

# 19/02523/FUL

**Applicant** Mr S Jenks

**Location** Willow Marsh Farm, Loughborough Road, East Leake, Nottinghamshire, LE12 6LU

**Proposal** Change of use of agricultural barn building and all existing farm buildings and land within the red line border of the site location plan to a mixed use comprising of agricultural and events use, and the conversion/change of use of the agricultural parlour building to a mixed use comprising of guest house (C1), office (B1) and use for events (part retrospective)

**Ward** Leake

## THE SITE AND SURROUNDINGS

1. The site comprises a working farm located on the eastern side of Loughborough Road comprising a group of farm buildings and a farm house. The farm is surrounded predominantly by open countryside with ponds and lakes adjacent to the site. Access to the farm is via a private track accessed off Loughborough Road where there are two residential properties located close to the access. Some of the farm buildings have or are in the process of being converted/repaired for the proposed wedding uses.
2. The buildings on the site comprise a stable/workshop block, a machinery store, parlour building, hay barns and the farmhouse.

## DETAILS OF THE PROPOSAL

3. The application involves the change of use of the agricultural barn and farm building and land to a mixed use comprising agricultural and events use, and the conversion/change of use of the agricultural parlour building to a mixed use comprising guest house (C1), office (B1) and use for events (part retrospective).
4. The works to the parlour building would comprise additional cladding/fenestration and the provision of a balcony. Internally, the proposed accommodation would incorporate an open plan kitchen/living space, wet room, bedroom and office on the ground floor with a further bedroom and upper lounge void on the first floor.
5. The stable/workshop building would comprise stable stalls, glass and general waste storage, wood store and store/events preparation area. The machinery barn/events building would comprise a mixed use with the agricultural storage being removed during events.
6. Parcels of land to the north-east and south-west of the site would be used for occasional guest camping in association with the events. Parking would be provided to the north and west of the stable/workshop and to the east of the machinery barn.

7. Revised plans have been received amending the access and providing passing bays within the internal access road.
8. In support of the application the Applicant has stated the following:
  - One of the barns has a licence to hold civil ceremonies and the proposal is to use this for legally and non-legally binding wedding receptions and receptions within the barn; these would take place between March and September inclusive and on Bank Holiday Mondays between May and August. This would provide the opportunity to hold 35 Saturday events and 3 Bank Holiday events.
  - The typical timings of a wedding day are as follows:
    - 0900 Third party suppliers start to arrive to set up the barn for the day
    - 1100 Third party suppliers leave the site
    - 1200 Family and groomsmen arrive to prepare for the day
    - 1300 Guests start arriving for the ceremony, Nottingham Registrars arrive
    - 1330 The wedding ceremony commences
    - 1400 Afternoon drinks reception begins
    - 1600 The main wedding seated meal begins
    - 2000 Evening guests arrive
    - 0000 Amplified music stops
    - 0030 Guests leave.
  - The total number of people attending a wedding varies with the majority of weddings consisting of 60-100 day guests and a further 20-50 guests in the evening; the maximum number of guests that can be accommodated in the barn is 130 for the day and a further 50 invited evening guests.
  - During Summer 2019 car parking was monitored and for day guests including the bridal party and family members there was a split of around 40% who would get a taxi to and from the farm and 60% that would drive and park on the site. Of the 60% around 40% left their vehicle overnight to be collected the following Sunday, making use of pre-booked taxis to take them home or to locally booked accommodation. Of the day guests arriving by car approximately 10% came in a car alone and 90% with 2-5 guests. For evening guests the results were comparable.
  - Based on the 2019 weddings and the booked weddings for 2020 the average size wedding party was 80 guests with 40 additional evening guests, 5 staff including two who live on site, 10 third party suppliers and associated staff and 2 visiting registrars. The Applicant has calculated that this would equate to 75 attendees driving a car to site plus the third party employees giving a total of 87 of which 90% arrived with at least 2 people equating to 40 car parking spaces for the shared rides and a further 7 for the 10% who arrived alone. A total of 47 spaces are needed for an average wedding day.
  - Current car parking provision provides 4 staff spaces, 6 third party spaces and 65 guest spaces (total 75).

- Speed reduction signs are in place on the drive with a 10mph limit to reduce vehicle noise.
- The access is now a further 26 metres from the neighbouring property resulting in a distance of approximately 70 metres separation distance.
- Part of the proposal is the change of use and partial extension of the existing parlour building; this former derelict building would become an office for the business and a guest house that can be used during the events; this would accommodate a maximum of 4 people and the office would be used by the owner during the week; the accommodation would be used solely in connection with the events.
- The second proposed form of overnight accommodation is two areas of land that will be made available for a limited number of guests to stay overnight after an event, the guests will provide their own tent and pitch it themselves and will dismantle the next day. Guests will be able to make use of the existing farm toilet and wash basin but no camping showering facilities will be provided; it is expected the use of the camping field would be occasional and not a permanent fixture of weekly events. It is estimated, based on previous weddings, that up to 5 pitches would be used at 10 events.
- The proposal also includes yoga and wellness retreats to use the remote and natural setting; these could include talks, presentations and yoga and meditation classes. These are normally provided by guest speakers and practitioners to small groups and daily retreats would be offered in the months of April to September normally on weekends. Typical timings of a day retreat would be:
  - 0730 Guests arrive
  - 0800 Early morning yoga practice
  - 0900 Guided meditations and breathing practice
  - 1000 A light breakfast prepared in the pop up kitchen and eaten in the events barn
  - 1100 Presentations by guest speakers on diet and mental well being
  - 1300 Yoga practice
  - 1400 A light vegetarian meal prepared and served on site
  - 1500 Q and A with guest speakers
  - 1600 The final yoga practice of the day
  - 1645 The final guided meditation and contemplation practice
  - 1700 Guests leave
- Based on current demand it is estimated there would be 6 retreats a year at an approximate ratio of one per month between April and September inclusive for between 10-40 people.
- There have been enquiries about hosting corporate lunches and presentations and based on current demand it is estimated there would be between 5-10 such events in the Spring/Summer season where the plan is to cater for up to 80 people between the hours of 0900 and 1700.
- In terms of noise, the environment is ideally suited to yoga and wellness retreats where as little noise as possible is created, music may be

played at low levels in the barn during practice and would not be heard externally. A similar estimate is made for any corporate event although amplified microphones may be used and controls on decibels would be in place.

- The most likely noise source would come from weddings both inside and outside the buildings especially from the hosting of evening wedding receptions where noise could come from amplified music, speeches and guests. The use of fireworks and Chinese lanterns is not permitted.
- From weddings already carried out, observations are that noise levels in and around the barn are very low throughout the day (1300-1800) even if people are outside; background music would be at a low level. Noise starts to rise at about 1900 with a band/DJ with music typically continuing until 0000. The PA system and internal mixer has a volume control, operated by the owner with levels set at 90dB inside the barn; this means the noise levels outside the building are at an acceptable level during the times music is played. Other procedures in place include ensuring all patrons leave the premise in a quiet and orderly manner (required by the premises licence), signage will be provided on exit routes asking people to be quiet on departure and taxis will have to respect the 10mph.
- A collection of noise impact surveys have been carried out to cover noise generation, assessment and mitigation.

## **SITE HISTORY**

9. There is a detailed history on the site which includes an application ref: 18/02174/FUL for the erection of an agricultural storage building and a new access track (retrospective) – Permitted.

## **REPRESENTATIONS**

### **Ward Councillors**

10. One Ward Councillor (Cllr Way) (Original Response) commented that the noise coming from the venue, particularly at night with music playing could constitute a disturbance. Neighbours, both close to the venue and a distance away on Castle Hill, have already complained about the noise and are extremely concerned about this happening on a regular basis. She would expect that controlling noise levels would be part of the conditions, as well as times of use. She is concerned about the proposed camping being more than as suggested by the applicant. The entrance/exit of the site is onto a road that is known to be dangerous. The track to the venue is narrow in places and there are concerns that traffic could queue onto the road increasing the potential for accidents. Traffic needs to be managed to avoid disturbance to neighbours. In principle, she does not object to this application because it would appear to be an excellent business opportunity which will hopefully provide employment to local people and add to the economy of the area. However, she would hope that the conditions will ensure that neighbours will be able to continue to live peacefully and enjoy their property without undue disturbance.

11. Following further consultations on additional information, Cllr Way welcomes the Noise Report and the recommendations for systems to reduce noise in the area surrounding the venue. The times given are 9am to midnight seven days a week. This covers noise from the arrival and departure of guests and staff. However, there is no limit on the time during which music can be played. She would like to see this set to a maximum time for any given event. She still has concerns about the campsite as this is very open-ended and would welcome a maximum number of tents with time constraints applied and that people who are camping are made aware of the requirements of the venue regarding noise.
12. Following a further consultation, she had nothing more to add to the earlier comments apart from reiterating the request for a limit to be put on the number of tents. This number is creeping up from less than 5 to between 10 and 15.
13. One Ward Councillor (Cllr Shaw) (Original Consultation) did not object provided that clear passing places are provided on the access road to avoid possible build-up of traffic on the main road, strict noise level conditions are imposed and the noise reduction methods the applicant claims to have installed are effective and camping on the site does not become a regular feature.
14. Following further consultations on additional information, Cllr Ward supported fully East Leake Parish Council's position on this application.
15. One Ward Councillor (Cllr Thomas) (Original Consultation) objected on the basis of information provided at present. She does not object in principle as a successful business would bring a welcome new facility to East Leake, employment opportunities for local people, and trade to many local businesses. However, she had several concerns and hoped that, should the application be approved, all the issues will have been addressed. She objected on the grounds of the disturbance to neighbours from noise of amplified music in the open air or within a poorly soundproofed building, neighbours report being severely impacted by events held to date including being unable to use their garden, having to close windows and stay indoors, and still having to endure a booming bass sound. There have been complaints not just from immediate neighbours, but also from residents on Castle Hill and elsewhere in the village. If approved, she would expect to see protection against noise secured by conditions, covering technical requirements such as permitted noise levels at various defined points and types of equipment to be used, monitoring etc., and permitted hours for events, number of events per annum, days of the week and months of the year when events will take place, times of the day when outdoor music is permitted, times in the evening when only indoor music is permitted, with the barn doors shut and possibly additional soundproofing measures for the barn.
16. The site lies adjacent to Manor Farm Park and Woodlands and designated local wildlife site "Manor Farm Grassland" and is close to a public right of way. The impact of noise on the enjoyment of the area by members of the public should be considered, as well as any adverse effects on wildlife. If the application is to be approved, she seeks a condition to control the maximum number of guests for an event.
17. The layout of entrance/exit via the access track will need to be assessed by relevant authorities in the light of the known dangers of the blind junction

between Rempstone Road and Loughborough Road, which is 250m south of this access. The single lane access track is likely to be problematic at busy times, with taxis moving in the opposite direction to private cars, and there is a risk that any traffic jams will cause public hazards from traffic queuing on the highway waiting to turn in. Widening the track or provision of passing places could perhaps be a solution. Measures are needed to ensure that the noise disturbance to neighbours from guests leaving late at night is managed. Parking layouts have now been provided and details of surfacing, lighting, drainage etc. are also required.

18. The mixed use of the barn is of concern, it does not seem to have been used for agricultural storage. It is difficult to see how this lovingly created rustic wedding venue with its chandeliers and impressive stone floor is compatible with agricultural use. Regarding the guesthouse/office, the planning statement refers to it as a guest house to be used for a maximum of four people on the evening of an event; this would need to be conditioned. The planning statement indicates occasional camping only with maximum one night stay for each event but does not specify a maximum number of tents per event; this would need to be controlled via a condition. Does the food preparation area conform to relevant regulations and standards for hygiene? Is an ecology report or ecological management plan to be provided?
19. Following further consultations on additional information, Cllr Thomas advised that she wished to maintain an objection at this point though appreciate that some progress is being made. Note the addition of a passing place on the access road and note the noise assessment with proposal for noise mitigation measures for the music, plus the response of the Environmental Health Officer. This however only deals with noise levels from music and not the other aspect of this which is the timing and frequency of events. It appears only to deal with music, not the noise of outdoor gatherings of people. The other issues raised have not been addressed.

### **Town/Parish Council**

20. East Leake Parish Council (Original Response) - Agreed would remain neutral but that comments should be made that conditions should be imposed to ensure limits are clear and mitigate adverse impact of noise, traffic and frequency of events.
21. Following a re-consultation, further comments were received from the Parish Council. Concerns expressed about noise and as to whether the noise impact assessment report gave confidence in the proposed control mechanism. Concern was also expressed that there could be noise in the daytime, not just evening, and that traffic and guests and events contractors may interfere with nearby residents. The conclusion was to stay neutral but to request a limit to the hours during which music can be played and request that the conditions imposed are enforced through competent monitoring in order to safeguard nearby neighbours' wellbeing.

### **Statutory and Other Consultees**

22. Nottinghamshire County Council as Highway Authority raise no objection subject to conditions. Concerns previously raised over access, visibility and insufficient passing bays have been addressed.

23. Rushcliffe Borough Council Environmental Health raise no objection subject to conditions. The noise limiting device shall be installed and details of the installation and noise limit to be set shall be submitted for approval. In addition, the noise management plan should be placed on any approval as a condition to be submitted for approval; this should take account of hours of use, ensuring windows/doors are kept closed when amplified music is played, regular noise monitoring around the perimeter of the premises (levels should be set when the sound limiting device is installed), controls to be put in place when guests are leaving the premises e.g. ensure no congregating guests, vehicles leave the premises in an orderly manner and during the evening entertainment that there are no groups of guests congregating near to any residential dwellings e.g. that they remain within the venue.
24. Nottinghamshire County Council Planning advise that in terms of Minerals, Willow Brook Farm lies within the permitted boundary for East Leake Quarry (also known as Lings Farm Quarry) which extracts sand and gravel and is operated by Cemex. The area around the farm has been worked and is now mainly restored. Whilst some environmental impacts (i.e. noise) may be detectable at the proposed development site, considering the nature of the proposed development and that the application is partially retrospective and active extraction is occurring further to the east, the proposed development does not seem to pose a sterilisation risk to the permitted quarry. Therefore, the County Council does not wish to raise any objections to this proposed development.
25. Rushcliffe Borough Council Environmental Sustainability Officer raises no objection subject to conditions and informatives.
26. Trent Valley Internal Drainage Board advise that the site is outside of the TVIDB district but within the Board's catchment. There are no Board maintained watercourses in close proximity to the site. Surface water runoff rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the LLFA and LPA.

### **Local Residents and the General Public**

27. Five representations have been received objecting on the following grounds:
  - a. In breach of the original planning conditions, the building has already been constructed, there have been seven parties/weddings so far this year and two complaints made to the Council from a previous tenant at the Ling Farm Cottage, the whole development has been constructed with the intended use as an events venue, there has never been any plant/equipment in the agricultural building, the new buildings are on a different footprint and considerably larger than the original structures.
  - b. Regarding the noise assessment, the nearest residential property boundary is 50m from the agricultural barn, the barn has no acoustic insulation and it amplifies the sound. The weather conditions during the survey period were very favourable and influence the results from this assessment to reduce the noise, the rain and the wind direction for the

whole of the survey are not comparable to a summers day. The survey is not comparable to having 250 guests speaking, laughing and shouting which would make the acoustic sound of 75 to 80dB, the music would have to be over 80dB to be heard by the guests, during previous events held in 2019 the music has been loud enough to have being heard on Castle Hill over 1000m away, concerned about the impact of noise on local properties.

- c. The new development is nothing like the original farm footprint, size and character and is a purpose build events venue, the proposal would substantially change the character of the site, the entrance is out of character with its surroundings.
  - d. The bird and bat life have been disposed of when the buildings were demolished, there are horses stabled within 30m of the venue that will surely be distressed by the loud noise, there is no biodiversity enhancement scheme.
  - e. There are substantial areas of grass that have been concreted to make non permeable hardstanding for parking.
  - f. The sewerage system/tanks are not suitable to accommodate the number of persons in the applications and they also drain to soakaways that percolate into the ponds/lagoons.
  - g. Questions whether a traffic management plan has been developed to demonstrate the traffic movements and possible impact on the already dangerous road, has an assessment been done for the traffic noise in the early hours of the night, has a light pollution assessment been done, has a report been done on the employment benefits to the immediate local community?
  - h. Traffic generation and highway dangers, the road infrastructure is not suitable for this type of venue and would need to be upgraded, close to a dangerous junction
28. Three representations have been received in support stating this farm has been taken from a dilapidated, tired and filthy site to a beautiful venue, the quality of the restoration of the barns and outbuildings is top class and in keeping with the surroundings, creating a unique venue in a setting that allows guests to be closer to nature. The comments regarding bee eater birds should be taken with care as these birds are not native to the UK and should be cautious about regarding their previous time here as a positive and should be viewing it as part of the climate issue we are currently facing. Have not heard any noise from events, the site is well set back from the road and seems an ideal location for family celebrations and small functions, the modest number of arrivals and departures on days spread throughout the year seem acceptable.

## **PLANNING POLICY**

29. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (referred to herein as Core Strategy), the Local Plan Part 2: Land and Planning Policies (LPP2), which was adopted on 8 October 2019,

and the East Leake Neighbourhood Plan. Other material considerations include the National Planning Policy Framework (NPPF) (2019) and the National Planning Practice Guidance (the Guidance).

### **Relevant National Planning Policies and Guidance**

30. The relevant national policy considerations for this proposal are those contained within the 2019 National Planning Policy Framework and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. Section 6 states at paragraph 83 that planning decisions should enable the sustainable growth of all types of business in rural areas both through the conversion of existing buildings and well-designed new buildings and should enable the development and diversification of agricultural and other land-based rural businesses and support sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 84 states planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations not well served by public transport. In these cases, it is important to ensure that development is sensitive to its surroundings and does not have an unacceptable impact on local roads.
31. The proposal is to be considered under section 12 Achieving Well Designed Places and it should be ensured that the development satisfies the criteria outlined under paragraph 127 of the NPPF. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Section 15 covers the natural environment.

### **Relevant Local Planning Policies and Guidance**

32. Policy 1 of the Core Strategy reinforces the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
33. Policy 5 Employment Provision and Economic Development states the economy will be strengthened and diversified with new floorspace being provided across all employment sectors to meet restructuring, modernisation and inward investment needs. This will be achieved by, amongst other things, encouraging economic development of an appropriate scale to diversify and support the rural economy.
34. Policy 10 Design and Enhancing Local Identity states development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Specifically, part 2(f) refers to massing, scale and proportion and 2(g) refers to materials, architectural style and detailing. Section 2 of this policy sets out the full design and amenity criteria that development should be assessed against.
35. Policy 13 Culture, Tourism and Sport states, amongst other things, the provision of tourism facilities of an appropriate scale will be encouraged

throughout Rushcliffe, new tourism facilities will be focused in or adjoining district centres, or through the improvement of existing facilities. Where appropriate, existing tourism facilities will be protected and their further development will be supported.

36. Policy 14 Managing Travel Demand states the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations.
37. Policy 17 Biodiversity states the biodiversity of Rushcliffe will be increased over the Core Strategy period by, amongst other things, protecting, restoring, expanding and enhancing existing areas of biodiversity interest, seeking to ensure new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate, supporting the need for the appropriate management and maintenance of existing and created habitats.
38. The proposal is to be considered under Policy 1 Development Requirements of the LPP2 whereby development should not have an overbearing impact on neighbouring properties or lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered and should not lead to an over-intensive form of development.
39. Policy 22 Development Within the Countryside states that land beyond the Green Belt and the physical edge of settlements is identified as countryside and will be conserved and enhanced for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources, and to ensure it may be enjoyed by all. Within the countryside development will be permitted for uses including agriculture, equestrian, forestry and other uses requiring a rural location, the re-use and adaptation of buildings for appropriate uses, including housing, expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings, small-scale employment generating development, retail and farm diversification, recreation, wildlife conservation, leisure, tourism, and sports development which requires and is appropriate in a countryside. Developments will be permitted where, amongst other things, the appearance and character of the landscape, including its historic character and features such as habitats, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is conserved and enhanced, except for conversions and changes of use it does not constitute isolated residential development which is separated from the physical edge of the settlement and built development is well integrated with existing buildings, where appropriate.
40. Policy 31 Sustainable Tourism and Leisure states the Borough Council will maximise the potential of tourism and leisure in the Borough and increase opportunities for residents and visitors by supporting, amongst other things, the retention of existing accommodation which contribute to the local economy, enhancement of existing tourist and leisure attractions and accommodation, including their expansion, where it accords with the principles of sustainable development and is not detrimental to the surrounding area, development of new tourist and leisure attractions, including the provision of new accommodation to facilitate the opportunity for overnight stays. New accommodation will be directed towards district centres where it can make use of existing infrastructure. It is recognised however there may be instances

where a proposal requires a local centre, edge of centre or countryside location. Within the countryside, preference would be for tourism and tourism related development to re-use land and buildings. Tourism and leisure in rural areas, which benefits business, communities and visitors, and respects the character of the countryside, will be supported. Its scale should be appropriate to the local landscape and its surrounding environment and not adversely affect local transport infrastructure. When assessing new provision for rural tourism or the expansion of facilities, consideration will be given to whether needs should be met within a settlement or by existing facilities.

41. Policy 38 Non-designated Biodiversity Assets and the Wider Ecological Network states developments should, where appropriate, seek to achieve net gains in biodiversity and improvements to the ecological network through the creation, protection and enhancement of habitats, and the incorporation of features that benefit biodiversity.
42. The East Leake Neighbourhood Plan has been adopted and forms part of the Development Plan. There are no policies of direct relevance to this application.

## **APPRAISAL**

43. The proposal comprises the change of use of the farm buildings and land from an agricultural use to a mixed use of agriculture and events. This includes the change of use of the agricultural parlour building to a mixed use comprising a guest house (C1), office (B1) and use for events (part retrospective).
44. The proposal would result in the provision of an events use to include weddings and retreats and would provide limited accommodation ancillary to that use. It involves the re-use of buildings and the adaptation of existing buildings and land. The proposal comprises agricultural diversification and would be operated alongside the existing agricultural operation. Local and national policies support rural diversification, enhancing the rural economy and the suitable re-use of buildings. The provision of such a facility would benefit the choice of rural venues within the Borough and the local economy would also benefit. The agricultural operation would continue with the buildings having a dual use.
45. Whilst it is acknowledged that the site occupies an unsustainable location, there is a demand for such provision within the rural area and large scale buildings are required to accommodate large numbers of guests. A rural location is often sought by guests and those running events and not all such venues can be located within larger settlements. The proposed events would rely to a significant degree on the private vehicle or taxis. However, this needs to be balanced with the other benefits the proposals would provide.
46. Therefore, the principle of the proposal is very much an on balance assessment. However, it is concluded that the principle of the use can be supported, given the benefits the venue can provide and the benefits to the local economy. The proposal must also comply with other elements including visual impact, the relationship with neighbouring properties, highway safety and ecology.
47. The proposal would result in external alterations to buildings within the site. The proposed guest house and office comprises an agricultural building which

is part way through conversion. The building currently comprises a corrugated metal clad farm building and the proposal is to alter this through the use of reclaimed stone to create plinths and quoins with reclaimed brick work above and vertical timber boarding on the upper parts of the walls. A colour-coated metal profile sheeting roof is also proposed. A painted metal balustrade with double glazed doors and windows are proposed in the northern elevation with an external staircase and balustrade to surround the front door. The other buildings would remain as existing.

48. The site is set well back from the highway and forms a group of farm buildings around a yard. The proposed alterations would not be unduly visible from beyond the confines of the site and although more domestic elements would be introduced through the balustrading, fenestration and balcony, the resultant building would be a mix of domestic and agriculture which is considered acceptable for the site and surroundings. The buildings would retain a sufficiently robust appearance and would not materially change the character of the site and surroundings.
49. Parking would be provided within the site to serve the proposed events use. The site has significant areas of hardstanding already which is used in part for agricultural storage and the parking of vehicles. The appearance of the site would alter when these areas are used for large scale vehicle parking in connection with the events. However, this use would be temporary and would only take place on a limited number of days each year. This is considered acceptable on the basis it would be limited and linked to the events.
50. Areas for camping are also proposed. These are well related to the existing buildings and would again only be in connection with the weddings proposed to take place. As such, the use would be temporary and limited to a relatively small number of days per year.
51. Overall, it is considered the proposal would be visually acceptable and complies with the above policies and guidance.
52. The proposed physical changes to the buildings on the site would have no undue adverse impact on the amenities of occupiers of nearby neighbours. The buildings are set well within the site and there are significant separation distances between the buildings the subject of this application and neighbouring properties. As such, the proposed changes to the buildings are deemed to be acceptable on residential amenity grounds.
53. The proposed change of use to include events such as retreats and weddings has the potential to impact on neighbouring properties through vehicular noise, noise from guests both outside and inside buildings, the celebratory nature of the gatherings for weddings, amplified music and extended hours of use at weekends. There are two dwellings to the north of the access and other dwellings set further from the site that could potentially be affected. As such, a robust case is required to demonstrate that noise and disturbance would be at a level that would not be harmful to neighbouring amenity.
54. The nature of the operation, including the types and frequency of events, the hours of operation, number of vehicles and guests etc. is set out at paragraph 8 above. Clearly, the agricultural element of the buildings and land would be a continuation of the authorised use and this would have no undue adverse

- impact on the residential amenity of occupiers of nearby dwellings.
55. In terms of noise, the environment is ideally suited to yoga and wellness retreats where as little noise as possible is created. Music may be played at low levels in the barn during practice but would not be heard externally. A similar impact is likely from any corporate event although amplified microphones may be used but controls on decibels would be in place for such occasions. There would be some noise and disturbance from vehicular movement although this would not be at a level that would cause undue harm to the amenity of nearby dwellings.
  56. The most significant noise source would come from weddings, both inside and outside the buildings especially from the hosting of evening wedding receptions where noise could come from amplified music, speeches and guests. In order to address this issue, the applicant has stated that from weddings already carried out, observations are that noise levels in and around the barn are very low throughout the day (1300-1800), even if people are outside, and background music would be at a low level. Noise starts to rise at about 1900 with a band/DJ with music typically continuing until 0000. The PA system and internal mixer has a volume control, operated by the owner with levels set at 90dB inside the barn; this means the noise levels outside the building are at an acceptable level during the times music is played. Other procedures are in place which include ensuring all patrons leave the premise in a quiet and orderly manner (required by the premises license), and signage would be provided on exit routes asking people to be quiet on departure and taxis would have to respect the 10mph speed limit on the access drive.
  57. A Noise impact survey has been carried out to cover noise generation, assessment and mitigation. The noise assessment concentrated on the potential noise breakout from the venue from amplified music as this was seen to be the main noise source. Furthermore, it is understood that there are no recognised/published standards or criteria against which the noise from people can be assessed. For long term sound monitoring, the sound level meter was placed in the garden of the dwelling to the west of the site (approximately 320 metres from the venue) and a second meter adjacent to Lings Farmhouse, 100 metres to the east of the venue. Monitoring collated representative sound levels of the area during the week and weekend day time and night time and the report noted the weather conditions were deemed suitable for the measurement of environment noise.
  58. The report noted the general acoustic environment of the area was moderate to low in level with the receptor at Lings Farm dominated by noise emissions from the quarry and Loughborough Road and the receptor 320 metres away dominated by road noise from Loughborough Road.
  59. The assessment found that the specific noise from the site through amplified music would be below the background noise of the receptor 320 metres away. The impact on the second receptor would exceed the typical background noise and mitigation would be required. Two potential mitigation measures were identified. The first is an automated volume control capable of limiting the noise of specific frequencies to prevent significant bass frequency noise to ensure the music level falls below the background sound level. The second is additional insulation. A noise management plan was also recommended.

60. The applicant has opted to not install the sound insulation and this will impact on the level of noise that can be played at the venue and the sound limiting device will be set at a lower noise level. The applicant has therefore agreed to the volume control measure and to submit a noise management plan.
61. The Environmental Health Officer has raised no objection and recommended conditions that a noise limiting device is installed and details of the installation and noise limit shall be submitted for the approval of the Borough Council. In addition, a noise management plan should be submitted for approval and this should take account of the hours of use, ensuring windows/doors are kept closed when amplified music is played, regular noise monitoring around the perimeter of the premises (levels should be set when the sound limiting device is installed), controls to be put in place when guests are leaving the premises e.g. ensure no congregating guests, vehicles leave the premises in an orderly manner and during the evening entertainment that there are no groups of guests congregating near to any residential dwellings e.g. that they remain within the venue.
62. The objections on the grounds of noise are noted. However, following the submission of the noise survey and further consultation with Environmental Health it is considered the noise created by the events could be effectively managed through a noise limiting device and through measures to be implemented via the noise management plan.
63. On balance, it is considered that a sufficiently robust case has been made to demonstrate that the site could operate as proposed without undue harm to the residential amenities of occupiers of nearby dwellings. As such, the proposal complies with the policies and guidance referred to above.
64. On the issue of highway safety, the Applicant has confirmed that the Willow Marsh Drive is currently used by Willow Marsh Farm traffic, Lings Farmhouse traffic and Lings Farm cottage traffic, with the northern access used solely for Green Acres House.
65. As the proposal would result in an intensification of vehicle movements at the access the Highway Authority required confirmation that the access would comply with current standards with regard to visibility. Loughborough Road in the vicinity of the site is subject to the national speed limit, and in accordance with the Nottinghamshire Highway Design Guide, visibility splays of 2.4m x 215m are required. The Highway Authority noted that actual vehicle speeds may be below the speed limit, and as such correspondingly shorter splays could be acceptable.
66. The submitted plans show that a visibility splay of 2.4m x 120m is achievable. A speed survey was commissioned and the Highway Authority confirmed the speeds demonstrated the visibility splays were acceptable to provide a safe access into the site.
67. The Highway Authority also initially raised concerns regarding the width of the internal access drive. Revised plans were submitted to address this through the provision of additional passing bays within the site. The Highway Authority subsequently raised no objection subject to conditions relating to the provision of the passing bays and the provision of the parking facilities. The Authority

had already concluded the level of parking provision proposed was acceptable, based on the scale of events proposed, and the assessment provided by the applicant. The car parking provision provides 4 staff spaces, 6 third party spaces and 65 guest spaces giving a total 75 of spaces.

68. The objections raised on the grounds of traffic generation and highway safety are noted. However, it is considered that the additional information and revised plans have addressed the concerns raised by the Highway Authority and that the proposals are now acceptable on highway grounds, subject to conditions.
69. The application has been supported by ecological surveys carried out in December 2019, which although outside the optimal survey season can allow features likely to be used by wildlife to be identified and is therefore in date and appears to have been carried out according to good practise guidelines.
70. The site consist of buildings and hardstanding. The site provided no signs of protected or priority species and had low potential for such species. The development provides opportunities for ecological enhancement and the Environmental Sustainability Officer recommended conditions/informatives and no objection is raised on ecological grounds.
71. Nottinghamshire County Council Planning has been consulted and note Willow Brook Farm lies within the permitted boundary for East Leake Quarry (also known as Lings Farm Quarry) which extracts sand and gravel and is operated by Cemex. The area around the farm has been worked and is now mainly restored. Whilst some environmental impacts (i.e. noise) may be detectable at the proposed development site, considering the nature of the proposed development and that the application is partially retrospective, and active extraction is occurring further to the east, the proposed development does not seem to pose a sterilisation risk to the permitted quarry. Therefore, the County Council does not wish to raise any objections to this proposed development.
72. For the reasons set out above it is considered that the development accords with the national and local planning policies referred to above and accordingly the grant of planning permission is recommended.
73. The proposal was not subject to pre-application discussions; however, discussions have taken place during consideration of the planning application which has resulted in additional information being submitted and revised plans. These have addressed the issues raised and have resulted in an acceptable scheme, resulting in a recommendation to grant planning permission.

## **RECOMMENDATION**

It is **RECOMMENDED** that planning permission be granted subject to the following conditions:

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

SJ-19-01 Rev C received 01.2.20  
SJ-19-02 Rev C received 22.1.20  
SJ-19-03 Rev B dated June 2020  
SJ-19-05 Rev A received 01.2.20

[For the avoidance of doubt and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

2. The materials specified in the application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The development shall not be brought into use until the passing points have been provided on the access driveway, in accordance with Site Location Plan SJ-19-05A.

[To enable vehicles to pass each other on the entrance driveway, in the interests of highway safety and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. The development shall not be brought into use until the parking provision is available for use in accordance with Site Layout Block Plan SJ-19-02C which shall thereafter be so maintained for that purpose.

[To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. Within one month of the date of this permission details of a noise limiting device for the machinery barn/events barn shall have been submitted to the Borough Council. The approved details shall then be implemented within an agreed timetable and thereafter events shall operate in accordance with the agreed noise level. The details shall include the noise limit to be set for events and installation details.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. Within one month of the date of this permission, a noise management plan shall be submitted to the Borough Council. This will include the hours of use, confirmation the doors and windows are to be kept closed when amplified music is being played, times of amplified music, details of regular noise monitoring around the perimeter of the premises (levels should be set when the sound limiting device is installed), controls to be put in place when guests are leaving the premises e.g. ensure no congregating guests, details of signs to be displayed on the premises (including number, content and location) to remind patrons/visitors that the venue is located close to other residential properties and to minimise disturbance when leaving the premises, particularly late at night, vehicles leave the premises in an orderly manner and during the evening entertainment that there are no groups of guests congregating near to any residential dwellings e.g. that they remain within the venue. The use hereby approved shall only be carried out in accordance with the approved noise management plan.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. Within one month of the date of this permission, a biodiversity enhancement plan shall be submitted to the Borough Council. This shall include an ecological construction method statement incorporating reasonable avoidance measures (RAMs), details of external lighting both during construction and post construction, to avoid adverse impacts on bat populations and to include a wildlife sensitive lighting scheme, details of permanent artificial bat boxes/bricks and wild bird nests (including Swallow/swift and sparrow cups/boxes and potentially barn owls) to be installed within buildings. The approved details shall be implemented in accordance with an agreed timetable to be specified in the submitted plan and thereafter so maintained.

[To promote biodiversity enhancement for the development and to comply with Policy 38 Non-designated Biodiversity Assets and the Wider Ecological Network of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. The number of guests for any event shall not exceed 180 and the camping areas and guest house shall only be occupied in connection with events taking place at the site and shall not be used for independent accommodation.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

9. The use of Chinese lanterns or fireworks on the premises is not permitted.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

### **Notes to Applicant**

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable as the floor area would exceed 100sqm. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

Any existing hedgerow/trees should be retained and enhanced, any hedge/trees removed should be replaced. Boundary verges should be retained and enhanced. Where possible new trees/hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*)). Good practise construction methods should be adopted including:

- Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
- No works or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
- All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
- Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
- Pollution prevention measures should be adopted.