

<b>APPLICATION NO</b>	<b>PA/2016/1603</b>
<b>APPLICANT</b>	Ms Krajnik, Wise Owls Nursery
<b>DEVELOPMENT</b>	Planning permission for conversion of barn and outbuildings to create a new wedding venue and bridal suite with associated landscaping and car parking
<b>LOCATION</b>	Rear of 68 High Street, Messingham, DN17 3NT
<b>PARISH</b>	Messingham
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Tanya Coggon
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllrs Trevor Foster and Neil Poole – significant public interest) Agent request to address the committee Third party request to address the committee Significant public interest

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 sets out that there is a presumption in favour of sustainable development which lies at the heart of the NPPF.

Paragraph 15 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17 sets out the core land-use principles of planning.

Paragraph 18 – the Government is committed to securing economic growth in order to create jobs and prosperity.

Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 28 states that to promote a strong rural economy plans should support the sustainable growth and expansion of all types of business in rural areas through the conversion of existing buildings and well-designed new buildings and to promote the retention and development of local services and community facilities in villages.

Paragraph 32 states that all developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34 states that plans and decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 – plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies, give priority to pedestrian and cycle movements and have access to high quality public transport facilities, create safe and secure layouts which minimise conflict between traffic, cyclists or pedestrians, incorporate facilities for charging plug-in and other ultra-low emission vehicles and consider the needs of people with disabilities by all modes of transport.

Paragraph 36 – a key tool to facilitate the aims of paragraph 35 will be a travel plan.

Paragraph 56 **states that good design is a key aspect of sustainable development, is indivisible from good planning**, and should contribute positively to making places better for people.

Paragraph 58 – planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or

initiative through unsubstantiated requirements to conform to certain development forms or style. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 63 – in determining applications great weight will be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Paragraph 66 – applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

Paragraph 70 – to deliver social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

Paragraph 111 – planning policies and decisions should encourage the effective use of land by re-using land that has previously been development (brownfield land) provided that it is not of high environmental value.

Paragraph 118 – when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.

Paragraph 123 – planning policies should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum any other adverse impacts on health and quality of life arising from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Paragraph 125 – by encouraging good design, planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the

proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

**North Lincolnshire Local Plan:**

DS1 (General Requirements)

DS11 (Polluting Activities)

DS12 (Light Pollution)

DS14 Foul Sewage and Surface Water Drainage

RD3 (Industrial and Commercial Development in Minimum and Medium Growth Settlements)

C3 (Planning for Accessibility)

T1 (Location of Development)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

LC5 (Species Protection)

LC11 (Area of Amenity Importance)

HE5 (Development Affecting Listed Buildings)

HE9 (Archaeological Evaluation)

**North Lincolnshire Core Strategy:**

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS6 (Historic Environment)

CS11 (Provision and Distribution of Employment Land)

CS15 (Culture and Tourism)

CS17 (Biodiversity)

CS22 (Community Facilities and services)

CS25 (Promoting Sustainable Transport)

## **Housing and Employment Land Allocations Development Plan Document**

### **CONSULTATIONS**

**Highways:** In response to the original plans (summarised), advise that planning permission be refused for the following reasons:

- there is inadequate parking provision proposed on site to accommodate the anticipated level of activity
- if permitted, the development is likely to lead to unacceptable levels of on-street parking in the vicinity of the junction of the A159 and B1400 to the detriment of road safety
- inadequate information has been provided to reassure the highway authority of the ability to implement a robust and workable travel plan in an attempt to mitigate the impact of the limited on-site parking provision.

In response to the amended plans, the revised travel plan is still insufficient. It is recommended for refusal due to insufficient parking on site to accommodate all guests and staff safely and a robust travel plan has not been submitted to mitigate against the impact of limited car parking. The revised travel plan provides a more realistic approach than the previous plan, however it is still idealistic rather than deliverable. It is apparent that there is not enough space on site to provide adequate parking for guests and staff and the travel plan does not offer any robust measures to overcome this. There is no guarantee that 40 guests will use the shuttle bus and there is very limited information provided on the operation of the shuttle bus. It was expected that there would be a much stronger commitment to this initiative. It is also unrealistic to assume that a significant proportion of staff would walk, with some cycling or travelling by bus. This assumes that all staff will live in Messingham, which can't be guaranteed and even if they did they may not want to walk/cycle home after work. Public transport would not be an option at this time. The application and travel plan fails to adequately meet paragraphs 32, 34 and 36 of the National Planning Policy Framework.

**Archaeology:** In response to the original and amended plans, no objections subject to conditions.

**Heritage Officer:** No objection to the original and amended plans subject to a condition requiring details of the boundary treatment to the front entrance and car park abutting the High Street are submitted to the council.

**Ecology:** No objection to the original and amended plans subject to conditions in relation to biodiversity enhancements.

**Severn Trent Water Ltd:** In response to the original plans, no objection subject to conditions requiring drainage plans for disposal of surface water and foul sewage to be submitted to the council.

**Environment Health:** (Summarised) In response to the original plans recommend refusal. The proposed site is immediately adjacent to residential properties. In addition there is a

children's day nursery immediately adjacent. There is potential for significant noise disturbance, particularly as the hours of use extend into late evening, night time and weekends. The submitted noise assessment contains contradictory and inadequate information and justification.

(Summarised) In response to the amended plans refusal is recommended. The noise impact assessment concludes that adverse impact is expected and that with mitigation this impact is expected to be reduced. This does not provide any level of confidence or guarantee that there will be no adverse impact on local residents from noise connected with the proposal. Mitigation measures for the entertainment and for the kitchen extraction may provide some protection from noise. It remains our opinion that this venue is unsuitable due to noise from patrons both during the event and coming and going from the venue which is highly likely to cause significant unacceptable disturbance to local residents.

## **PARISH COUNCIL**

In response to the original plans, object. In support of residents' objections with regard to light nuisance to neighbouring properties, which are not realistically addressed within the Lighting Plan – these include the car park, the outside areas and the venue itself. In support of residents' objections with regard to noise nuisance to neighbouring properties, which are not realistically addressed within the Noise Plan – these include noise from music and guests from within the venue; noise from the car park as vehicles leave up to 2am; and noise from any fixed extraction fans or air conditioning units.

In support of residents' objections with regard to parking issues, which are not realistically addressed within the Travel Plan – these include the small number (32) of spaces for a venue that can cater for up to 240 people plus staff; the likelihood of vehicles parking outside the venue when the car park is full, i.e. on the High Street (the A159 Scunthorpe to Gainsborough road) or in adjacent streets, i.e. Brigg Road and Butterwick Road, both of which are very busy junctions with High Street; The Stables Restaurant, which is located alongside the proposed venue, has a small car park which will be required for patrons of the restaurant – this again will increase the likelihood of parking on the High Street. The High Street already hosts four licensed premises which create on-street parking issues in the evening and at weekends. In support of residents' objections with regard to loss of amenity due to the proposed venue being in the centre of a densely populated residential area for the reasons listed above. Concerns that the access to the venue will be through the car park of The Stables Restaurant which is also bordered by an agricultural building used for storage of vehicles – both of these businesses create traffic movement from and to the busy A159. It is assumed that wedding guests and restaurant patrons will both be using The Stables car park at the same time, particularly on Saturday evenings – this would be chaos in itself.

The amended plans make no significant impact on noise and light pollution, parking and traffic safety aspects. In support of residents' objections with regard to light and noise pollution – the venue sits at the top of a housing estate, there will be noise and light nuisance long after the proposed amended closing time of 11.30pm, coming from the shuttle buses, taxis, band and musicians, guests talking in the car park and staff leaving much later after clearing up. In support of residents' objections with regard to parking and traffic issues – there are an unrealistic number of car parking spaces, both for guests attending from outside the area, on which the proposed shuttle bus will have little impact, and for staff, as public transport will be unavailable late in the evening. The proposed new car parking spaces are close to residential properties. Traffic congestion on the junction of

the A159 with Brigg Road, as a result of the increased volume of traffic, along with the likelihood of overspill roadside parking, both on the High Street and Manor Farm estate, gives rise to safety concerns. Encroachment of the proposed application onto LC11 designated land to the rear of the development is of great concern.

## **PUBLICITY**

Both the original and amended application have been advertised by press and site notice, and adjoining neighbours have been notified. In response to the original and amended application 128 letters of objection have been received, 201 letters of support and 7 letters making observations. In addition to the responses received by the council, Nic Dakin MP has also submitted 99 responses from constituents in relation to the application. 77 were opposed to the application, 4 were largely neutral and 18 supported the proposal.

In terms of the letters of objection to the original and amended plans, the following issues have been raised:

- no tree survey
- no details of disposal of waste
- fireworks may be lit
- impact on Area of Amenity Importance
- no details of air conditioning and ventilation
- noise pollution
- parking facilities are insufficient
- traffic problems
- light pollution
- notification of proposal to residents was insufficient
- noise assessment inadequate
- access not acceptable in highway terms
- increased on-street car parking
- noise and disturbance as the site is in a residential area
- venue would be used for other entertainment events
- additional hazards to pedestrians and vehicles
- antisocial behaviour
- car parking area close to bedroom windows

- conflict between nursery car parking and parking for the wedding venue and the adjacent Stables restaurant
- alternative venue close by (Grange Park)
- out of character with the area
- figures for the number of guests varies in the submitted information and numbers of guests cannot be controlled
- unlikely that guests will use a shuttle bus
- public transport cannot be used due to the operating times of the venue
- staff numbers likely to be higher
- staff, bands etc likely to leave after 11.30pm creating noise and disturbance
- where people park cannot be controlled
- if approved, there will be limited car parking within the site for staff and customers of the nursery during constructions resulting in parking and congestion issues in the vicinity
- difficult to ensure all guest leave the venue by 11.30pm
- no mitigation of light pollution
- harmful impact on the LC11 site
- the dimensions of the access road may not meet fire regulations
- local business may not be used in conjunction with the wedding venue
- the application contains inaccuracies
- the shuttle bus would result in congestion to other highway users
- the noise survey is not independent as it has been commissioned by the owners
- emergency vehicles cannot access A159 in required response times
- no ecology surveys
- traffic flow already reduced to a single flow at peak periods
- bus stop adjacent to the site
- site already used to store heavy plant farm machinery
- infrastructure at full capacity
- contrary to policies DS1 and H7 of the North Lincolnshire Local Plan



- if approved, the venue should close at 11pm
- drainage system inadequate
- land ownership issues
- greenfield site
- flooding
- odours
- increased crime
- contrary to paragraph 74 of the NPPF
- contrary to RD3 of the North Lincolnshire Local Plan
- contrary to DS12 of the North Lincolnshire Local Plan.

The letters of support have raised the following issues:

- job opportunities for the local community
- increased trade to the area
- beautiful venue for high class weddings
- fantastic design
- shuttle bus will be used
- car parking now located adjacent to the nursery where existing car parking is located
- bus service will reduce noise from cars and traffic
- sustainable development
- noise pollution and other concerns have been addressed in the amended plans
- brings an historic building back to life and adjacent waste land
- other pubs in vicinity generate noise
- no fireworks should be used.

## **ASSESSMENT**

### **The site**

The site is located within the development boundary of Messingham which is identified as a rural settlement in the adopted Core Strategy. The wedding venue will be located to the rear of 68 High Street, Messingham with the existing traditional barns on the site utilised,

altered and extended to facilitate the proposed conversion of the barns to form the wedding venue. Also located on the site are a children's nursery with The Stables restaurant adjacent to the application site. To the rear (west) of the site is an area of open land that has been designated as an LC11 site (Area of Amenity Importance). Part of the application site is located within the LC11 site. Some of this land immediately adjacent to the barns is very overgrown. To the north are residential properties. To the south is a tractor shed, car park and residential properties. To the east are residential properties including a listed building. Directly opposite the site is the Brigg Road/Scotter Road junction. Outside 68 High Street is a bus stop. The applicant has amended the scheme, which has reduced the size of the application site, and altered the layout of the proposal. The wedding venue will be accessed via the High Street with vehicles entering adjacent to the nursery (to the north) and exiting via the existing access which serves The Stables restaurant and the tractor shed (south side) in a one-way system.

## **The proposal**

The original proposal was to convert, alter and extend the existing barns on the site to provide a new wedding venue and functions facility with associated car parking and landscaping. The applicant submitted amended plans for the proposal in January 2017. The amended plans were submitted at the applicant's request because she was unable to purchase all the land outline in red in the original application. The amended plans show a new red line area smaller than the original application which reduces the size of the proposed development. The development proposed now comprises the conversion, alteration and extension of three barns (A, B and C) already located on the site. These barns will create an area where wedding ceremonies would take place (barn A) and where the reception would take place (barn B) and the kitchen and servicing facilities will be located in barn C. Extensions are proposed, including a two-storey extension and the introduction of a mezzanine floor in barn A in order to link the barns together to create a functional wedding venue. The extensions create staff facilities, toilets, lobby, covered cloister, bridal suite, bars, stores and covered area for the nursery. The area to the rear of barn B will be laid out as a walled garden area. A bridal garden area will be provided adjacent to the bridal suite and barn B. The car parking will primarily be provided along the northern and western perimeter of the site with seven spaces adjacent to the nursery garden.

## **The issues**

**There are a number of key planning issues associated with this proposal which will be discussed within this committee report. These issues are: the principle of the proposal in planning policy terms; the design; impact on the LC11 site; impact on the highway network; impact on ecology; impact on the adjacent listed building; impact on any archaeology; the potential for flooding on the site; drainage issues on the site; and impact on neighbours who adjoin and are located close to the site.**

## **The principle of the development in relation to planning policies**

The site is located within the development boundary of Messingham which has been identified as a rural settlement in the adopted Core Strategy. Messingham is a good example of a sustainable settlement as it has public transport links to the larger towns nearby and a good range of shops, pubs, cafés, restaurants, garages and some employment opportunities.

The site is located to the rear of the existing nursery being operated from the site. The site is located on a bus route with a bus stop located on the site frontage providing public transport links to the larger settlements close by including Scunthorpe. The site is accessible via walking, cycling, bus (although this will be limited as the venue will be open late into the night when public transport is not available), taxi and private vehicles.

In terms of the NPPF, the proposal does accord with many of the principles contained within this document, including the high quality design, supporting economic growth, re-using land and conserving heritage assets. However, the proposal will not minimise the need to travel, public transport to the site is limited due to proposed operating hours of the venue, and the submitted travel plan is considered to be inadequate. The proposal will result in noise causing a significant adverse impact on health and quality of life. The proposal is therefore contrary to paragraphs 32, 34, 35, 36 and 123 of the NPPF.

Under policy CS1, the proposal has the potential to enhance local services, has the potential to create rural economic diversification and promote tourism in the area. The proposal will attract wedding guests to the site and to the area who may use and support the existing facilities within Messingham. There is also potential for customers who are getting married at the site to use some of the facilities and services that Messingham offers such as local photographers, cake shop, florists, caterers, hairdressers and beauty parlours, for example. Part (c) of policy CS1 states, "Rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement." In this case the wedding venue will not solely meet local needs as anyone from outside the area could use the facility. The development, due to its size and scale, cannot be considered as limited but it is accepted that the development would be in character with the rural character and nature of Messingham purely in design terms. As a result, the proposal accords with some, but not all the criteria contained within policy CS1 of the Core Strategy.

In terms of policies CS2 and CS3, the proposal is located within the development boundary of Messingham. The proposal involves the redevelopment of existing barns on the site and therefore the proposal is considered primarily to be a brownfield site (previously used land). However, in terms of policy CS2, the proposal cannot be considered as a small-scale development that meets identified local needs. In addition, the site has limited public transport links, largely due to the venue's operating hours, and therefore the proposal will not minimise the need to travel. This needs to be balanced against the economic benefits of the development in terms of providing employment, bringing guests to Messingham and the high standard of design. As a result, the proposal accords with some, but not all the criteria contained within policy CS2 of the Core Strategy.

Policy CS11 of the Core Strategy sets out the provision and distribution of employment land. This policy seeks to support development within North Lincolnshire that meet local employment needs. In considering development proposals for employment purposes regard should be had to making all occasions accessible by a range of public transport modes. Travel plans will be required setting out how employment location will be linked to settlements in the area. In this case the applicant contends that the proposal will employ 23 people (part and full-time) and therefore the site will create employment. However, due to the operating hours of the venue, the use of public transport to access the site is limited. A travel plan has been submitted which will be discussed in more detail in later sections of

this report. Policy CS11 also seeks to deliver a thriving rural economy by supporting development or activities that assist in rural regeneration and that strengthen and diversify rural business. The proposal does accord with this part of policy CS11.

Policy CS15 of the Core Strategy supports schemes that extend the range of cultural and evening economy uses will be supported where they are consistent with the size and function of the centre. In this case the wedding venue will be operated late into the evening with a maximum of 120 guests. The site is not located within the central area of Messingham, but within a primarily residential area. The proposal therefore does not accord with policy CS15 due to its scale, with 120 guests and associated staff proposed at the venue, and the location of the development in a residential area.

In terms of policy CS22 of the Core Strategy, the proposed wedding venue has the potential to provide a new community facility. However, the wedding venue will not just be limited to meet the needs of local residents as anyone outside the area will be able to use the wedding venue. The applicant has not demonstrated that the facility is needed to serve the immediate local area and could not be provided elsewhere. The wedding venue will be located in a residential area where there will be adverse impact on the amenities of adjoining neighbours in terms of increased noise and disturbance. The proposal is therefore contrary to policy CS22 of the Core Strategy.

In terms of policy RD3 of the North Lincolnshire Local Plan conversions of rural buildings to commercial uses will be permitted subject to various criteria being fulfilled, which includes ensuring the proposal does not have an adverse impact on residential amenity or highway safety and that the site is capable of being served by public transport. In this case, due to the adverse impact the proposal has on residential amenity, highway safety and limited public transport, the proposal is contrary to policy RD3.

## **The design**

In terms of the design of the proposal, it is of a high standard. The barns are important local historic buildings that contribute to the rural agricultural character of the area. The alterations have been designed to respect the character and appearance of the barns and provide an alternative use for the barns ensuring their retention for the visual benefit of the area and for future generations. The design contains a mix of historic and contemporary features, including extensions to link the barns together, glazed features, retaining existing openings where possible, the introduction of a mezzanine floor, timber cladding, and internal and external oak features. The design clearly identifies the old and new features of the barns. External materials have been kept to a minimum with the existing brick and stonework of the barns retained and new walls being glazed or clad in cedar timber. This retains the agricultural character of the existing barns and clearly identifies the new extensions and alterations to the barns. The site will be landscaped to the rear of barn B to provide a pleasant enclosed walled garden/courtyard area. An oak-framed pergola will be located on the garden wall and will frame the main route into the building creating an interesting feature within the garden area. The garden area will provide an area for photographs to be taken and an outdoor area for guests to use. An enclosed landscaped area that will be private is also proposed adjacent to the bridal suite. The parking area will comprise the use of the grass-crete egg crate system. This will soften the aesthetic appearance of the car parking area from wider views and avoid a harsh urban edge being created around the perimeter of the venue which would have a negative visual impact on the barns and on the rural area. In design terms the proposal is of a very high standard and

accords with guidance in the NPPF, policies CS5 and CS6 of the Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

### **Impact on the adjacent listed building**

There is a listed building opposite the application site (1 Brigg Road). Due to alterations to the access and car parking arrangements submitted in the amended plans, the proposal now has the potential to affect the setting of the listed building. The impact on the setting of the listed building can be mitigated by increasing the height of the wall on the site frontage. This will reduce the visual impact of the cars parking and accessing the site. Planning conditions could be used to provide details of the proposed front boundary wall to reduce the impact on the setting of this listed building. As a result, it is considered that no adverse impact on the setting of the adjacent listed building will be caused. The proposal therefore accords with guidance given in the NPPF, policy CS6 of the Core Strategy and policy HE5 of the North Lincolnshire Local Plan.

### **Impact on archaeology**

In terms of archaeology, the barns are a non-designated heritage asset that are of local historic value and contribute to the rural agricultural character of the area. The retention and sensitive conversion of the barns is important to conserve their local character. In this particular case, a high standard of design has been submitted that retains the barns on the site but with alterations and extensions to allow the barns to form the wedding venue. The proposals will alter, remove and obscure elements of the historic building fabric that are important to the understanding of the nature and function of the individual elements and the overall complex. As a result, planning conditions are proposed to ensure the barns are fully recorded in advance of alteration. In terms of archaeology there is no objection to the proposal and this aspect of the proposal accords with guidance in the NPPF, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

### **Impact on ecology**

In terms of ecology, the applicant has submitted a bat and bird survey with the application. This revealed that there was no evidence of bat roosts, but the site was used by foraging bats and nesting birds. As a result, planning conditions are suggested to ensure the works are carried out in accordance with the submitted bat and bird survey. There is no objection to the proposal from an ecology point of view subject to conditions. In terms of ecology, the proposal therefore accords with guidance in the NPPF and policies CS5 and CS17 of the Core Strategy.

### **Impact on the LC11 site**

Part of the site is located within the LC11 Area of Amenity Importance. This includes part of the car parking, access road, part of the bridal suite, walled garden area and covered cloister area to barn B. This area of the site is currently a very overgrown area. The remaining LC11 area is an open area of former agricultural land. This area provides a spacious buffer area of open land between residential areas. It is accepted that the applicant could fence off part of this land located in LC11. However, the introduction of buildings, the walled boundary treatment and the car park access road into this area would detract from the open rural character of this LC11 site to the detriment of the visual amenity of the locality. The proposal is therefore contrary to LC11 of the North Lincolnshire Local Plan.

## **Potential for flooding**

In terms of flood risk the site is located in Flood Zone 1 and is therefore at low risk of flooding. As a result, a flood risk assessment is not required and there is no further need to assess the proposal in terms of flood risk. The proposal therefore accords with guidance in the NPPF, policy CS19 of the Core Strategy and DS16 of the North Lincolnshire Local Plan.

## **Drainage**

Concerns raised in relation to drainage are noted. In terms of drainage no objections have been received from the council's drainage team nor from Severn Trent Water. Severn Trent Water has asked for details of surface and foul water disposal to be submitted for approval to the council. As a result, it is considered that planning conditions could be used to ensure the drainage for the development is acceptable. The proposal would therefore accord with policy DS14 of the North Lincolnshire Local Plan.

## **Impact on the highway network**

In terms of car parking, the amended plans propose 41 car parking spaces on the site, with the wedding venue to be licensed for a maximum of 120 people. Access to the venue will be via a one-way system with vehicles entering via the northern access and leaving by the southern access. A shuttle bus service is to be provided as part of each wedding event at pre-arranged locations at pre-arranged times. These locations would be hotels in the area, notably in Scunthorpe. The applicant considers that staff would walk or cycle to work or use public transport and half would drive, car share, obtain lifts or use a taxi. Highways have considered the revised travel plan and it is still considered that there is insufficient parking on the site to accommodate all the guests and staff safely. A robust and workable travel plan has not been submitted that mitigates against the impact of limited on-site parking to serve the development. The travel plan is considered to be idealistic rather than deliverable. There is no evidence to suggest that the shuttle bus service would be successfully implemented, particularly as there is no meaningful engagement with local bus operators. The proposal will result in unacceptable levels of on-street parking in the vicinity of the junction with the A159 and the B1400 to the detriment of road safety because sufficient parking cannot be provided within the site. The proposal is therefore contrary to paragraphs 32, 34 and 36 of the NPPF, policies CS1, CS2 and CS25 of the Core Strategy, and policies T1, T2, T19, and DS1 of the North Lincolnshire Local Plan.

## **Impact on neighbours**

The site is located within a primarily residential area. The site is bounded to the north by a residential property (66c High Street). The car parking area on the north side will be immediately adjacent to this property and the access road into the site will be within 6 metres of the boundary with this property. 66c High Street has three opening bedroom windows in the flank elevation at first-floor level which serve two bedrooms. To the south and east of the application site are also residential properties. There are residential properties to the west of the application site, across the LC11 area, which are over 100 metres away. The main impact on neighbours is through noise and light pollution.

In terms of noise, the main issue with noise is from the activities of patrons and from the comings and goings of vehicles. Noise from patrons congregating outside to leave the premises, car doors slamming, engines starting up and car entertainment systems switched

on all result in disturbance to residents, despite the applicant intending to close the venue at 11.30pm. Two noise assessments have been submitted in respect of the original and amended plans. The amended noise survey is considered to be inadequate as it does not make reference to the amended plans with the northern access now proposed to access the wedding venue or the impact of locating the car parking nearer to residential properties, particularly 66c High Street.

The noise assessment demonstrates that the revised entrance and car parking plan will have a negative impact on the neighbouring residential property (66c High Street). The noise report recommends that a minimum distance of 36 metres between the closest parking space and the Noise Sensitive Receptor (NSR) is incorporated into the parking design. The separation distance of 36 metres between the closest parking space and the (NSR) has not been taken into consideration. (It must also be noted that Environmental Protection does not necessarily agree that 36 metres is an adequate separation distance.) The amended position of the car parking spaces is immediately adjacent to 66c High Street with no separation distance. The maximum disturbance from vehicles will impact on 66c High Street. In addition, although restrictions are proposed on the use of the garden after 11pm, this will still result in disturbance to residents during the daytime or evening hours.

It is accepted that planning conditions can be used to ensure that mitigation measures for the entertainment, kitchen extraction systems, ventilation and lighting provide some protection from noise, odour and lighting. However, the noise from patrons both during the event and coming and going from the venue will result in demonstrable harm to the amenity of residents by increased noise and disturbance. The proposal is therefore contrary to paragraph 123 of the NPPF, policies CS1, CS2 and CS5 of the Core Strategy, and policies DS1 and DS11 of the North Lincolnshire Local Plan.

### **Other issues raised by objectors**

A number of other issues have been raised by objectors. These include that no tree survey has been submitted. None of the trees on the site are protected and much of the site to the rear is overgrown by bushes and shrubs with vegetation growing onto the barns. In order to facilitate the conversion, extensions and alterations of the barns it is accepted that trees will need to be felled and this is balanced against the substantial visual improvements to the site that the development will create. The issue of waste disposal could be dealt with by a planning condition. The lighting of fireworks would be difficult to enforce by planning condition which has the potential to create noise nuisance to neighbours if fireworks were regularly lit. Details of air conditioning, ventilation and lighting could be dealt with by planning conditions in order to safeguard residential amenity and the amenity of the locality. The use of the wedding venue for other entertainment could be controlled by planning conditions restricting its use to a wedding venue only, and hours of use and the number of events could also be controlled by planning conditions. There is no evidence to suggest that the proposal could potentially lead to antisocial behaviour and increased crime, and no evidence has been submitted to suggest that infrastructure is at full capacity.

### **Conclusion**

The proposal will provide economic benefits to Messingham by the creation of employment opportunities and users of the venue (customers and guests) potentially using existing facilities and services in Messingham. In terms of the design, a high standard has been submitted, however this must be balanced against the fact that the proposal will increase

the need to travel, with opportunities to use public transport to access the site being limited, and the submitted travel plan being inadequate. The proposal will therefore result in an adverse impact on the character of the LC11 area and significant noise and disturbance to residents adjoining and close to the site.

**RECOMMENDATION      Refuse permission for the following reasons:**

1.

The proposal has insufficient car parking within the site to accommodate the level of activity proposed. The development would lead to unacceptable levels of on-street parking in the vicinity of the junction of the A159 and the B1400 to the detriment of highway and pedestrian safety. The proposal is therefore contrary to paragraphs 32 and 35 of the National Planning Policy Framework, policies CS1 and CS2 of the Core Strategy and policies T1, T2, T19, RD3 and DS1 of the North Lincolnshire Local Plan.

2.

The submitted travel plan is not considered to be robust and workable in order to mitigate against the impact of limited on-site parking to serve the wedding venue. The proposal will increase the need to travel and therefore the location of the development is considered to be unsustainable. Accordingly, the proposal is contrary to paragraphs 17, 32, 34 and 36 of the National Planning Policy Framework and policies CS1, CS2 and CS25 of the Core Strategy.

3.

The development, including the car parking arrangements, are located close to neighbours. The submitted noise assessment is considered to be inadequate and the proposal would result in a significant increase in noise and disturbance to neighbours from patrons using the venue. The proposal is therefore contrary to paragraph 123 of the National Planning Policy Framework, policy CS5 of the Core Strategy and policies DS1, DS11 and RD3 of the North Lincolnshire Local Plan.

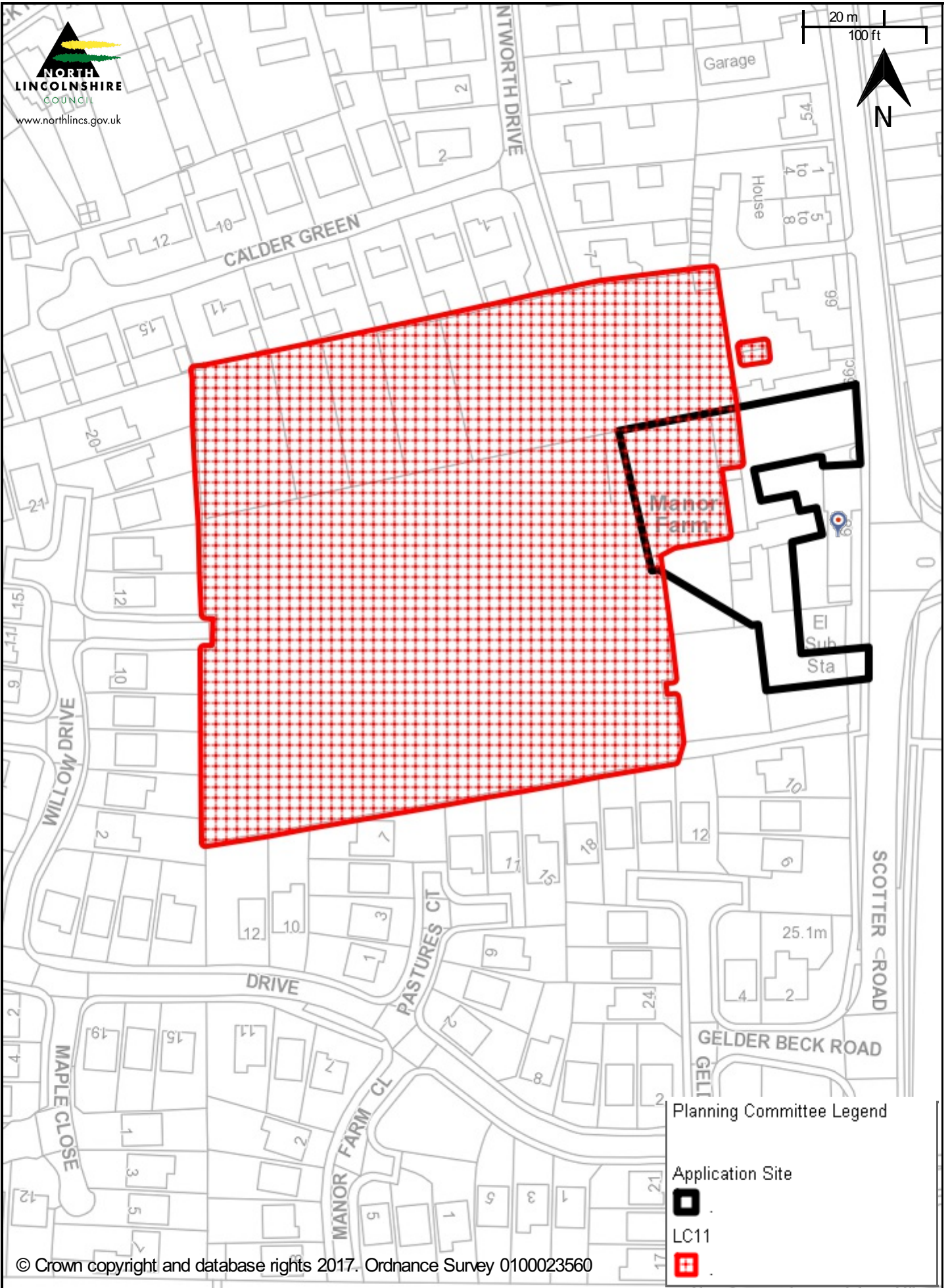
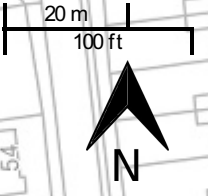
4.

Part of the application site is located within an Area of Amenity Importance (LC11) on which buildings associated with the wedding venue, a walled garden, and the access route and car parking will be located. The proposal will have an adverse impact on the open character and visual appearance of this Area of Amenity Importance to the detriment of the rural settlement of Messingham. Accordingly, the proposal is contrary to policy LC11 of the North Lincolnshire Local Plan.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.





Planning Committee Legend

Application Site



LC11



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PA/2016/1603

Drawn by: S Bootland

Scale @A4 1:1250

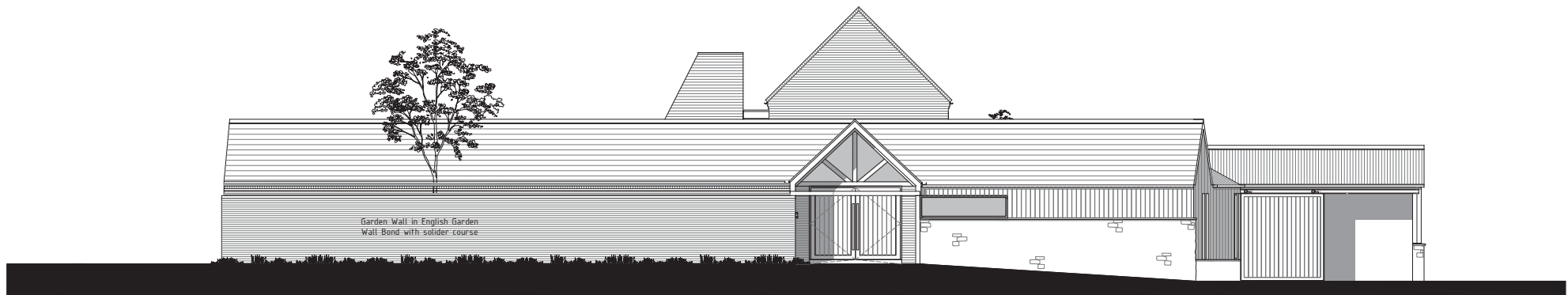
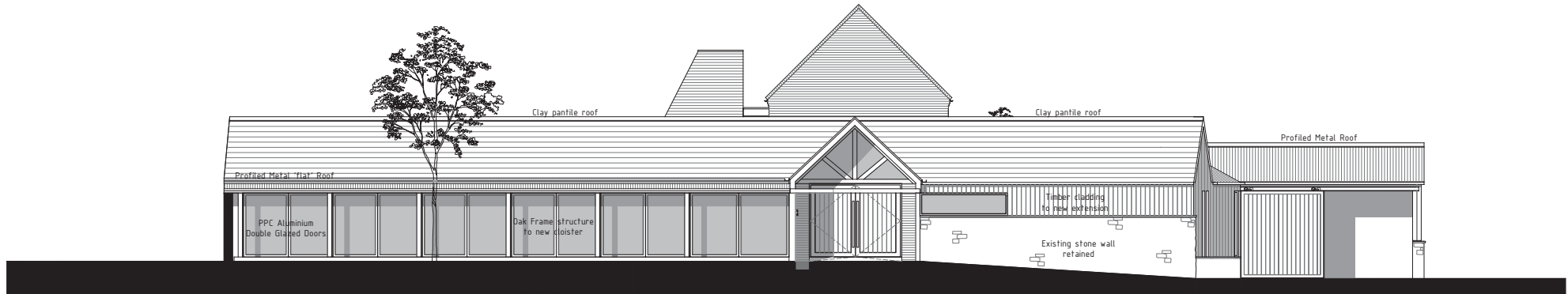
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PA/2016/1603

West Elevations

Not to Scale



PA/2016/1603

South Elevation

Not to Scale

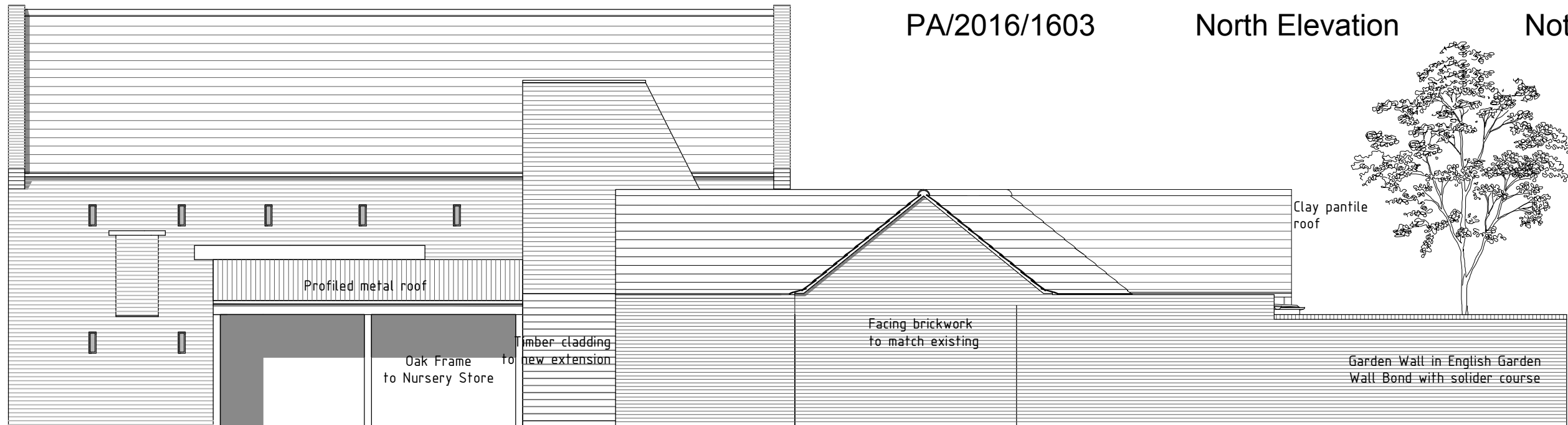


Proposed South Elevation

PA/2016/1603

North Elevation

Not to Scale



Profiled metal roof

Oak Frame to Nursery Store

Timber cladding new extension

Facing brickwork to match existing

Clay pantile roof

Garden Wall in English Garden Wall Bond with soldier course

PA/2016/1603

East Elevation

Not to Scale



PA/2016/1603  
Block Plan  
Not to Scale

LC11 Site  
See Separate Plan

Residential  
Property

Listed Building

Car  
Parking

Site Access 1

Wise Owl  
Nursery

Wedding Venue Development

The Stables  
Restaurant

Existing  
Tractor  
Shed

Site Access 2

