 3.22 The application proposal is therefore contrary to adopted Local Plan Policy 39 (Leisure Uses) which requires high intensity uses to be located within town centres with good accessibility; Policy 24 (Agricultural and Forestry Land) where part (iv) requires that the highway network can cope with any additional traffic; Policy 25 (Re-Use of Rural Buildings) where part (i)(c) requires the new use not to have an adverse effect on highway safety; Policy 36 (Employment Provision) where part (ii) requires development to be appropriate in highway terms; and NPPF paragraphs 30 (requiring patterns of development that facilitate sustainable modes of transport), 32m (requiring safe and suitable access to the site for all people), 34 (requiring development to be located where the need to travel will be minimised), and 36 (requiring a Travel Plan).

#### 4. Noise and Disturbance

- 4.1 In planning terms, the judgement to be made about noise impact is the impact on amenity. Therefore, whilst an activity may not reach a Statutory noise nuisance level, it may still be considered detrimental to amenity, hence the use of the word "disturbance". Nevertheless, acoustic measurements and modelling can help to assess the likelihood of the severity of such impacts. We have engaged the services of an Acoustic Consultant to review the noise assessment submitted with the application. The review as is attached at **Appendix B**. This review clearly shows that there are flaws in the application, and that there is a real risk of disturbance to residential amenity.
- 4.2 Traffic Noise and Disturbance. Events begin and end at specific times, so most cars will arrive and leave *en masse* at peak times. These peak times will include late night departures, people arriving in the evening for an evening reception follow the main day's events, as well as for the main event during the day. Vehicles leaving an event late at night will still have to drive through the village to reach local roads leading to the A10 and A505, and will add to the disturbance experienced by residents.
- 4.3 Noise from the venue, venue traffic, and ongoing farming activities, will inevitably conflict with and disturb events at the church, such as funerals, and other village activities at the village hall.
- 4.4 It is not possible to control or coordinate timings. Weddings are booked months in advance, funerals only a couple of weeks. There may be harvesting activity during a wedding, or there may be pressure to carry this out at times more convenient to the wedding business. However, there is a real possibility that more than one activity will take place in the village at the same time.
- 4.5 Service vehicles are particularly difficult to control, and it shouldn't be assumed that the Council's refuse vehicles will be used, as commercial businesses often use other waste service providers. Deliveries will be made at times convenient to a delivery or collection round, or to the timing required for preparation, such as flowers or food. Taxi arrival, access and waiting and are also notoriously difficult to influence.
- 4.6 Kitchen Noise and Disturbance. In addition to the music and dancing spaces, kitchens are often noisy. Doors can be opened for fresh air or access to the outside or to accept deliveries. The staff may call out to each other, play music,

and clatter pots and pans. This simply adds to the perception of a lack of tranquillity, whether or not there is a Statutory nuisance.

Refrigeration units and extraction units create noise in themselves but no specification has been submitted with the application, so it is not possible for the Council to assess it. We understand that the extract fans should be assessed as commercial sound and, at the very least, plant noise emission limits set which must be adhered to.

- 4.7 Outdoor Noise and Disturbance. Attendees can't be made to stop shouting or banging car doors, and late-night traffic has been discussed in the previous section. Unamplified music and garden parties could also be significant generators of noise. However, the noise assessment has not adequately considered these sources of noise.

Noise Assessment.

- 4.8 The applicant has submitted a noise assessment with the application. The assessment has been examined by an independent noise consultant, reported at **Appendix B**. It can be seen therefore, that the noise assessment submitted with the application is not robust, and there is doubt as to its reliability.
- 4.9 The Council needs to be satisfied before it grants permission that the permission can actually be implemented, as it would be difficult and expensive to enforce planning conditions and environmental health requirements if the Council were to receive complaints. A planning condition requiring the submission of information for approval, rather than adherence to an agreed regime up-front, is therefore ineffective.
- 4.10 Neither can the Council control simultaneous events that already happen in the village, such as funerals, which means that village life could be detrimentally affected. We would particularly note that the village experiences frequent use of its roads by horse-riders, since there are few off-road bridleways in the area and several dwellings with stables. Noisy activities, especially sudden noise, can pose a threat to horses and therefore to the safety of riders and highway users.
- 4.11 Our noise consultant's report (see Appendix B) explains a number of faults with the submitted Noise Assessment. Firstly, the surveys were taken in adverse weather conditions where 10 out of the 13 days monitored were stricken out or only partially acceptable and as such the data obtained is not considered representative. The Sandon Fields site, recently proposed for a music festival, and

located approximately 1 mile to the south west of Sandon Bury Farm is subject to the same sources of sound, but the difference in background levels that has been measured is +7.2Db in the day and +5.3db at night, which demonstrates a significant difference without explanation. It should be noted that a 6db difference represents an approximate doubling of sound.

- 4.12 The assessment for fixed plant noise looks at noise from Kitchen Supply, Kitchen Extract and Air Handling Unit for the Black Barn are based on assumed models as no detail has been provided or committed to. As such, a condition should be imposed to ensure machinery is approved prior to installation, so that the Council can be reassured it does not exceed the sound power levels of those modelled. If louder machinery is used then there may also be potential impacts on ecology.
- 4.13 With regards to data used for attendees outside, the data doesn't account for raised voices. As the proposal is intended for use as an events venue it is likely that there will be raised voices, occurring through the night-time period, which has not been taken account of. Furthermore, for the night-time time assessment source positions and raised voice are not taken from the car park where guests are likely to be congregating before leaving.
- 4.14 The assessment relies on the assumption that the windows and doors will be closed during use, which is unlikely to be the case in summer months (when most events will occur). No measures have been suggested to prevent doors and windows being opened.
- 4.15 The assessment for the impact of development related traffic on the local road network is not considered applicable as it should be concerned with the change in road traffic noise levels along the road and not absolute level resulting from such. The assessment is concerned with the worst case 1-hour periods, however, we understand that the assessment methodology in the DMRB should be applied to consider the worst-case assessment. Traffic noise is likely to exceed WHO guidelines.
- 4.16 It is recommended that the assessment undertaken by SLR for maximum noise level cannot be relied upon because of faults identified in the independent review.
- 4.17 Whether or not a statutory noise nuisance exists, disturbance is the factor that makes an application unacceptable in terms of residential amenity. We refer to a recent appeal decision from Nottinghamshire (attached at **Appendices D and E**) where an appeal relating to a wedding venue was dismissed despite there being

no statutory noise nuisance proved. The other issues were the same as at Sandon: heritage impact and highway safety.

4.18 In that appeal, the proposed wedding venue was located adjacent to Grade I Listed church, a Grade II Listed pub and the Grade II Listed host dwelling (The Ulvers), as well as being located in a conservation area. Nearby residential properties were located at similar distances to those in the Sandon application. The appeal proposal was for the use of the house and an outbuilding as B&B accommodation and a function venue, plus a marquee. The appeal decision notes at paragraph 10 that the venue was proposed to accommodate four B&B rooms, and 16 weddings per year for up to 180 guests, with parking for 30 cars mainly in an adjacent paddock. The appeal case therefore has some remarkable similarities to the Sandon proposal, although Sandon is proposing significantly more events.

4.19 The Inspector considered the impact of the proposal on the character and appearance of the area, and noted at paragraph 10 that despite the paddock already being used for occasional village events, "the proposed use would intensify the existing use considerably. It would change the quiet character and rural appearance of the paddock to one of noise and movement from vehicles entering and leaving the site and manoeuvring to park. The vehicles would be clearly seen and heard from the road in the context of the church and churchyard opposite. Thus the setting of both The Ulvers and the church and the character and appearance of the conservation area would be harmed by the proposed parking." We contend this is also the case at Sandon. At paragraph 14 the Inspector states that "It is clear that the business makes a moderate contribution to the local economy but this matter does not outweigh the harm that would be caused to the heritage assets." Further comments on the heritage impact are set out in the next section of this objection report.

4.20 In terms of living conditions of nearby residents, the Inspector noted at paragraph 17 that "Although the Environmental Health monitoring found that noise levels were lower than residents had previously experienced it was concluded that there is potential for the venue to cause a statutory noise nuisance to local residents." At paragraph 19: "even though no statutory noise nuisance has been found, the evidence indicates that in the context of low levels of noise in the area, the disturbance to local residents on a weekly basis throughout the summer months from music at the venue would be unacceptable and would cause significant harm to their living conditions." At paragraph 23, the

Inspector concludes that the proposed use would be “likely to result in a much greater number and concentration of vehicle movements” which “adds to my concerns regarding the heritage assets and noise”. The inspector came to this conclusion based on potential disturbance arising from 16 events per year, the issues of noise and disturbance will be considerably greater and persistent for 75 events as currently proposed. We contend that the noise environment at Sandon, in terms of disturbance against a relatively tranquil background, is similar to this circumstance, whether or not a statutory noise nuisance occurs, given the doubt cast by our noise consultant’s report.

- 4.21 The proposed development is therefore contrary to adopted Local Plan Policy 39 (Leisure Uses) which requires development proposals to be acceptable in environmental terms; Policy 36 (Employment Provision) which requires development to appropriate in amenity terms; NPPF paragraph 17: core principle 4 requiring a good standard of amenity for all existing and future occupants of land and buildings; and NPPF paragraph 123: avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

## 5. Impact on the Significance of Heritage Assets

- 5.1 The Council is aware of the high status of The Bury and The Black Barn which are listed at Grade II\*. Additionally, the site lies adjacent to the Grade I listed church. The impact on the fabric of these buildings and their character has been discussed in the comments of the Council's consultees. Our concern is for the impact of the development on the significance of the setting of these buildings and the character of the conservation area, although it has not been made clear on the application and in other consultation replies what those proposals will actually result in on the ground. There is no information on the works required to facilitate the operation of the wedding venue site. For example, no bin storage building or compound is shown, no lighting of the access, service yard or courtyard is shown, no ventilation / extraction plant is shown, and no electric vehicle charging points are shown. Whatever the Council determines in relation to the impact on the buildings, the setting of these buildings and the character and appearance of the conservation area would be harmed by the proposed parking, in the same way as the appeal case noted above.
- 5.2 The Council's Natural, Historic & Built Environment Advisory Team (Archae) explain that the position of the proposed development is such that it should be regarded as likely to have impact on heritage assets of archaeological interest.
- 5.3 We consider that the proposed works to facilitate the operation of the venue have been left to be agreed by condition, which means their individual and combined impacts on the significance of heritage assets including the rural character of the conservation area and setting of listed buildings cannot be assessed by the Council.
- 5.4 For example, the acoustic enclosure within the black barn isn't properly or completely drawn. Specifically, no access doors, sound lobbies or fire exits have been shown. The Architect makes the case that the acoustic enclosure sits inside the central building frame, however the lobbies will inevitably protrude. This means that the council cannot properly assess the impact of this intervention on the historic fabric and character of the interior of the Black Barn, nor can it assess the day-to-day working of the acoustic enclosure itself.
- 5.5 The Heritage Statement relies on the argument that the proposed development is required to ensure the future of the buildings. However, it acknowledges that the Sandon Bury (Grade 2\*) is in good repair so does not require to change to continue to be protected. The Black Barn (Grade 2\*) has already been

refurbished to a high standard with the considerable assistance of money from a public grant. We are not aware of any viability information having been submitted with the application to demonstrate that the site is not viable or could not be made viable with less intrusive uses.

- 5.6 Paragraph 132 of the NPPF states that the more important the asset the greater the weight that should be given to its conservation. Significance can be harmed both by alteration of an asset and by development in its setting. The Council does not have the full details of the works required to facilitate the proposed wedding venue use, so it is not able to assess the impact on the significance of these high-status heritage assets.
- 5.7 The proposed development is therefore contrary to adopted Local Plan Policy 7 (Selected Villages) where part (iii) requires the positive preservation or enhancement of the character of a conservation area; Policy 18 (Listed Buildings) which requires proposals to preserve the setting of listed buildings; Policy 20 (Conservation Areas) which states that permission will be refused for development that does not respect and reflect the visual quality of the conservation area; and NPPF paragraph 132.

## 6. Impact on Biodiversity

- 6.1 Circular 6/05 requires surveys to be undertaken before planning permission is granted. The survey report dated February 2018 notes that the proposals will be likely to have a “significant adverse impact on roosting bats” in Black Barn. The conversion of the Dovecote will result in the damage and loss of bat roosting opportunities inside the building and the loss of a day roost of two long-eared bats. The conversion of the Garage, Store and Coach House could result in disturbance to roosting bats during building works.
- 6.2 Mitigation will be required, and the report recommends the creation of two large bats lofts with soundproofing in the Black Barn, enhancement of Barley Barn for roosting bats, creation of an unilluminated bat flyway, creation of an undisturbed light sampling covered area in Barley Barn and monitoring of bat use of the developed site for three years post construction. However, no details of the proposed mitigation works that the application relies on have been submitted with the application, so it is not possible for the Council to assess their impact on these listed buildings, either in terms of the impact on historic fabric or in terms of the impact of noise and vibration on bats. Therefore, the capability of the scheme to mitigate for bat habitat is not proven.
- 6.3 It is clear that the ecology survey only covers the buildings. The ecologist was possibly not aware that the application proposals would be likely to result in the addition of new external lighting to the proposed car park, also as yet unspecified, which may well impact upon bat safety. We would suggest that without information about lighting, and without an ecological survey of the trees at the site, the Council is not in a position to assess the impact of the proposal on bats, and the proposed development is therefore contrary to adopted Local Plan Policy 14 (Nature Conservation) and NPPF paragraph 118.

## **7. Impact on the Character and Appearance of the Area**

- 7.1 The issues set out above result in a combined impact on the character and appearance of the area. At present the site and its surroundings have an agricultural and rural character, given that some of the buildings and the surrounding fields are in agricultural use, whilst others (the Bury) are set in a spacious and green village setting. The rural character of the site is protected and enhanced by its designation as a Conservation Area, in recognition of the importance of the setting of heritage assets. In addition, the churchyard is a designated County Wildlife Site. The site lies in a small rural village and is clearly within a wider rural location, where it has an air of tranquillity.
- 7.2 The physical development envisaged by the proposals includes the provision of a large car park, with a contrived new boundary line to the development creating an unattractive edge to the development and encroachment of development into the countryside, where new development is not normally permitted having regard to the Council's policies. The existing boundary line presently coincides with the village boundary and conservation area boundary, and the car park requires the boundary to be breached, spilling over in to the countryside. When in use for an event, the site will also be visually characterised by parked cars and coaches, which will be prominent in public views.
- 7.3 In order to provide visibility at the access, the application proposes the realignment of vegetation at site entrance. This requires the removal of a substantial length of a mature hedge facing the village green, and the provision of another contrived boundary line which would detract from the appearance of this visually prominent part of the village.
- 7.4 Additionally, it is likely that development will include new external lighting, particularly of the car park and accesses. There will be a need for bin storage, which must be within 15m pull-distance to the refuse collection vehicle, and electric vehicle charging points, all of which has a cumulative visual impact in terms of uncharacteristic clutter.
- 7.5 No confirmation as to sewerage capacity has been submitted with the application, in the form of a pre-development enquiry. Whilst the presence of sewers are noted, their capacity is not. The venue will add significant foul drainage to the system, and it may be necessary to add further physical development to the scheme in the form of infrastructure such as a pumping station.

- 7.6 The character of the site will also be affected by its new use. During events, there will be a significant number of additional people on the site: 150 guests plus staff. Their arrival and late-night departure in cars, taxis and coaches, their behaviour, and the amplified music and speeches associated with the weddings will add noise to the area that would be detrimental to neighbouring residential amenity, and in stark contrast to the quiet tranquillity and occasional agricultural vehicle noise that is normally associated with the site. Deliveries, waste collection, cooking / chilling, kitchen activities, staff arrivals, departures and activities will all add to this level of disturbance.
- 7.7 The rural character of the area may also be affected by the need to displace activities that are incompatible with the use as a wedding venue, such as harvesting, events at the church and village hall, and horse-riding, for several days of the week.
- 7.8 The proposed events venue, both in terms of physical development and activities associated with the new use, would therefore be detrimental to the character and appearance of the area. It would be contrary to adopted Local Plan Policy 36 (Employment Provision) where part (ii) requires the development to be appropriate in settlement character terms; Policy 7 (Selected Villages Beyond the Green Belt) where part (iii) requires development to maintain or enhance the character or visual quality of the village or the surrounding area; Policy 12 (landscape Conservation) which states that permission will not be granted for proposals which do not fit into the landscape; Policy 18 (Listed Buildings) which requires the preservation of the character and setting of the building; Policy 20 (Conservation Areas) which requires the character of the conservation area to be maintained or enhanced, and to respect and reflect the visual quality of the area; and Policy 25 (Re-Use of Rural Buildings) which requires the use of the building and its curtilage not to harm the character of the countryside. It would also be contrary to NPPF paragraph 125 which requires decisions to limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation.

## 8. Economic Sustainability

- 8.1 We understand that unemployment in Sandon is not prevalent. According to paragraph 2.10 of NHDC's Local Plan 2011-2031 Proposed Submission Draft, "The unemployment rate in North Hertfordshire is 3.4%; this is below the East of England figure (3.8%) and below the national rate (5.1%)." In addition, local employment is not reliant on farming as Sandon businesses employ over 200 people.
- 8.2 Whilst some permanent staff would be employed as a result of the proposals, in addition to those already employed at the site, (grounds-person and cleaner), the development has already caused the loss of a local joinery business at the farm which we understand employed one person full time. Other posts to be created will, inevitably, either be on an ad-hoc, zero hours basis, or in common with other venues, be supplied by a contracted-in catering company from further afield. It is not reasonable in planning terms to add planning conditions to require the use of local employees, suppliers or tradespeople.
- 8.3 Whilst the provision of jobs is a positive aspect of any planning proposal, in this case, the negative impacts would clearly outweigh this benefit. NPPF paragraph 19 requires economic growth to be sustainable. The 3 strands of sustainability in the NPPF (economic, social and environmental) are required to be considered together when assessing development proposals. Therefore, the creation of jobs in isolation is insufficient reason to grant permission for development which is not sustainable in social or environmental terms.
- 8.4 The proposed development is therefore contrary to adopted Local Plan Policy 26 (Employment Provision), which states that permission will be granted to meet the needs of the labour supply, and at part (ii) on land outside designated Employment Areas where it is appropriate in land use, highway, settlement character and amenity terms.

## 9. Comparison of the Proposal with Other Wedding Venues in North Herts

9.1 The County Council has 19 "Approved Venues" for weddings in North Herts. Those which are not Register Offices will have been granted planning permission by the Council, which will feel the need to be consistent in its application of policy. We have therefore reviewed the other venues by way of comparison with the application proposals, and found that the application proposal does not compare favourably to those venues. The Council would not therefore be inconsistent by refusing this application as being contrary to the policies noted in this report.

9.2 Please see **Appendix C** for the table of comparison of approved venues (other than Register Offices) against the application proposal. The venues have been split into groups:

Venues in similar village locations to the application proposal (3 venues);

Venues in Urban Locations (6 venues);

Venues in isolated rural locations (10 venues).

9.3 It is clear that the 3 venues in similar locations have been problematic for local residents. Barley Town House received complaints that led to strict letting conditions around noise control, including noise limiters and the threat of forfeiture of deposit. Similarly, Offley Place has been formally investigated by the Council's environmental health department on 3 occasions. Woolmer Green Village Hall has restrictions on the type of musical equipment that can be used, a requirement to hire security staff, and a threat to close down any function that causes a disturbance.

9.4 The venues in urban areas are in locations that are busy with traffic and other activities, and are generally established venues where residents understand what to expect when they purchase a home nearby. Even so, and as might be expected, 2 of the 6 venues in urban areas have been subject to investigation of noise complaints in recent years, due to their juxtaposition with surrounding residential properties.

9.5 Ten of the County's Approved Venues within North Hertfordshire's rural areas are relatively isolated in comparison with the Sandon proposal and most are smaller in terms of guest numbers. The comparison table at Appendix C notes that the rural locations are protected by isolation and often have better access routes in terms of impact on residential amenity. Where the Council has recently granted

planning permission for the expansion of a wedding venue, the circumstances were significantly different, including the facilitation of the restoration of Listed barns that are in poor repair (whereas the Sandon Bury barns have already been restored with the help of a Council grant), and the location was so isolated as to not raise any objection from residents or its Parish Council.

- 9.6 A review of the comparison table shows that Sandon falls into an area where similar venues have struggled to manage the impact of their activities on local residents. This suggests that the application at Sandon Bury is likely to result in similar management issues and complaints.

## 10. Conclusion

- 10.1 Representations to this application are divided in terms of objection and support. We encourage the Council to distinguish those representations made from within the Parish of Sandon as being most representative of those people who will be most affected by this proposal. Over 150 comments from Sandon residents have been submitted to the Council and of these, over 120 have been in objection.
- 10.2 The Council's consultees have made and will make comments based on the elements of the application proposals they are expert in. This is in response to the surveys and assessments that make up the planning application's supporting information. It is the role of the planning system to weigh up these issues and balance them against each other, but especially to understand the impact of the recommendations being made. It seems clear that more physical development will be required than is shown on the application plans (as summarised in section 7 above) to facilitate the proposed use.
- 10.3 The supporting documents submitted with the application raise doubts about whether the proposed use can be implemented without detriment to highway safety, residential amenity, heritage assets, biodiversity and the character and appearance of the area. The Council does not have sufficient information to confidently grant planning permission for the proposal, and leaving important matters to be dealt with by conditions and further submissions undermines the ability to fully assess the proposals in the round. Nevertheless, it is clear that the planning merits of the proposal (a small net gain in employment), are significantly and demonstrably outweighed by harm, as discussed in this objection report. Without such confidence the Council is at serious risk of granting permission for a development that will result in complaints and ongoing planning and environmental enforcement.
- 10.4 For these reasons, we have recommended to the Sandon Action Group that the application is contrary to Policy, and that the Group should therefore object to it. Despite having employed our professional services, many local residents have also chosen to object themselves, which demonstrates the strength of feeling in the village. The Parish Council has also objected to the application.
- 10.5 We therefore urge the Council to refuse this application for the planning reasons explained in this objection report. We hope that the Planning Committee will undertake a site visit to assist its understanding of the site and surrounding

area's rural character, remoteness, highway routes, and the proximity of residential properties.

**Appendices:**

- A – Access routes to Sandon**
- B - REC Technical Review (noise consultant's report)**
- C – Comparison table with other approved venues**
- D – Appeal decision Precedent appeal decision APP/A3010/W/17/3187163**
- E – Location plan associated with the appeal decision**
- F – SAG Traffic Incident Map**